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YEARBOOK of the UNITED NATIONS

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FOREWORD

In this Yearbook the United Nations presents to the public a summary of its activities and achievements from its inception to July 1, 1947.

Our organization did not come into being spontaneously. It emerged during a long period of intense discussion between governments and among members of the public who energetically seized the unprecedented opportunity to express their views on every detail of the Charter during its development. This formative period is covered in the Yearbook. It follows the growth of the United Nations idea from war to peace. In the part dealing with the San Francisco Conference the meaning and intentions of the drafters of the Charter can be found clearly recorded. An account of the proceedings of the Executive Committee and the Preparatory Commission provides an insight into the actual creation of the organization in accordance with the Charter.

The Yearbook also covers the period of the first session of the General Assembly and the ensuing time during which we have used our energies to translate into action the decisions taken at that session. In many cases we have been successful; in others we have not yet succeeded. Granted the smoothest progress, some resolutions must take years to put into effect; in these cases we can only report progress. Other resolutions require permanent enforcement; here we can only show what action has been taken to enforce them. In yet other cases there have been difficulties of a practical or political nature; here we have at least been able to isolate and clarify those difficulties.

I present this overall account of our work in the conviction that such a collection of basic information in one volume is essential to anyone who wishes to know the United Nations and, in the light of his knowledge, to give it his enlightened support. Although such a balance sheet of our activities is not, and cannot be expected to be, entirely satisfactory it does serve to bring home the fact that the United Nations is a vital and energetic organism, heavily engaged, day after day, in the practical job of working out the world's problems by co-operation between the nations.

Here is the machinery. Here are its workings to date. It is for the peoples of the United Nations and their governments to see that its full potentialities are realized.

Trygve Lie

Lake Success, N. Y.
16 September 1947

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Part One

THE UNITED NATIONS

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III. The Security Council

IV. The Economic and Social Council

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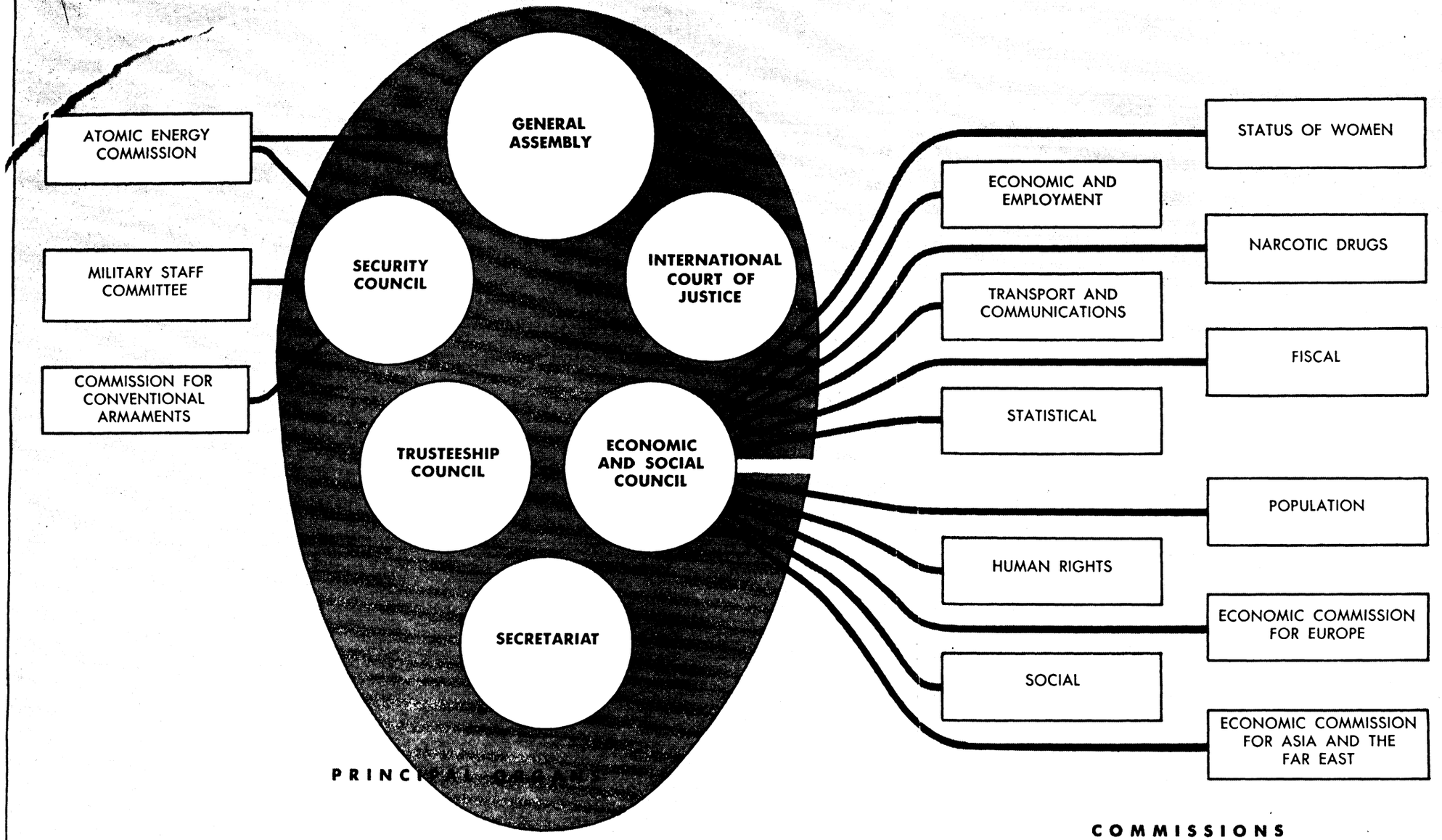
VII. The Secretariat

*

ORGANS OF THE UNITED NATIONS



Specialized Agencies

International Labour Organization

Food and Agriculture Organization

United Nations Educational Scientific and Cultural Organization

International Civil Aviation Organization

*International Bank for Reconstruction and Development

*International Monetary Fund

*World Health Organization

*International Refugee Organization

*International Trade Organization

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*Not yet brought into relationship with the United Nations

UN Presentation 468.2

Part One:

I. Origin and Evolution

A. THE DECLARATION BY UNITED NATIONS

The term, "The United Nations," was suggested by Franklin Delano Roosevelt. It was first used in the Declaration by United Nations, and at the San Francisco Conference it was unanimously adopted as the name of the new international organization as a tribute to the late President of the United States.

On January 1, 1942, the representatives of 26 nations that were fighting against the Axis aggressors signed in Washington, D. C., a Declaration by United Nations. This is the first landmark in the evolution of the United Nations. The text of the Declaration[1] is as follows:

The Governments signatory hereto,

Having subscribed to a common program of purposes and principles embodied in the Joint Declaration of the President of the United States of America and the Prime Minister of the United Kingdom of Great Britain and Northern Ireland dated August 14, 1941, known as the Atlantic Charter.

Being convinced that complete victory over their enemies is essential to defend life, liberty, independence and religious freedom, and to preserve human rights and justice in their own lands as well as in other lands, and that they are now engaged in a common struggle against savage and brutal forces seeking to subjugate the world,

DECLARE:

(1) Each Government pledges itself to employ its full resources, military or economic, against those members of the Tripartite Pact and its adherents with which such government is at war.

(2) Each Government pledges itself to co-operate with the Governments signatory hereto and not to make a separate armistice or peace with the enemies.

The foregoing declaration may be adhered to by other nations which are, or which may be, rendering material assistance and contributions in the struggle for victory over Hitlerism.

DONE at Washington, January First, 1942.

The original signatories of the Declaration[2] were:

United States	Guatemala
United Kingdom	Haiti
U.S.S.R.	Honduras
China	India
Australia	Luxembourg
Belgium	Netherlands
Canada	New Zealand
Costa Rica	Nicaragua
Cuba	Norway
Czechoslovakia	Panama
Dominican Republic	Poland
El Salvador	South Africa
Greece	Yugoslavia

In addition to the original 26 signatories, 21 nations adhered to the Declaration. Below is a list of the adherents, together with the dates of communications of adherence:[3]

Mexico	June 5, 1942
Philippine Commonwealth	June 10, 1942
Ethiopia	July 28, 1942
Iraq	January 16, 1943
Brazil	February 8, 1943
Bolivia	April 27, 1943
Iran	September 10, 1943

[1] *U. S. Department of State Bulletin*, January 3, 1942, p. 3.

[2] France and Denmark were generally regarded as having been identified with the United Nations from the beginning, as the French authorities abroad had carried on hostilities and the Danish Minister in Washington had signified the adherence of all free Danes to the Allied cause. As the Declaration was signed by governments, they could not at that time, however, formally adhere to it.

France, when the French National Committee was constituted as a government, adhered formally to the Declaration. Denmark, which was not liberated until after the opening of the San Francisco Conference was admitted as one of the United Nations by the Conference.

[3] These dates are from the *U. S. Department of State Bulletin*, August 12, 1945. The dates given are those borne by the communications addressed to the Department of State.

Colombia	December 22, 1943	Venezuela	February 16, 1945
Liberia	February 26, 1944	Uruguay	February 23, 1945
France	December 26, 1944	Turkey	February 24, 1945
Ecuador	February 7, 1945	Egypt	February 27, 1945
Peru	February 11, 1945	Saudi Arabia	March 1, 1945
Chile	February 12, 1945	Syria	March 1, 1945
Paraguay	February 12, 1945	Lebanon	March 1, 1945

B. THE ATLANTIC CHARTER

The signatories of the United Nations Declaration subscribed to the "common program of purposes and principles" embodied in the Atlantic Charter—the Joint Declaration made by the President of the United States and the Prime Minister of the United Kingdom on August 14, 1941. The Charter[1] reads:

The President of the United States of America and the Prime Minister, Mr. Churchill, representing His Majesty's Government in the United Kingdom, being met together, deem it right to make known certain common principles in the national policies of their respective countries on which they base their hopes for a better future for the world.

First, their countries seek no aggrandizement, territorial or other;

Second, they desire to see no territorial changes that do not accord with the freely expressed wishes of the peoples concerned;

Third, they respect the right of all peoples to choose the form of government under which they will live; and they wish to see sovereign rights and self-government restored to those who have been forcibly deprived of them;

Fourth, they will endeavour, with due respect for their existing obligations, to further the enjoyment by all States, great or small, victor or vanquished, of access, on equal terms, to the trade and to the raw materials of the world which are needed for their economic prosperity;

Fifth, they desire to bring about the fullest collaboration between all nations in the economic field with the object of securing, for all, improved labour standards, economic adjustment and social security;

Sixth, after the final destruction of the Nazi tyranny, they hope to see established a peace which will afford to all nations the means of dwelling in safety within their own boundaries, and which will afford assurance that all the men in all the lands may live out their lives in freedom from fear and want;

Seventh, such a peace should enable all men to traverse the high seas and oceans without hindrance;

Eighth, they believe that all of the nations of the world, for realistic as well as spiritual reasons, must come to the abandonment of the use of force. Since no future peace can be maintained if land, sea or air armaments continue to be employed by nations which threaten, or may threaten, aggression outside of their frontiers, they believe, pending the establishment of a wider and permanent system of general security, that the disarmament of such nations is essential. They will likewise aid and encourage all other practicable measures which will lighten for peace-loving peoples the crushing burden of armaments.[2]

FRANKLIN D. ROOSEVELT
WINSTON S. CHURCHILL

Dated August 14, 1941.

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[1] *U. S. Department of State Bulletin*, August 16, 1941, p. 125; Joint Declaration by the President of the United States of America and Mr. Winston Churchill representing His Majesty's Government in the United Kingdom, known as the Atlantic Charter, August 14, 1941. London H.M. Stationery Office 1941. [United States No. 3 (1941), Cmd. 6321].

[2] Under the Inter-Allied Declaration of St. James's Palace of September 24, 1941, "this declaration of principles" was adhered to by the representatives of Belgium, Czechoslovakia, Greece, Luxembourg, the Netherlands, Norway, Poland, the U.S.S.R., Yugoslavia and General de Gaulle, leader of Free Frenchmen. [Inter-Allied Meeting held in London at St. James's Palace on September 24, 1941. Report of proceedings. London, H.M. Stationery Office, 1941. Miscellaneous No. 3 (1941), Cmd. 6315].

(*note* [1] *cont.*)

A previous Inter-Allied Declaration of St. James's Palace of June 12, 1941, adopted by representatives of the United Kingdom, Canada, Australia, New Zealand, South Africa, Belgium, the Provisional Czechoslovak Government, Greece, Luxembourg, the Netherlands, Norway, Poland and Yugoslavia and the representatives of General de Gaulle, leader of Free Frenchmen, had recognized that "the only true basis of enduring peace is the willing co-operation of free peoples in a world in which, relieved of the menace of aggression, all may enjoy economic and social security" and had stated that it was "their intention to work together, and with other free peoples both in war and peace to this end." [Inter-Allied Meeting held in London at St. James's Palace on June 12, 1941. Report of proceedings. London, H.M. Stationery Office, 1941. Miscellaneous No. 1 (1941), Cmd. 6285].

C. THE MOSCOW DECLARATION ON GENERAL SECURITY

On October 30, 1943, the Foreign Ministers of the United States, the United Kingdom and the U.S.S.R. and the Chinese Ambassador to Moscow issued the Declaration of Four Nations on General Security, which contemplated the establishment at the earliest practicable date of a general international organization, based upon the principle of the sovereign equality of all peace-loving States and open to membership by such States, large and small, for the maintenance of international peace and security.

The text of the Declaration[1] is as follows:

The Governments of the United States of America, the United Kingdom, the Soviet Union and China:

United in their determination, in accordance with the Declaration by the United Nations of January 1, 1942, and subsequent declarations, to continue hostilities against those Axis powers with which they respectively are at war until such powers have laid down their arms on the basis of unconditional surrender;

Conscious of their responsibility to secure the liberation of themselves and the peoples allied with them from the menace of aggression;

Recognizing the necessity of ensuring a rapid and orderly transition from war to peace and of establishing and maintaining international peace and security with the least diversion of the world's human and economic resources for armaments;

JOINTLY DECLARE:

1. That their united action, pledged for the prosecution of the war against their respective enemies, will be continued for the organization and maintenance of peace and security.

2. That those of them at war with a common enemy will act together in all matters relating to the surrender and disarmament of that enemy.

3. That they will take all measures deemed by them to be necessary to provide against any violation of the terms imposed upon the enemy.

4. That they recognize the necessity of establishing at the earliest practicable date a general international organization, based on the principle of the sovereign equality of all peace-loving States, and open to membership by all such States, large and small, for the maintenance of international peace and security.

5. That for the purpose of maintaining international peace and security pending the re-establishment of law and order and the inauguration of a system of general security, they will consult with one another and as occasion requires with other members of the United Nations with a view to joint action on behalf of the community of nations.

6. That after the termination of hostilities they will not employ their military forces within the territories of other States except for the purposes envisaged in this declaration and after joint consultation.

7. That they will confer and co-operate with one another and with other members of the United Nations to bring about a practicable general agreement with respect to the regulation of armaments in the postwar period.

V. Molotov
Anthony Eden
Cordell Hull
Foo Ping-sheung

Moscow, October 30, 1943

D. UNITED NATIONS CONFERENCES ON ECONOMIC AND SOCIAL PROBLEMS[2]

Before the establishment of a general international organization, as contemplated in the Moscow Declaration, a number of United Nations conferences were held to discuss certain special problems. As a result of these conferences a number of specialized agencies were subsequently established.

The first of these conferences was the United Nations Conference on Food and Agriculture, held in Hot Springs, Virginia, from May 18 to June 3, 1943, which set up an Interim Commission on Food and Agriculture to draw up a Constitution of the Food and Agriculture Organization of the United Nations. On October 16, 1945, FAO came into being when its Constitution was signed.

The Conference of Allied Ministers of Education, which first met in London in October 1942, drafted plans for a United Nations Educational and Cultural Organization. These plans served as a basis of discussion at the United Nations Conference for the Establishment of an Educational, Scientific and Cultural Organization, held in London from

[1] *U. S. Department of State Bulletin*, November 6, 1943, pp. 307-311.

[2] For fuller information on these conferences see Part Two of this Yearbook.

November 1 to 16, 1945, which drew up the Constitution of the United Nations Educational Scientific and Cultural Organization (UNESCO).

The Agreement creating the United Nations Relief and Rehabilitation Administration was signed in Washington on November 9, 1943, by representatives of 44 nations, and on the following day the first meeting of the UNRRA Council took place in Atlantic City, New Jersey. It may be noted that UNRRA was the first of the United Nations agencies formally to come into being.

The United Nations Monetary and Financial Conference was held at Bretton Woods, New Hampshire, from July 1 to 22, 1944. The Conference drafted the Articles of Agreement of the International Monetary Fund and the Articles of Agreement of the International Bank for Reconstruction and Development. The Articles of Agreement both of the Fund and of the Bank came into force on December 27, 1945, and the inaugural meeting of the Boards of Governors of these two institutions took place in Savannah, Georgia, U.S.A., from March 8 to 18, 1946.

The International Civil Aviation Conference was held in Chicago from November 1 to December 7, 1944. It drafted a Convention on International Civil Aviation and an Interim Agreement on International Civil Aviation. The Provisional (Interim) International Civil Aviation Organization came into being on August 15, 1945.

E. THE DUMBARTON OAKS CONVERSATIONS

The first concrete step toward the creation of a general international organization was taken in the late summer of 1944, when the Dumbarton Oaks Conversations took place. The first phase of the conversations was between the representatives of the U.S.S.R., the United Kingdom and the United States from August 21 to September 28, and the second phase between the representatives of China, the United Kingdom and the United States from September 29 to October 7.[1] As a result of these conversations the four powers reached a number of agreements which were embodied in the Dumbarton Oaks Proposals. The text of the Proposals reads:

PROPOSALS FOR THE ESTABLISHMENT OF A GENERAL INTERNATIONAL ORGANIZATION[2]

There should be established an international organization under the title of The United Nations, the Charter of which should contain provisions necessary to give effect to the proposals which follow.

CHAPTER I
PURPOSES

The purposes of the Organization should be:

1. To maintain international peace and security; and to that end to take effective collective measures for the prevention and removal of threats to the peace and the suppression of acts of aggression or other breaches of the peace, and to bring about by peaceful means adjustment or settlement of international disputes which may lead to a breach of the peace;

2. To develop friendly relations among nations and to take other appropriate measures to strengthen universal peace;

3. To achieve international co-operation in the solution of international economic, social and other humanitarian problems; and

4. To afford a centre for harmonizing the actions of nations in the achievement of these common ends.

CHAPTER II
PRINCIPLES

In pursuit of the purposes mentioned in Chapter I the Organization and its members should act in accordance with the following principles:

1. The Organization is based on the principle of the sovereign equality of all peace-loving states.

2. All members of the Organization undertake, in order to ensure to all of them the rights and benefits resulting from membership in the Organization, to fulfill the obligations assumed by them in accordance with the Charter.

3. All members of the Organization shall settle their disputes by peaceful means in such a manner that international peace and security are not endangered.

4. All members of the Organization shall refrain in their international relations from the threat or use of force in any manner inconsistent with the purposes of the Organization.

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[1] For list of representatives at the Conversations see p. 43.

[2] Dumbarton Oaks Documents on International Organization. U. S. Department of State, Conference Series 56, Publication 2192. Dumbarton Oaks Conversations on World Organization, August 21 to October 7, 1944. Statement of tentative proposals. London, H.M. Stationery Office, 1944. [Miscellaneous No. 4 (1944), Cmd. 6560].

5. All members of the Organization shall give every assistance to the Organization in any action undertaken by it in accordance with the provisions of the Charter.

6. All members of the Organization shall refrain from giving assistance to any state against which preventive or enforcement action is being undertaken by the Organization.

The Organization should ensure that states not members of the Organization act in accordance with these principles so far as may be necessary for the maintenance of international peace and security.

CHAPTER III
MEMBERSHIP

1. Membership of the Organization should be open to all peace-loving states.

CHAPTER IV
PRINCIPAL ORGANS

1. The Organization should have as its principal organs:

a. A General Assembly;
b. A Security Council;
c. An International Court of Justice; and
d. A Secretariat.

2. The Organization should have such subsidiary agencies as may be found necessary.

CHAPTER V
THE GENERAL ASSEMBLY

Section A—Composition

All members of the Organization should be members of the General Assembly and should have a number of representatives to be specified in the Charter.

Section B—Functions and Powers

1. The General Assembly should have the right to consider the general principles of co-operation in the maintenance of international peace and security, including the principles governing disarmament and the regulation of armaments; to discuss any questions relating to the maintenance of international peace and security brought before it by any member or members of the Organization or by the Security Council; and to make recommendations with regard to any such principles or questions. Any such questions on which action is necessary should be referred to the Security Council by the General Assembly either before or after discussion. The General Assembly should not on its own initiative make recommendations on any matter relating to the maintenance of international peace and security which is being dealt with by the Security Council.

2. The General Assembly should be empowered to admit new members to the Organization upon recommendation of the Security Council.

3. The General Assembly should, upon recommendation of the Security Council, be empowered to suspend from the exercise of any 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 the rights and privileges thus suspended may be restored by decision of the Security Council. The General Assembly should be empowered, upon recommendation of the Security Council, to expel from the Organization any member of the Organization which persistently violates the principles contained in the Charter.

4. The General Assembly should elect the non-permanent members of the Security Council and the members of the Economic and Social Council provided for in Chapter IX. It should be empowered to elect upon recommendation of the Security Council, the Secretary-General of the Organization. It should perform such functions in relation to the election of the Judges of the International Court of Justice as may be conferred upon it by the Statute of the Court.

5. The General Assembly should apportion the expenses among the members of the Organization and should be empowered to approve the budgets of the Organization.

6. The General Assembly should initiate studies and make recommendations for the purpose of promoting international co-operation in political, economic and social fields and of adjusting situations likely to impair the general welfare.

7. The General Assembly should make recommendations for the co-ordination of the policies of international economic, social and other specialized agencies brought into relation with the Organization in accordance with agreements between such agencies and the Organization.

8. The General Assembly should receive and consider annual and special reports from the Security Council and reports from other bodies of the Organization.

Section C—Voting

1. Each member of the Organization should have one vote in the General Assembly.

2. Important decisions of the General Assembly, including recommendations with respect to the maintenance of international peace and security; election of members of the Security Council; election of members of the Economic and Social Council; admission of members, suspension of the exercise of the rights and privileges of members, and expulsion of members; and budgetary questions should be made by a two-thirds majority of those present and voting. On other questions, including the determination of additional categories of question to be decided by a two-thirds majority, the decisions of the General Assembly should be made by a simple majority vote.

Section D—Procedure

1. The General Assembly should meet in regular annual session and in such special sessions as occasion may require.

2. The General Assembly should adopt its own rules of procedure and elect its President for each session.

3. The General Assembly should be empowered to set up such bodies and agencies as it may deem necessary for the performance of its functions.

CHAPTER VI

THE SECURITY COUNCIL

Section A—Composition

The Security Council should consist of one representative of each of eleven members of the Organization. Representatives of the United States of America, the United Kingdom of Great Britain and Northern Ireland, the Union of Soviet Socialist Republics, the Republic of China and, in due course, France, should have permanent seats. The General Assembly should elect six states to fill the non-permanent seats. These six states should be elected for a term of two years, three retiring each year. They should not be immediately eligible for re-election. In the first election of the non-permanent members three should be chosen by the General Assembly for one-year terms and three for two-year terms.

Section B—Principal Functions and Powers

1. In order to ensure prompt and effective action by the Organization, members of the Organization should by the Charter confer on the Security Council primary responsibility for the maintenance of international peace and security and should agree that in carrying out these duties under this responsibility it should act on their behalf.

2. In discharging these duties the Security Council should act in accordance with the purposes and principles of the Organization.

3. The specific powers conferred on the Security Council in order to carry out these duties are laid down in Chapter VIII.

4. All members of the Organization should obligate themselves to accept the decisions of the Security Council and to carry them out in accordance with the provisions of the Charter.

5. In order to promote the establishment and maintenance of international peace and security with the least diversion of the world's human and economic resources for armaments, the Security Council, with the assistance of the Military Staff Committee referred to in Chapter VIII, Section B, paragraph 9, should have the responsibility for formulating plans for the establishment of a system of regulation of armaments for submission to the members of the Organization.

Section C—Voting

(Note: The question of voting procedure in the Security Council is still under consideration.)

Section D—Procedure

1. The Security Council should be so organized as to be able to function continuously and each state member of the Security Council should be permanently represented at the headquarters of the Organization. It may hold meetings at such other places as in its judgment may best facilitate its work. There should be periodic meetings at which each state member of the Security Council could if it so desired be represented by a member of the government or some other special representative.

2. The Security Council should be empowered to set up such bodies or agencies as it may deem necessary for the performance of its functions including regional sub-committees of the Military Staff Committee.

3. The Security Council should adopt its own rules of procedure, including the method of selecting its President.

4. Any member of the Organization should participate in the discussion of any question brought before the Security Council whenever the Security Council considers that the interests of that member of the Organization are specially affected.

5. Any member of the Organization not having a seat on the Security Council and any state not a member of the Organization, if it is a party to a dispute under consideration by the Security Council, should be invited to participate in the discussion relating to the dispute.

CHAPTER VII

AN INTERNATIONAL COURT OF JUSTICE

1. There should be an International Court of Justice which should constitute the principal judicial organ of the Organization.

2. The Court should be constituted and should function in accordance with a Statute which should be annexed to and be a part of the Charter of the Organization.

3. The Statute of the Court of International Justice should be either (a) the Statute of the Permanent Court of International Justice, continued in force with such modifications as may be desirable, or (b) a new Statute in the preparation of which the Statute of the Permanent Court of International Justice should be used as a basis.

4. All members of the Organization should *ipso facto* be parties to the Statute of the International Court of Justice.

5. Conditions under which States not Members of the Organization may become parties to the Statute of the International Court of Justice should be determined in each case by the General Assembly upon recommendation of the Security Council.

CHAPTER VIII

ARRANGEMENTS FOR THE MAINTENANCE OF INTERNATIONAL PEACE AND SECURITY, INCLUDING PREVENTION AND SUPPRESSION OF AGGRESSION

Section A—Pacific Settlement of Disputes

1. The Security Council should be empowered to investigate any dispute, or any situation which may lead to international friction or give rise to a dispute, in order to determine whether its continuance is likely to endanger the maintenance of international peace and security.

2. Any state, whether member of the Organization or not, may bring any such dispute or situation to the attention of the General Assembly or of the Security Council.

3. The parties to any dispute the continuance of which is likely to endanger the maintenance of international peace and security should obligate themselves, first of all, to seek a solution by negotiation, mediation, conciliation, arbitration or judicial settlement, or other peaceful means of their own choice. The Security Council should call upon the parties to settle their dispute by such means.

4. If, nevertheless, parties to a dispute of the nature referred to in paragraph 3 above fail to settle it by the means indicated in that paragraph they should obligate themselves to refer it to the Security Council. The Security Council should in each case decide whether or not the continuance of the particular dispute is in fact likely to endanger the maintenance of international peace and security, and, accordingly, whether the Security Council should deal with the dispute, and, if so, whether it should take action under paragraph 5.

5. The Security Council should be empowered, at any stage of a dispute of the nature referred to in paragraph 3 above, to recommend appropriate procedures or methods of adjustment.

6. Justiciable disputes should normally be referred to the International Court of Justice. The Security Council should be empowered to refer to the Court, for advice, legal questions connected with other disputes.

7. The provisions of paragraph 1 to 6 of Section A should not apply to situations or disputes arising out of matters which by international law are solely within the domestic jurisdiction of the state concerned.

Section B—Determination of Threats to the Peace or Acts of Aggression and Action With Respect Thereto

1. Should the Security Council deem that a failure to settle a dispute in accordance with procedures indicated in paragraph 3 of Section A, or in accordance with its recommendations made under paragraph 5 of Section A, constitutes a threat to the maintenance of international peace and security, it should take any measures necessary for the maintenance of international peace and security in accordance with the purposes and principles of the Organization.

2. In general the Security Council should determine the existence of any threat to the peace, breach of the peace or act of aggression and should make recommendations or decide upon the measures to be taken to maintain or restore peace and security.

3. The Security Council should be empowered to determine what diplomatic, economic, or other measures not involving the use of armed force should be employed to give effect to its decisions, and to call upon members of the Organization to apply such measures. Such measures may include complete or partial interruption of rail, sea, air, postal, telegraphic, radio and other means of communication and the severance of diplomatic and economic relations.

4. Should the Security Council consider such measures to be inadequate, it should be empowered to take such action by air, naval or land forces as may be necessary to maintain or restore international peace and security. Such action may include demonstrations, blockade and other operations by air, sea or land forces of members of the Organization.

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 concluded among themselves, armed forces, facilities and assistance necessary for the purpose of maintaining international peace and security. Such agreement or agreements should govern the numbers and types of forces and the nature of the facilities and assistance to be provided. The special agreement or agreements should be negotiated as soon as possible and should in each case be subject to approval by the Security Council and to ratification by the signatory states in accordance with their constitutional processes.

6. In order to enable urgent military measures to be taken by the Organization there should be held immediately available by the members of the Organization national air force contingents for combined international enforcement action. The strength and degree of readiness of these contingents and plans for their combined action should be determined by the Security Council with the assistance of the Military Staff Committee within the limits laid down in the special agreement or agreements referred to in paragraph 5 above.

7. The action required to carry out the decisions of the Security Council for the maintenance of international peace and security should be taken by all the Members of the Organization in co-operation or by some of them as the Security Council may determine. This undertaking should be carried out by the members of the Organization by their own action and through action of the appropriate specialized organizations and agencies of which they are members.

8. Plans for the application of armed force should be made by the Security Council with the assistance of the Military Staff Committee referred to in paragraph 9 below.

9. There should be established a Military Staff Committee the functions of which should be to advise and assist the Security Council on all questions relating to the Security Council's military requirements for the maintenance of international peace and security, to the employment and command of forces placed at its disposal, to the regulation of armaments, and to possible disarmament. It should be responsible under the Security Council for the strategic direction of any armed forces placed at the disposal of the Security Council. The Committee should be composed of the Chiefs of Staff of the permanent members of the Security Council or their representatives. Any member of the Organization not permanently represented on the Committee should be invited by the Committee to be associated with it when the efficient discharge of the Committee's responsibilities requires that such a state should participate in its work. Questions of command of forces should be worked out subsequently.

10. The members of the Organization should join in affording mutual assistance in carrying out the measures decided upon by the Security Council.

11. Any state, whether a member of the Organization or not, which finds itself confronted with special economic problems arising from the carrying out of measures which have been decided upon by the Security Council should have the right to consult the Security Council in regard to a solution of those problems.

Section C—Regional Arrangements

1. Nothing in the Charter should preclude the existence of regional arrangements or agencies for dealing with such matters relating to the maintenance of international peace and security as are appropriate for regional action, provided such arrangements or agencies and their activities are consistent with the purposes and principles of the Organization. The Security Council should encourage settlement of local disputes through such regional arrangements or by such regional agencies, either on the initiative of the states concerned or by reference from the Security Council.

2. The Security Council should, where appropriate, utilize such arrangements or agencies for enforcement action under its authority, but no enforcement action should be taken under regional arrangements or by regional agencies without the authorization of the Security Council.

3. The Security Council should at all times be kept fully informed of activities undertaken or in contemplation under regional arrangements or by regional agencies for the maintenance of international peace and security.

CHAPTER IX

ARRANGEMENTS FOR INTERNATIONAL ECONOMIC AND SOCIAL CO-OPERATION

Section A—Purpose and Relationships

1. With a view to the creation of conditions of stability and well-being which are necessary for peaceful and friendly relations among nations, the Organization should facilitate solutions of international economic, social and other humanitarian problems and promote respect for human rights and fundamental freedoms. Responsibility for the discharge of this function should be vested in the General Assembly and, under the authority of the General Assembly, in an Economic and Social Council.

2. The various specialized economic, social and other organizations and agencies would have responsibilities in their respective fields as defined in their statutes. Each such organization or agency should be brought into relationship with the Organization on terms to be determined by agreement between the Economic and Social Council and the appropriate authorities of the specialized organization or agency, subject to approval by the General Assembly.

Section B—Composition and Voting

The Economic and Social Council should consist of representatives of eighteen members of the Organization. The states to be represented for this purpose should be elected by the General Assembly for terms of three years. Each such state should have one representative, who should have one vote. Decisions of the Economic and Social Council should be taken by simple majority vote of those present and voting.

Section C—Functions and Powers of the Economic and Social Council

1. The Economic and Social Council should be empowered:

a. to carry out, within the scope of its functions, recommendations of the General Assembly;

b. to make recommendations, on its own initiative, with respect to international economic, social and other humanitarian matters;

c. to receive and consider reports from the economic, social and other organizations or agencies brought into relationship with the Organization, and to co-ordinate their activities through consultations with, and recommendations to, such organizations or agencies;

d. to examine the administrative budgets of such specialized organizations or agencies with a view to making recommendations to the organizations or agencies concerned;

e. to enable the Secretary-General to provide information to the Security Council;

f. to assist the Security Council upon its request; and

g. to perform such other functions within the general scope of its competence as may be assigned to it by the General Assembly.

Section D—Organization and Procedure

1. The Economic and Social Council should set up an economic commission, a social commission, and such other commissions as may be required. These commissions should consist of experts. There should be a permanent staff which should constitute a part of the Secretariat of the Organization.

2. The Economic and Social Council should make suitable arrangements for representatives of the specialized organizations or agencies to participate without vote in its deliberations and in those of the commissions established by it.

3. The Economic and Social Council should adopt its own rules of procedure and the method of selecting its President.

CHAPTER X

THE SECRETARIAT

1. There should be a Secretariat comprising a Secretary-General and such staff as may be required. The Secretary-General should be the chief administrative officer of the Organization. He should be elected by the General Assembly, on recommendation of the Security Council, for such term and under such conditions as are specified in the Charter.

2. The Secretary-General should act in that capacity in all meetings of the General Assembly, of the Security Council, and of the Economic and Social Council and should make an annual report to the General Assembly on the work of the Organization.

3. The Secretary-General should have the right to bring to the attention of the Security Council any matter which in his opinion may threaten international peace and security.

CHAPTER XI

AMENDMENTS

Amendments should come into force for all members of the Organization when they have been adopted by a vote of two-thirds of the members of the General Assembly and ratified in accordance with their respective constitutional processes by the members of the Organization having permanent membership on the Security Council and by a majority of the other members of the Organization.

CHAPTER XII

TRANSITIONAL ARRANGEMENTS

1. Pending the coming into force of the special agreement or agreements referred to in Chapter VIII, Section B, paragraph 5, and in accordance with the provisions of paragraph 5 of the Four-Nation Declaration, signed at Moscow, Oct. 30, 1943, the States parties to that Declaration should consult with one another and as occasion arises with other Members of the Organization with a view to such joint action on behalf of the Organization as may be necessary for the purpose of maintaining international peace and security.

2. No provision of the Charter should preclude action taken or authorized in relation to enemy States as a result of the present war by the Governments having responsibility for such action.

(Note: In addition to the question of voting procedure in the Security Council referred to in Chapter VI, several other questions are still under consideration.)

F. THE YALTA AGREEMENT

In February 1945, Prime Minister Churchill, President Roosevelt and Marshal Stalin met at Yalta in the Crimea. A report was issued after the conference which contained the following passage:

We are resolved upon the earliest possible establishment with our Allies of a general international organization to maintain peace and security. We believe that this is essential, both to prevent aggression and to remove the political, economic and social causes of war through the close and continuing collaboration of all peace-loving peoples.

The foundations were laid at Dumbarton Oaks. On the important question of voting procedure, however, agreement was not there reached. The present Conference has been able to resolve this difficulty.

We have agreed that a Conference of United Nations should be called to meet at San Francisco in the United States on the 25th April 1945, to prepare the charter of such an organization, along the lines proposed in the informal conversions of Dumbarton Oaks.

The Government of China and the Provisional Government of France will be immediately consulted and invited to sponsor invitations to the Conference jointly with the Governments of the United States, Great Britain and the Union of Soviet Socialist Republics. As soon as the consultation with China and France has been completed, the text of the proposals on voting procedure will be made public.[1]

China and France were consulted. The Chinese Government agreed to join in sponsoring the invitations. The French Government

[1] *U. S. Department of State Bulletin*, February 18, 1945, pp. 213-216; Report of the Crimea Conference, February 11, 1945. London H. M. Stationery Office, 1945. [Miscellaneous No. 5 (1945), Cmd. 6598.]

agreed to participate in the conference but decided not to act as a sponsoring nation.

The countries qualifying for invitations were those nations which had declared war on Germany or Japan by March 1, 1945, and had signed the United Nations Declaration.

The invitations were issued on March 5 and contained the proposals for voting referred to in the Report of the Crimea Conference. The terms of invitation[1] read as follows:

The Government of the United States of America, on behalf of itself and of the Governments of the United Kingdom of Great Britain and Northern Ireland, the Union of Soviet Socialist Republics and the Republic of China, invites the Government of [name of Government invited] to send representatives to a Conference of the United Nations, to be held on April 25, 1945, at San Francisco in the United States of America, to prepare a charter for a general international organization for the maintenance of international peace and security.

The above-named Governments suggest that the Conference consider, as affording a basis for such a charter, the proposals for the establishment of a general international organization which were made public last October as a result of the Dumbarton Oaks Conference, and which have now been supplemented by the following provisions for Section C of Chapter VI:

C. Voting

1. Each member of the Security Council should have one vote.

2. Decisions of the Security Council on procedural matters should be made by an affirmative vote of seven members.

3. Decisions of the Security Council on all other matters should be made by an affirmative vote of seven members, including the concurring votes of the permanent members; provided that, in decisions under Chapter VIII, Section A, and under the second sentence of paragraph 1 of Chapter VIII, Section C, a party to a dispute should abstain from voting.

Further information as to arrangements will be transmitted subsequently. In the event that the Government of [name of Government invited] desires in advance to present views or comments concerning the proposals, the Government of the United States of America will be pleased to transmit such views and comments to the other participating Governments.

G. PRELIMINARY DISCUSSIONS ON THE DUMBARTON OAKS PROPOSALS

1. Inter-American Conference on Problems of War and Peace

The Dumbarton Oaks Proposals were being studied and discussed by the nations of the world, severally as well as individually. From February 21 to March 8, 1945, for instance, twenty Members of the Union of American Republics met in Mexico City to consider the problems of war and peace. In a resolution[2] the Inter-American Conference suggested that the following points be taken into consideration in the formulation of a definitive charter of the proposed international organization:

(a) The aspiration of universality as an ideal toward which the Organization should tend in the future;

(b) The desirability of amplifying and making more specific the enumeration of the principles and purposes of the Organization;

(c) The desirability of amplifying and making more specific the powers of the General Assembly in order that its action, as the fully representative organ of the international community may be rendered effective, harmonizing the powers of the Security Council with such amplification;

(d) The desirability of extending the jurisdiction and competence of the International Tribunal or Court of Justice;

(e) The desirability of creating an international agency specially charged with promoting intellectual and moral co-operation among nations;

(f) The desirability of solving controversies and questions of an inter-American character, preferably in accordance with inter-American methods and procedures, in harmony with those of the General International Organization;

(g) The desirability of giving an adequate representation to Latin America on the Security Council.

2. British Commonwealth Conference

From April 4 to 13, 1945, talks were held in London between representatives of the British Commonwealth as a preliminary to the San Francisco Conference. They were attended by the representatives of Australia, Canada, India, New Zealand, the Union of South Africa and

[1] *U. S. Department of State Bulletin*, March 11, 1945, pp. 394-5.

[2] Final Act of the Inter-American Conference on Problems of War and Peace, Mexico City, February-March, 1945, Pan American Union, Washington, D.C., 1945, Resolution XXX, pp. 73-75.

the United Kingdom. The statement issued at the close of the meetings contained the following passage:

We have examined, generally and in detail, the tentative proposals resulting from the Dumbarton Oaks Conversations, and we have had a valuable exchange of views. We are agreed that the proposals provide the basis for a charter of such an organization, fully recognizing that in certain respects they call for clarification, improvement and expansion.

H. THE COMMITTEE OF JURISTS[1]

The Dumbarton Oaks Proposals provided that there should be an International Court of Justice as the principal judicial organ of the organization, but the Proposals left open the question of whether the Court's Statute should be the Statute of the Permanent Court of International Justice with such modifications as were necessary, or a new Statute based on that of the Permanent Court.

The United States Government, acting on behalf of itself and the other governments sponsoring the San Francisco Conference, invited a Committee of Jurists to meet in Washington for the purpose of preparing a Draft Statute of the Court and submitting it to the San Francisco Conference. Jurists from 44 countries met from April 9 to 20, 1945.

The Committee felt that it was for the San Francisco Conference to decide whether the Court should be established as a new Court or as a continuance of the Permanent Court of International Justice established in 1920. The question affected particularly the operation of treaties containing references to the jurisdiction of the Permanent Court.

The Committee took the Statute of the Permanent Court as a basis and proceeded to revise it article by article. The revision consisted, on the one hand, of the effecting of certain adaptations of form, and on the other hand, of the introduction of certain new features considered desirable.

On the nomination of judges the Committee did not reach any agreement. It submitted two alternative texts—one retaining the system of nomination by national groups and the other introducing a system of nomination by governments. The Committee suggested that one-third of the judges should be elected every three years, instead of a complete election every nine years.

On the question of obligatory jurisdiction the Committee could not reach a unanimous agreement. Some jurists wanted to see the principle of obligatory jurisdiction affirmed in the new Statute, while others preferred to retain the optional clause. In the end two alternative texts embodying both views were presented.

A provision for amendment, based on a United States proposal, was adopted to fill what was felt to be a lacuna in the old Statute. The Committee called to the attention of the San Francisco Conference the importance of formulating rules for the execution of the Court's decisions, and the necessity of adjusting the situation as regards States which were parties to the Statute of the Permanent Court of International Justice but not Members of the United Nations.

I. THE QUESTION OF TRUSTEESHIP

The question of trusteeship was placed tentatively on the agenda of the Dumbarton Oaks Conversations, but no provisions concerning it were included in the Dumbarton Oaks Proposals. It was understood that the question would be a subject of subsequent study and would be placed on the agenda of the United Nations Conference. At Yalta the matter was discussed and agreement was reached on the following policy:

(1) That the five Governments with permanent seats in the Security Council should consult each other prior to the United Nations Conference on providing machinery in the World Charter for dealing with territorial trusteeships which would apply only to (a) existing mandates of the League of Nations; (b) territory to be detached from the enemy as a result of this war; and (c) any other territory that may voluntarily be placed under trusteeship.

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[1] For a full account of the discussions of the Committee of Jurists see Documents of the United Nations Conference on International Organization, published by United Nations Information Organization, London and New York in co-operation with the U. S. Library of Congress, 1945. Vol. XIV.

(2) That no discussions of specific territories were to take place during the preliminary consultations on trusteeships or at the United Nations Conference itself. Only machinery and principles of trusteeship should be formulated at the Conference for inclusion in the Charter, and it was to be a matter for subsequent agreement as to which territories within the categories specified above would actually be placed under trusteeship.[1]

J. THE CHINESE PROPOSALS

In the second phase of the Dumbarton Oaks Conversations the Chinese Government had put forward certain proposals which were agreed to at that time between China, the United Kingdom and the United States. The Government of the U.S.S.R. agreed to join in sponsoring the proposals for presentation to the San Francisco Conference. The proposals, which were submitted to the San Francisco Conference on May 1, 1945, were:

(1) The Charter should provide specifically that adjustment or settlement of international disputes should be achieved with due regard for principles of justice and international law.

(2) The Assembly should be responsible for initiating studies and making recommendations with respect to the development and revision of the rules and principles of international law.

(3) The Economic and Social Council should specifically provide for the promotion of educational and other forms of cultural co-operation.[2]

K. THE UNITED NATIONS CONFERENCE ON INTERNATIONAL ORGANIZATION[3]

1. Composition of the Conference

The Government of the United States, on behalf of itself and the other sponsoring Governments, on March 5, 1945, invited the Governments that had signed or adhered to the United Nations Declaration and had declared war against Germany or Japan to send representatives to the San Francisco Conference, officially known as the United Nations Conference on International Organization, beginning on April 25, 1945. The complete list of the sponsoring Governments and the invited Governments is as follows:

Australia
Belgium
Bolivia
Brazil
Canada
Chile
China
Colombia
Costa Rica
Cuba
Czechoslovakia
Dominican Republic
Ecuador
Egypt
El Salvador
Ethiopia
France
Greece
Guatemala
Haiti
Honduras
India
Iran
Iraq
Lebanon
Liberia
Luxembourg
Mexico
Netherlands
New Zealand
Nicaragua
Norway
Panama
Paraguay
Peru
Philippine Commonwealth
Saudi Arabia
Syria
Turkey
Union of South Africa
Union of Soviet Socialist Republics
United Kingdom
United States of America
Uruguay
Venezuela
Yugoslavia

The invitation to Poland, which was an original signatory of the United Nations Declaration, was withheld at that time pending the formation of a Polish Provisional Government of National Unity. On April 27, 1945, the San Francisco Conference adopted the following resolution on Poland:

The Governments of the United Nations express to the people of Poland their sympathy and their admiration. They hope that the constitution of a Polish Government recognized as such by the sponsoring nations will make it possible for Polish delegates to come and take part as soon as possible in the work of the Conference.

[1] Charter of the United Nations. Report to the President on the Results of the San Francisco Conference by the Chairman of the United States Delegation, the Secretary of State. June 26, 1945 (Washington, D. C., Govt. Print. Office, 1945), p. 128.

[2] Documents of the United Nations Conference on International Organization, San Francisco, 1945, published by United Nations Information Organization, London and New York in co-operation with the U. S. Library of Congress, 1945. Vol. III p. 25 (Doc. 1. G/1(a) May 1, 1945).

[3] For the complete official record of the United Nations Conference on International Organization, see Documents of the United Nations Conference on International Organization, published by United Nations Information Organization, London and New York in co-operation with the U.S. Library of Congress, 1945. Vols. I to XV.

On April 30 the Conference approved the admission of Argentina, the Byelorussian S.S.R. and the Ukrainian S.S.R. On June 5 Denmark, which had just been liberated, was invited to attend the Conference. A total of 50 nations attended.[1]

2. Organization and Procedure of the Conference

The chairmen of the delegations of the sponsoring Governments presided in rotation at the plenary sessions of the Conference. They were: Edward R. Stettinius, Jr., of the United States; Anthony Eden, of the United Kingdom; Dr. T. V. Soong, of China; and V. M. Molotov, of the U.S.S.R. Lord Halifax later deputized for Mr. Eden, Dr. V. K. Wellington Koo for Dr. Soong, and Andrei A. Gromyko for Mr. Molotov. The chairmen of these delegations held private meetings from time to time with Mr. Stettinius presiding, and on May 3 the chairman of the French delegation was invited to attend those private meetings.

The Conference established four general committees: A Steering Committee, consisting of the chairmen of all delegations, with Mr. Stettinius presiding, was to consider major questions of policy and procedure. An Executive Committee, consisting of fourteen members—the chairmen of the delegations of the four sponsoring Governments and the chairmen of the delegations of Australia, Brazil, Canada, Chile, Czechoslovakia, France, Iran, Mexico, the Netherlands and Yugoslavia —with Mr. Stettinius presiding, was to make recommendations to the Steering Committee. A Co-ordination Committee, consisting of one representative of each of the fourteen members of the Executive Committee was to assist the Executive Committee and to supervise the final drafting of the Charter. A Credentials Committee, consisting of the chairmen of the delegations of Ecuador, Luxembourg, Nicaragua, Saudi Arabia, Syria and Yugoslavia, was to verify the credentials of the representatives.

The Conference was divided into four commissions and twelve technical committees. All delegations were represented on the commissions and the committees.

Each commission had a President and a Rapporteur, who were nominated by the Steering Committee and approved by the Conference. An Assistant Secretary-General of the Conference served as the secretary of each commission. Each commission was to develop general principles to guide its technical committees.

Each technical committee had a Chairman and a Rapporteur, who were nominated by the Steering Committee and approved by the Conference. Each committee was to formulate

Commission & Committee[2]	*Title*	*Terms of Reference* (Dumbarton Oaks Proposals)
Commission I	General Provisions	
Committee I/1	Preamble, Purposes & Principles	Chs. I & II
Committee I/2	Membership, Amendment & Secretariat	Chs. III, IV, X & XI
Commission II	General Assembly	
Committee II/1	Structure and Procedures	Ch. V, Secs. A, C, D, paras. of Sec. B.
Committee II/2	Political & Security Functions	Ch. V. especially Sec. B
Committee II/3	Economic and Social Co-operation	Ch. IX & paras. of Ch. V
Committee II/4	Trusteeship System	Principles and Mechanism of Trusteeship System
Commission III	Security Council	
Committee III/1	Structure and Procedures	Ch. VI, Secs. A, C, D, paras of Sec. B
Committee III/2	Peaceful Settlement	Ch. VIII, Sec. A
Committee III/3	Enforcement Arrangements	Ch. VIII, Sec. B, & Ch. XII
Committee III/4	Regional Arrangements	Ch. VIII, Sec. C
Commission IV	Judicial Organization	
Committee IV/1	International Court of Justice	Ch. VII
Committee IV/2	Legal Problems	Judicial Status of United Nations, Registration of Treaties, et cetera.

[1] For list of representatives at the Conference, see pp. 43 ff.

[2] For Officers of Commissions and Committees see p. 47.

recommendations on various parts of the agenda assigned to it.

The terms of reference of the commissions and the committees were as follows:

The Secretary-General of the Conference was Alger Hiss; the Deputy Secretary-General was John Ross. The Secretariat consisted of 1,058 persons, not including the United States Army and Navy personnel and volunteer workers. The expenses of the Conference, estimated at somewhat less than $2,000,000,[1] were met by the United States as the host government.

Each delegation to the Conference had one vote. Any question of procedure was decided by a majority of the votes of the delegations present and voting; all other questions were decided by two thirds of the votes of the delegations present and voting.

The official languages of the Conference were Chinese, English, French, Russian and Spanish. The working languages wer English and French. Addresses in English or French were interpreted into the other language, and addresses in any other language into both English and French.

3. Agenda of the Conference

At a meeting of the chairmen of the delegations on April 27 it was agreed that the agenda of the Conference should be "the Dumbarton Oaks Proposals, as supplemented at the Crimea Conference, and by the Chinese Proposals agreed to by the sponsoring Governments, and the comments thereon submitted by the participating countries."

The four sponsoring Governments themselves submitted jointly to the Conference on May 5 a series of amendments to the Dumbarton Oaks Proposals. The text of the amendments was as follows:[2]

CHAPTER I. PURPOSES

1. To maintain international peace and security; and to that end to take effective collective measures for the prevention and removal of threats to the peace and the suppression of acts of aggression or other breaches of the peace, and to bring about by peaceful means, *and with due regard for principles of justice and international law,* adjustment or settlement of international disputes which may lead to a breach of the peace.

2. To develop friendly relations among nations *based on respect for the principle of equal rights and self-determination of peoples* and to take other appropriate measures to strengthen universal peace;

3. To achieve international co-operation in the solution of international economic, social, *cultural* and other humanitarian problems *and promotion and encouragement of respect for human rights and for fundamental freedoms for all without distinction as to race, language, religion or sex;* and

CHAPTER II. PRINCIPLES

1. The Organization is based on the principle of the sovereign equality of all *(peace-loving States) its Members.*

3. All Members of the Organization shall settle their *international* disputes by peaceful means in such a manner that international peace and security are not endangered.

New paragraph to be added following paragraph 6, to take the place of paragraph 7 of Chapter VIII, Section A, which would be deleted:

Nothing contained in this Charter shall authorize the Organization to intervene in matters which are essentially within the domestic jurisdiction of the State concerned or shall require the Members to submit such matters to settlement under this Charter; but this principle shall not prejudice the application of Chapter VIII, Section B.

CHAPTER V. THE GENERAL ASSEMBLY

Section B. Functions and Powers

6. The General Assembly should initiate studies and make recommendations for the purpose of promoting international co-operation in political, economic, *(and)* social *and cultural* fields *to assist in the realization of human rights and basic freedoms for all, without distinction as to race, language, religion and sex and also for the encouragement of the development of international law (and of adjusting situations likely to impair the general welfare.).*

New paragraph to follow paragraph 7:

The General Assembly should examine the administrative budgets of such specialized agencies with a view to making recommendations to the agencies concerned.

CHAPTER VI. THE SECURITY COUNCIL

Section A. Composition

The Security Council should consist of one representative of each of eleven Members of the Organization. Representatives of the United States of America, the United Kingdom of Great Britain and Northern Ireland, the Union of Soviet Socialist Republics, the Republic of China, and, in due course, France, should have permanent seats. The General

[1] Unless otherwise indicated, $ sign represents U.S. currency.

[2] Amendments are indicated by using italic type for added passages and italic type in parentheses for deleted passages.

Assembly should elect six States to fill the non-permanent seats, *due regard being specially paid in the first instance to the contribution of Members of the Organization towards the maintenance of international peace and security and towards the other purposes of the Organization, and also to equitable geographical distribution.* These six States should be elected for a term of two years, three retiring each year. They should not be immediately eligible for re-election. In the first election of the non-permanent members three should be chosen by the General Assembly for one-year terms and three for two-year terms.

Section D. Procedure

2. The Security Council should be empowered to set up such bodies or agencies as it may deem necessary for the performance of its functions. *(including regional sub-committees of the Military Staff Committee.)*

5. Any Member of the Organization not having a seat on the Security Council and any State not a Member of the Organization, if it is a party to a dispute under consideration by the Security Council, should be invited to participate in the discussion relating to the dispute. *In the case of a non-member, the Security Council should lay down such conditions as it may deem just for the participation of such a non-member.*

CHAPTER VII. AN INTERNATIONAL COURT OF JUSTICE

The provisions of Chapter VII of the Dumbarton Oaks Proposal should be adjusted to bring it into conformity with the recommendations of Commission IV in light of the report of the Jurists Committee.

CHAPTER VIII. ARRANGEMENTS FOR THE MAINTENANCE OF INTERNATIONAL PEACE AND SECURITY INCLUDING PREVENTION AND SUPPRESSION OF AGGRESSION

Section A. Pacific Settlement of Disputes

The following new paragraph should be inserted before Paragraph 1 of Section A of Chapter VIII:

Without prejudice to the provisions of paragraphs 1 to 5 below, the Security Council should be empowered, if all the parties so request, to make recommendations to the parties to any dispute with a view to its settlement in accordance with the principles laid down in Chapter II, Paragraph 3.

2. Any State, whether Member of the Organization or not, may bring any dispute or situation to the attention of the General Assembly or of the Security Council. *In the case of a non-member, it should be required to accept, for the purposes of such dispute, the obligations of pacific settlement provided in the Charter.*

4. If, nevertheless, parties to a dispute of the nature referred to in paragraph 3 above fail to settle it by the means indicated in that paragraph, they should obligate themselves to refer it to the Security Council. *(The) If the* Security Council *(should in each case decide whether or not) deems that* the continuance of the particular dispute is in fact likely to endanger the maintenance of international peace and security, *(and, accordingly, whether the Security Council should deal with the dispute, and, if so, whether it should take action under paragraph 5) it shall decide whether to take action under paragraph 5 or whether itself to recommend such terms of settlement as it may consider appropriate.*

(7. The provisions of paragraph 1 to 6 of Section A should not apply to situations or disputes arising out of matters which by international law are solely within the domestic jurisdiction of the State concerned.)

(Note: This paragraph would be replaced by the new paragraph proposed for addition following paragraph 6, Chapter II, Principles.)

Section B. Determination of Threats to the Peace or Acts of Aggression and Action with Respect Thereto

1. Should the Security Council deem that a failure to settle a dispute in accordance with procedures indicated in paragraph 3 of Section A, or in accordance with its recommendations made under paragraphs *4 or* 5 of Section A, constitutes a threat to the maintenance of international peace and security, it should take any measures necessary for the maintenance of international peace and security in accordance with the purposes and principles of the Organization.

2. In general the Security Council should determine the existence of any threat to the peace, breach of the peace or act of aggression and should make recommendations or decide upon the measures *set forth in paragraphs 3 and 4 of this Section* to be taken to maintain or restore peace and security.

Insert the following paragraph between paragraphs 2 and 3:

Before making the recommendations or deciding upon the measures for the maintenance or restoration of peace and security in accordance with the provisions of paragraph 2, the Security Council may call upon the parties concerned to comply with such provisional measures as it may deem necessary or desirable in order to prevent an aggravation of the situation. Such provisional measures should be without prejudice to the rights, claims or position of the parties concerned. Failure to comply with such provisional measures should be duly taken account of by the Security Council.

9. There should be established a Military Staff Committee the functions of which should be to advise and assist the Security Council

on all questions relating to the Security Council's military requirements for the maintenance of international peace and security, to the employment and command of forces placed at its disposal, to the regulation of armaments, and to possible disarmament. It should be responsible under the Security Council for the strategic direction of any armed forces placed at the disposal of the Security Council. The Committee should be composed of the Chiefs of Staff of the permanent members of the Security Council or their representatives. Any Member of the Organization not permanently represented on the Committee should be invited by the Committee to be associated with it when the efficient discharge of the Committee's responsibilities requires that such a State should participate in its work. Questions of command of forces should be worked out subsequently. *The Military Staff Committee, with the authorization of the Security Council, may establish regional sub-committees of the Military Staff Committee.*

CHAPTER IX. ARRANGEMENTS FOR INTERNATIONAL ECONOMIC AND SOCIAL CO-OPERATION

Section A. Purpose and Relationships

1. With a view to the creation of conditions of stability and well-being which are necessary for peaceful and friendly relations among nations *based on respect for the principle of equal rights and self-determination of peoples*, the Organization should facilitate solutions of international economic, social, *cultural* and other humanitarian problems and promote respect for human rights and *for* fundamental freedoms *for all without distinction as to race, language, religion or sex.* Responsibility for the discharge of this function should be vested in the General Assembly, and under the authority of the General Assembly, in an Economic and Social Council.

Section C. Functions and Powers of the Economic and Social Council

1. The Economic and Social Council should be empowered:

Insert after paragraph *a*, new paragraph as follows:

To make recommendations for promoting respect for human rights and fundamental freedoms;

b. To make recommendations, on its own initiative with respect to international economic, social, *cultural* and other humanitarian matters;

c. To receive and consider reports from the economic, social, *cultural* and other organizations or agencies brought into relationship with the Organization, and to co-ordinate their activities through consultations with, and recommendations to, such organizations or agencies;

Section D. Organization and Procedure

1. The Economic and Social Council should set up *(an economic commission, a social commission and such other commissions as may be required) commissions in the fields of economic activity, social activity, cultural activity, promotion of human rights and any other field within the competence of the Council.* These commissions should consist of experts. There should be a permanent staff which should constitute a part of the Secretariat of the Organization.

CHAPTER X. THE SECRETARIAT

1. There should be a Secretariat comprising a Secretary-General, *four deputies* and such staff as may be required. *(The Secretary-General should be the chief administrative officer of the Organization. He should be elected by the General Assembly, on recommendation of the Security Council, for such term and under such conditions as are specified in the Charter.) The Secretary-General and his deputies should be elected by the General Assembly on recommendation of the Security Council for a period of three years, and the Secretary-General should be eligible for re-election. The Secretary-General should be the chief administrative officer of the Organization.*

4. *In the performance of their duties, the Secretary-General and the staff should be responsible only to the Organization. Their responsibilities should be exclusively international in character, and they should not seek or receive instructions in regard to the discharge thereof from any authority external to the Organization. The Members should undertake fully to respect the international character of the responsibilities of the Secretariat and not to seek to influence any of their nationals in the discharge of such responsibility.*

CHAPTER XI. AMENDMENTS

1. *The present Charter comes into force after its ratification in accordance with their respective constitutional processes by the Members of the Organization having permanent seats on the Security Council and by a majority of the other Members of the Organization.*

Note: The existing text of Chapter XI would become paragraph 2.

2. *A general conference of the Members of the United Nations may be held at a date and place to be fixed by a three-fourths vote of the General Assembly with the concurrence of the Security Council voting in accordance with the provisions of Chapter VI, Section C, paragraph 2, for the purpose of reviewing the Charter. Each Member shall have one vote in the Conference. Any alterations of the Charter recommended by a two-thirds vote of the Conference shall take effect when ratified in accordance with their respective constitutional processes by the Members of the Organization having permanent membership on the Security Council and by a majority of the other Members of the Organization.*

Two additional amendments to the Dumbarton Oaks Proposals agreed to by the Governments of the United States, United Kingdom, the Soviet Union and China were submitted on May 11, 1945. These amendments are as follows:

CHAPTER V. THE GENERAL ASSEMBLY

Section B. Functions and Powers

New paragraph to follow paragraph 6:

Subject to the provisions of paragraph 1 of this Section, the General Assembly should be empowered to recommend measures for the peaceful adjustment of any situations, regardless of origin, which it deems likely to impair the general welfare or friendly relations among nations, including situations resulting from a violation of the Purposes and Principles set forth in this Charter.

CHAPTER VIII. ARRANGEMENTS FOR THE MAINTENANCE OF INTERNATIONAL PEACE AND SECURITY INCLUDING PREVENTION AND SUPPRESSION OF AGGRESSION

Section C. Regional Arrangements

2. The Security Council should, where appropriate, utilize such arrangements or agencies for enforcement action under its authority. But no enforcement action should be taken under regional arrangements or by regional agencies without the authorization of the Security Council *with the exception of measures against enemy States in this war, provided for, pursuant to Chapter XII, paragraph 2, or, in regional arrangements directed against renewal of aggressive policy on the part of such States, until such time as the Organization may, by consent of the Governments concerned, be charged with the responsibility for preventing further aggression by a State now at war with the United Nations.*

It would be impossible in this brief survey to include all the amendments and proposals submitted to the Conference and to go into the details of the work of the Commissions and Committees. In the following pages an attempt is made to point out some of the vital issues discussed at the Conference and some of the main contributions of the Conference to the drafting of the Charter of the United Nations.

4. Preamble, Purposes and Principles

The Dumbarton Oaks Proposals did not contain any Preamble. Chapter I of the Proposals was devoted to the Purposes, and Chapter II to the Principles, of the United Nations. The Charter in its final form contains a Preamble, and the Purposes and the Principles which constituted Chapters I and II of the Dumbarton Oaks Proposals became Articles 1 and 2 of Chapter I of the Charter.

The task of drafting the Preamble and Purposes and Principles was assigned to Committee I/1. Several delegations had proposed that the Charter should contain a Preamble, and several drafts were submitted. It was found difficult to draw a clear-cut distinction between the Preamble, the Purposes and the Principles of the United Nations. After some discussion the Committee finally made the distinction in these paragraphs:

(1) The "Preamble" introduces the Charter and sets forth the declared common intentions which brought us together in this Conference and moved us to unite our will and efforts, and made us harmonize, regulate, and organize our international action to achieve our common ends.

(2) The "Purposes" constitute the *raison d'être* of the Organization. They are the aggregation of the common ends on which our minds met; hence, the cause and object of the Charter to which Member States collectively and severally subscribe.

(3) The chapter on "Principles" sets, in the same order of ideas, the methods and regulating norms according to which the Organization and its Members shall do their duty and endeavor to achieve the common ends. Their understandings should serve as actual standards of international conduct.

More briefly, the Preamble sets forth the intentions of the participating Governments, the Purposes constitute the *raison d'être* of the United Nations, and the Principles serve as the standards of international conduct.

Committee I/1 accepted as a working basis the Preamble submitted by the Union of South Africa. The final form of the Preamble read as follows:

WE THE PEOPLES OF THE UNITED NATIONS DETERMINED

to save succeeding generations from the scourge of war, which twice in our lifetime has brought untold sorrow to mankind, and

to reaffirm faith in fundamental human rights, in the dignity and worth of the human person, in the equal rights of men and women and of nations large and small, and

to establish conditions under which justice and respect for the obligations arising from treaties and other sources of international law can be maintained, and

to promote social progress and better standards of life in larger freedom,

AND FOR THESE ENDS

to practice tolerance and live together in

peace with one another as good neighbours, and
to unite our strength to maintain international peace and security, and
to ensure, by the acceptance of principles and the institution of methods, that armed force shall not be used, save in the common interest, and
to employ international machinery for the promotion of the economic and social advancement of all peoples,

HAVE RESOLVED TO COMBINE OUR EFFORTS TO ACCOMPLISH THESE AIMS.

Accordingly, our respective Governments, through representatives assembled in the city of San Francisco, who have exhibited their full powers found to be in good and due form, have agreed to the present Charter of the United Nations and do hereby establish an international organization to be known as the United Nations.

On the proposal of the United States delegation, supported by the delegations of the U.S.S.R., the Ukrainian S.S.R., China, France and Latin American countries, the phrase "The High Contracting Parties" in the original draft proposed by South Africa was changed to "We the Peoples of the United Nations." However, it was recognized that the Charter, by its nature, must be an agreement between the Governments of the United Nations. Accordingly, at the end of the Preamble the clause was inserted that " . . . our respective Governments through their representatives assembled in the city of San Francisco . . . have agreed to the present Charter of the United Nations and do hereby establish an international organization to be known as the United Nations."

It was suggested in the Dumbarton Oaks Proposals that the name of the organization should be "The United Nations." Committee I/1 unanimously adopted the name as a tribute to President Franklin Delano Roosevelt, who was the first to suggest it. Commission I and the Conference accepted the name without dissent.

The Preamble has the same validity as the Purposes and Principles. The report of the Rapporteur of the Committee I/1 contains the following remarks:

The provisions of the Charter, being in this case indivisible as in any other legal instrument, are equally valid and operative. The rights, duties, privileges and obligations of the Organization and its Members match with one another and complement one another to make a whole. Each of them is construed to be understood and applied in function of the others.

It is for this reason, as well as to avoid undue repetition, that the Committee did not find it necessary to mention again in each paragraph relevant dispositions included in other paragraphs of the same chapter or other chapters. It was, nevertheless, unavoidable at times to make some repetition.

May the explanation given above dispel any doubts as to the validity and value of any division of the Charter, whether we call it "Principles," "Purposes," or "Preamble."

It is thus clear that there are no grounds for supposing that the Preamble has less legal validity than the two succeeding chapters. [Purposes and Principles]. We found it appropriate to state the last remark, which could otherwise be taken for granted.

Chapter I of the Charter lists four Purposes, which constitute the *raison d'être* of the United Nations.

The Conference agreed that the first and foremost purpose of the United Nations was "to maintain international peace and security, and to that end: to take effective collective measures for the prevention and removal of threats to the peace, and for the suppression of acts of aggression or other breaches of the peace, and to bring about by peaceful means, and in conformity with the principles of justice and international law, adjustment or settlement of international disputes or situations which might lead to a breach of the peace." The Dumbarton Oaks Proposals did not contain the words "in conformity with the principles of justice and international law." On the proposal of China, the four sponsoring Governments agreed that "the Charter should provide specifically that adjustment or settlement of international disputes should be achieved with due regard for principles of justice and international law." The phrase "with due regard" was changed by Committee I/1 to read "in conformity with."

The second purpose of the United Nations is "to develop friendly relations among nations based on respect for the principle of equal rights and self-determination of peoples, and to take other appropriate measures to strengthen universal peace." The words "based on respect for the principle of equal rights and self-determination of peoples" were introduced at the San Francisco Conference; they were not in the Dumbarton Oaks Proposals.

The third purpose of the United Nations is "to achieve international co-operation in

solving international problems of an economic, social, cultural, or humanitarian character, and in promoting and encouraging respect for human rights and for fundamental freedoms for all without distinction as to race, sex, language, or religion." The words "in promoting and encouraging respect for human rights and for fundamental freedoms for all without distinction as to race, sex, language, or religion" were introduced at the San Francisco Conference; they were not in the Dumbarton Oaks Proposals.

The fourth purpose of the United Nations is "to be a centre for harmonizing the actions of nations in the attainment of these common ends." The words "to afford" in the Dumbarton Oaks text, which at the time denoted an eye to the future, were changed to "to be."

Chapter I of the Charter lists seven Principles which should serve as the standards of international conduct. The Principles as finally agreed upon at the San Francisco Conference were substantially the same as those contained in the Dumbarton Oaks Proposals.

The first principle is "the sovereign equality" of all the Members of the United Nations. The Moscow Declaration of October 30, 1943, and the Dumbarton Oaks Proposals used the expression "the sovereign equality of all peace-loving nations." At San Francisco "all peace-loving nations" was changed to read "all its [United Nations] Members." The term, "sovereign equality" according to the report of the Rapporteur of Committee I/1, means:

(1) that States are juridically equal;
(2) that each State enjoys the right inherent in full sovereignty;
(3) that the personality of the State is respected as well as its territorial integrity and political independence; and
(4) that the State should, under international order, comply faithfully with its international duties and obligations.

The second principle is that "all Members, in order to ensure to all of them the rights and benefits resulting from membership, shall fulfil in good faith the obligations assumed by them in accordance with the present Charter." The words "in good faith" were added by Commission I, upon the suggestion of the Colombian delegation.

The third principle is that "all Members should settle their international disputes by peaceful means in such a manner that international peace and security, and justice, are not endangered." This followed the wording of the Dumbarton Oaks Proposals, except the words "and justice", which were added upon the proposal of the Bolivian delegation.

The fourth principle is that "all Members shall refrain in their international relations from the threat or use of force against the territorial integrity or political independence of any State, or in any manner inconsistent with the Purposes of the United Nations." The words "against the territorial integrity or political independence of any State" were not in the Dumbarton Oaks Proposals; they were inserted upon the demand of several delegations which thought there should be a more specific guarantee in the Charter against any violation of territorial integrity and political independence. A New Zealand amendment that "all Members undertake collectively to resist any act of aggression against any Member" gained considerable support but failed to secure the necessary two-thirds majority.

The fifth principle is that "all Members shall give the United Nations every assistance in any action it takes in accordance with the present Charter, and shall refrain from giving assistance to any State against which the United Nations is taking preventive or enforcement action."

The sixth principle is that "the Organization shall ensure that the States which are not Members of the United Nations act in accordance with these Principles so far as may be necessary for the maintenance of international peace and security." The French delegation proposed the addition to the fifth principle of a clause to the effect that membership in the United Nations was incompatible with the status of permanent neutrality. It was understood, however, that the fifth and sixth principles, properly interpreted, would cover the French amendment.

The seventh principle is that "nothing contained in the present Charter shall authorize the United Nations to intervene in matters which are essentially within the domestic jurisdiction of any State or shall require the Members to submit such matters to settlement under the present Charter; but this principle shall not prejudice the application of enforcement measures under Chapter VII." In the Dumbarton Oaks Proposals a similar paragraph was to be found in Section A, Chapter

VIII, dealing with pacific settlement of disputes. The Proposals used the expression "matters which by international law are solely within the domestic jurisdiction of any State concerned." The sponsoring nations themselves proposed that the paragraph should be transferred to the chapter on the Principles of the United Nations, and they re-worded the expression to read "matters which are essentially within the domestic jurisdiction of any State." The representatives of Uruguay, Belgium and Peru, however, expressed regret that the Charter did not establish the rule of international law as the criterion of what matters were essentially within domestic jurisdiction.

5. Membership

Chapter III (on Membership) of the Dumbarton Oaks Proposals contained only one Article, which stated that "membership of the Organization should be open to all peace-loving States."

In the Charter, membership is dealt with in Chapter II, which contains four Articles. The task of drafting the provisions for membership was assigned to Committee I/2.

The Committee made a distinction between original Members and future Members. The original Members are those States which, having participated in the United Nations Conference on International Organization or having previously signed the United Nations Declaration, signed and ratified the Charter. New Members are those peace-loving States which accept the obligations contained in the Charter and, in the opinion of the organization, are able and willing to carry out such obligations. According to the report of the Rapporteur of Committee I/2, it was understood that:

> This distinction did not imply any discrimination against future Members but that the normal course of events required it. Before new Members can be admitted the Organization must exist, which in turn implies the existence of original Members. On the other hand the definition adopted would serve to calm the fears of certain nations participating in our deliberations which, properly speaking, are not States and which for this reason might be denied the right of membership in the Organization.

In the deliberations of Committee I/2, the delegations of Uruguay and some other nations took the position that all States should be Members of the United Nations and that their participation was obligatory. That is to say, it would not be left to the choice of any nation whether to become a Member of the United Nations or to withdraw from it. Other delegations believed that universality in this sense was an ideal toward which it was proper to aim but which it was not practicable to realize at once.

The Committee considered two other fundamental problems: (1) the relation existing between membership and the observance of the principles and obligations mentioned in the Charter; and (2) the extent to which it was desirable to establish the limits within which the organization would exercise its discretionary power with respect to the admission of new Members.

The unanimous opinion of the Committee was that adherence to the principles of the Charter and complete acceptance of the obligations arising therefrom were essential conditions to participation by States in the organization. Nevertheless, two principal tendencies were manifested in the discussions. On the one hand, there were some who declared themselves in favor of inserting in the Charter specific conditions which new Members should be required to fulfil, especially in matters concerning the character and policies of governments. On the other hand, others maintained that the Charter should not limit the organization in its decisions concerning requests for admission.

The term "all peace-loving States" was retained, while the qualifications for membership were elaborated. To declare oneself "peace-loving" does not suffice to acquire membership in the organization. It is also necessary to prove two things: that a nation is ready to accept the obligations of the Charter and that it is able and willing to carry out such obligations.

With respect to the admission of new Members, Committee I/2 recommended, and Commission I and the Conference approved the following interpretative commentary originally submitted on June 19, 1945, by the delegation of Mexico, and supported by the delegations of Australia, Belgium, the Byelorussian S.S.R., Chile, France, Guatemala, the Ukrainian S.S.R., the United States and Uruguay.

> It is the understanding of the delegation of Mexico that paragraph 2 of Chapter III [Article 4, Chapter II, of the Charter] cannot be applied to the States whose regimes have

been established with the help of military forces belonging to the countries which have waged war against the United Nations, as long as those regimes are in power.

The Charter provides that the admission of any State to membership in the United Nations will be effected by a decision of the General Assembly upon the recommendation of the Security Council. This was recommended by Committee II/1. It was stated in the report of the Rapporteur of that Committee that "the purpose of the Charter is primarily to provide security against a repetition of the present war and that, therefore, the Security Council should assume the initial responsibility of suggesting new participating States." However, it was understood that this provision did not "weaken the right of the General Assembly to accept or reject a recommendation for the admission of a new Member, or a recommendation to the effect that a given State should not be admitted to the United Nations."

The question of withdrawal aroused much discussion in the Committee. On the one hand, it was argued that it would be contrary to the conception of universality. On the other hand, it was asserted that a sovereign nation could not be compelled to remain in the organization against its will. In the end the Committee decided against the inclusion in the Charter of a withdrawal clause. Instead it adopted a declaration on withdrawal, the text of which, as revised by Commission I, was as follows:

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 continue their co-operation within the Organization for the preservation of international peace and security. If, however, a Member because of exceptional circumstances 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 co-operation in the Organization.

It is obvious, particularly, that withdrawal or some other form of dissolution of the Organization would become inevitable if, deceiving the hopes of humanity, the Organization was revealed to be, unable to maintain peace or could do so only at the expense of law and justice.

Nor would a Member be bound 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, or if an amendment duly accepted by the necessary majority in the Assembly or in a general conference fails to secure the ratification necessary to bring such amendment into effect.

It is for these considerations that the Committee has decided to abstain from recommending insertion in the Charter of a formal clause specifically forbidding or permitting withdrawal.

The questions of suspension and expulsion gave rise to a lengthy exchange of views in Committee I/2. These questions were dealt with in the Dumbarton Oaks Proposals in Chapter V (on the General Assembly), but they were transferred to Chapter II (on Membership) in the Charter. In the discussions, some representatives maintained that expulsion would be contrary to the concept of universality, while the majority thought that the primary purposes of the United Nations were peace and security, not universality. In the end the Committee recommended and Commission I and the Conference adopted the following provisions:

A Member of the United Nations against which preventive or enforcement action has been taken by the Security Council may be suspended from the exercise of the rights and privileges of membership by the General Assembly upon the recommendation of the Security Council. The exercise of these rights and privileges may be restored by the Security Council.

A Member of the United Nations which has persistently violated the Principles contained in the present Charter may be expelled from the Organization by the General Assembly upon the recommendation of the Security Council.

6. Organs

Chapter IV (on Principal Organs) of the Dumbarton Oaks Proposals suggested that the United Nations should have four principal organs—a General Assembly, a Security Council, an International Court of Justice and a Secretariat—and should have such subsidiary organs as might be found necessary. This matter was assigned to Committee I/2.

Upon the recommendation of Committee II/3, the Economic and Social Council was made a principal organ, and upon the recommendation of Committee II/4, the Trusteeship Council was likewise made a principal organ.

Committee I/2 added a new Article: "The United Nations shall place no restrictions on the eligibility of men and women to participate in any capacity and under conditions of equality in its principal and subsidiary organs."

These provisions constitute Chapter III (Organs) of the Charter.

7. The General Assembly

Matters relating to the structure and procedure of the General Assembly were assigned to Committee II/1. The functions and powers of the General Assembly with respect to the maintenance of peace and security, the promotion of economic and social co-operation and the operation of international trusteeship were assigned respectively to Committee II/2, Committee II/3 and Committee II/4.

Chapter V of the Dumbarton Oaks Proposals as amended by the sponsoring Governments was used as the basis of discussion in Committee II/1 and Committee II/2. The work of Committee II/3 and Committee II/4 will be discussed later.

a. Structure and Procedure

On the structure and procedure of the General Assembly the suggestions of the Dumbarton Oaks Conversations were generally accepted with minor changes and additions.

The Dumbarton Oaks text stated that all Members of the organization should be members of the General Assembly and should have a number of representatives. Committee II/1 recommended that each Member "shall have not more than five representatives in the General Assembly."

Some delegations proposed that the public and the press of the world should have free access to the sessions of the General Assembly, but other delegations thought that the question should be dealt with as a procedural matter by the General Assembly itself. The Committee recommended and Commission I and the Conference approved the following statement to be included as a part of the official record of the Conference:

> The Conference 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.

b. Functions and Powers

On the functions and powers of the General Assembly, Committee II/2 made certain very significant recommendations which tended to strengthen the position of the General Assembly.

In the first place, the Committee recommended and the Conference approved what is now Article 10 of the Charter, which makes the General Assembly the overseeing and reviewing organ of the United Nations. The text of the Article, as finally adopted, was as follows:

> The General Assembly may discuss any questions or any matters within the scope of the present Charter or relating to the powers and functions of any organs provided for in the present Charter, and, except as provided in Article 12 [matters under the consideration of the Security Council], may make recommendations to the Members of the United Nations or to the Security Council or to both on any such questions or matters.

In the second place, the relationship between the General Assembly and the Security Council was further clarified by Committee II/2. The Dumbarton Oaks Proposals had suggested that "the General Assembly shall receive and consider annual and special reports from the Security Council." While this was retained in the Charter, Committee II/2 added an interpretation that the General Assembly, when considering annual and special reports from the Security Council, might exercise the powers of discussion and recommendation. This interpretation was embodied in the report of the Rapporteur of Commission II and adopted by the Conference in these words:

> Commission II calls particular attention to the word "consider" as used in the Charter in connection with reports of the Security Council and other organs. It is the intention of Commission II that this word shall be interpreted to encompass the right to discuss, and that the power of the Assembly to discuss and make recommendations as defined in Articles 10, 11, 12 and 14 is not limited in any way with respect to its consideration of reports from the Security Council.

In the third place, Committee II/2 recommended a new Article, which is now Article 14 of the Charter. The Article, as finally adopted, read as follows:

> Subject to the provisions of Article 12 [matters under the consideration of the Security Council], the General Assembly may recommend measures for the peaceful adjustment of any situation, regardless of origin,

which it deems likely to impair the general welfare or friendly relations among nations, including situations resulting from a violation of the provisions of the present Charter setting forth the Purposes and Principles of the United Nations.

In the discussions of Committee II/2, the problem of the revision of treaties was brought up. Some representatives thought that any reference to the revision of treaties would tend to weaken the structure of international obligations and might be an invitation to the enemy States to seek a revision of peace treaties. In the end the Committee recommended the more general and inclusive phrase, " peaceful adjustment of any situation, regardless of origin."

The Committee also made some minor changes in the Dumbarton Oaks text with respect to the elective, administrative and budgetary functions and powers of the General Assembly.

8. The Security Council

Matters relating to the structure and procedure of the Security Council were assigned to Committee III/1. The functions and powers of the Security Council with respect to pacific settlement, enforcement arrangements and regional arrangements were assigned respectively to Committee III/2, Committee III/3 and Committee III/4. Chapters VI and VIII of the Dumbarton Oaks Proposals as supplemented by the Yalta agreement and amended by the sponsoring Governments served as the basis of discussion of these four Committees of Commission III.

a. Structure and Procedure

The Dumbarton Oaks Proposals had suggested that the United States, the United Kingdom, the U.S.S.R., the Republic of China, and, "in due course," France should have permanent seats in the Security Council. On the suggestion of the Canadian representative, Committee III/1 deleted the words "in due course."

The Dumbarton Oaks Proposals had suggested that the General Assembly should elect six States to fill the non-permanent seats. Pursuant to an amendment of the sponsoring Governments, Committee III/1 decided to add the following clause: "due regard being specially paid, in the first instance to the contribution of Members of the United Nations to the maintenance of international peace and security and to the other purposes of the Organization, and also to equitable geographical distribution."

Perhaps the most controversial issue in the San Francisco Conference was the voting procedure of the Security Council. The text of the procedure, known as the Yalta formula, which was finally adopted by the Conference as Article 27 of the Charter, read:

1. Each member of the Security Council shall have one vote.
2. Decisions of the Security Council on procedural matters shall be made by an affirmative vote of seven members.
3. Decisions of the Security Council on all other matters shall be made by an affirmative vote of seven members including the concurring votes of the permanent members; provided that, in decisions under Chapter VI, and under paragraph 3 of Article 52, a party to a dispute shall abstain from voting.

During the debate there was wide disagreement on the interpretation of the voting formula. Committee III/1 established a Sub-Committee for the purpose of clarifying the doubts that had arisen in the course of the discussion. On May 22 representatives other than those of the sponsoring Governments on that Sub-Committee addressed 23 questions on the exercise of the veto power to the representatives of the sponsoring Governments on the Sub-Committee.

On June 7 the delegations of the sponsoring Governments issued the following statement on the voting procedure of the Security Council:

Specific questions covering the voting procedure in the Security Council have been submitted by a Sub-Committee of the Conference Committee on Structure and Procedures of the Security Council to the Delegations of the four Governments sponsoring the Conference — the United States of America, the United Kingdom of Great Britain and Northern Ireland, the Union of Soviet Socialist Republics, and the Republic of China. In dealing with these questions, the four Delegations desire to make the following statement of their general attitude towards the whole question of unanimity of permanent members in the decisions of the Security Council.

I

1. The Yalta voting formula recognizes that the Security Council, in discharging its responsibilities for the maintenance of international peace and security, will have two broad groups of functions. Under Chapter VIII, the Council will have to make decisions which

involve its taking direct measures in connection with settlement of disputes, adjustment of situations likely to lead to disputes, determination of threats to the peace, removal of threats to the peace, and suppression of breaches of the peace. It will also have to make decisions which do not involve the taking of such measures. The Yalta formula provides that the second of these two groups of decisions will be governed by a procedural vote—that is, the vote of any seven members. The first group of decisions will be governed by a qualified vote—that is, the vote of seven members, including the concurring votes of the five permanent members, subject to the proviso that in decisions under Section A and a part of Section C of Chapter VIII parties to a dispute shall abstain from voting.

2. For example, under the Yalta formula a procedural vote will govern the decisions made under the entire Section D of Chapter VI. This means that the Council will, by a vote of any seven of its members, adopt or alter its rules of procedure; determine the method of selecting its President; organize itself in such a way as to be able to function continuously; select the times and places of its regular and special meetings; establish such bodies or agencies as it may deem necessary for the performance of its functions; invite a Member of the organization not represented on the Council to participate in its discussions when that Member's interests are specially affected; and invite any State when it is a party to a dispute being considered by the Council to participate in the discussion relating to that dispute.

3. Further, no individual member of the Council can alone prevent consideration and discussion by the Council of a dispute or situation brought to its attention under paragraph 2, Section A, Chapter VIII. Nor can parties to such dispute be prevented by these means from being heard by the Council. Likewise, the requirement for unanimity of the permanent members cannot prevent any member of the Council from reminding the Members of the organization of their general obligations assumed under the Charter as regards peaceful settlement of international disputes.

4. Beyond this point, decisions and actions by the Security Council may well have major political consequences and may even initiate a chain of events which might, in the end, require the Council under its responsibilities to invoke measures of enforcement under Section B, Chapter VIII. This chain of events begins when the Council decides to make an investigation, or determines that the time has come to call upon States to settle their differences, or make recommendations to the parties. It is to such decisions and actions that unanimity of the permanent members applies, with the important proviso, referred to above, for abstention from voting by parties to a dispute.

5. To illustrate: in ordering an investigation, the Council has to consider whether the investigation—which may involve calling for reports, hearing witnesses, dispatching a commission of inquiry, or other means—might not further aggravate the situation. After investigation, the Council must determine whether the continuance of the situation or dispute would be likely to endanger international peace and security. If it so determines, the Council would be under obligation to take further steps. Similarly, the decision to make recommendations, even when all parties request it to do so, or to call upon parties to a dispute to fulfil their obligations under the Charter, might be the first step on a course of action from which the Security Council could withdraw only at the risk of failing to discharge its responsibilities.

6. In appraising the significance of the vote required to take such decisions or actions, it is useful to make comparison with the requirements of the League Covenant with reference to decisions of the League Council. Substantive decisions of the League of Nations Council could be taken only by the unanimous vote of all its Members, whether permanent or not, with the exception of parties to a dispute under Article XV of the League Covenant. Under Article XI, under which most of the disputes brought before the League were dealt with and decisions to make investigations taken, the unanimity rule was invariably interpreted to include even the votes of the parties to a dispute.

7. The Yalta voting formula substitutes for the rule of complete unanimity of the League Council a system of qualified majority voting in the Security Council. Under this system non-permanent members of the Security Council individually would have no "veto." As regards the permanent members, there is no question under the Yalta formula of investing them with a new right, namely, the right to veto, a right which the permanent members of the League Council always had. The formula proposed for the taking of action in the Security Council by a majority of seven would make the operation of the Council less subject to obstruction than was the case under the League of Nations rule of complete unanimity.

8. It should also be remembered that under the Yalta formula the five major Powers could not act by themselves, since even under the unanimity requirement any decisions of the Council would have to include the concurring votes of at least two of the non-permanent members. In other words, it would be possible for five non-permanent members as a group to exercise a "veto." It is not to be assumed, however, that the permanent members, any more than the non-permanent members, would use their "veto" power wilfully to obstruct the operation of the Council.

9. In view of the primary responsibilities of the permanent members, they could not be expected, in the present condition of the world, to assume the obligation to act in so serious a matter as the maintenance of international

peace and security in consequence of a decision in which they had not concurred. Therefore, if a majority voting in the Security Council is to be made possible, the only practicable method is to provide, in respect of non-procedural decisions, for unanimity of the permanent members plus the concurring votes of at least two of the non-permanent members.

10. For all these reasons, the four sponsoring Governments agreed on the Yalta formula and have presented it to this Conference as essential if an international organization is to be created through which all peace-loving nations can effectively discharge their common responsibilities for the maintenance of international peace and security.

II

In the light of the considerations set forth in Part I of this statement, it is clear what the answers to the questions submitted by the Sub-Committee should be, with the exception of Question 19 [with respect to the preliminary question as to whether a matter is procedural]. The answer to that question is as follows:

1. In the opinion of the Delegations of the sponsoring Governments, the Draft Charter itself contains an indication of the application of the voting procedures to the various functions of the Council.

2. In this case, it will be unlikely that there will arise in the future any matters of great importance on which a decision will have to be made as to whether a procedural vote would apply. Should, however, such a matter arise, the decision regarding the preliminary question as to whether or not such a matter is procedural must be taken by a vote of seven members of the Security Council, including the concurring votes of the permanent members.

In the course of the debate that ensued, several delegations indicated that they would be more favorably inclined to accept the proposed voting procedure if a revision of that procedure were made possible at another conference. They hoped that such a revision would not be subject to the rule of unanimity of the permanent members of the Security Council.

The Australian representative proposed that decisions of the Security Council with respect to pacific settlement of disputes should be made by a majority of any seven members, i. e., should be considered as decisions on procedural matters. The Australian representative stated that he was reluctantly prepared to accept the veto power in connection with enforcement measures, but that in pacific settlement of disputes no one power should block any Council decisions. The Australian amendment, like several others, was not adopted.

Committee III/1, Commission III and eventually the Conference adopted the Yalta voting formula, which constitutes Article 27 of the Charter. The statement of the delegations of the sponsoring Governments on the voting procedure of the Security Council, however, was not formally accepted as the official interpretation of Article 27.

Committee III/1 agreed to the Dumbarton Oaks recommendations: (1) that Members of the United Nations should confer upon the Security Council primary responsibility for the maintenance of international peace and security and should agree that in carrying out these duties under this responsibility the Security Council should act on their behalf; (2) that in discharging these duties the Security Council should act in accordance with the Purposes and Principles of the United Nations; and (3) that Members should obligate themselves to accept the decisions of the Security Council and to carry them out in accordance with the provisions of the Charter.

b. Pacific Settlement

Section A of Chapter VIII of the Dumbarton Oaks Proposals was the subject matter considered by Committee III/2, which made some changes in the order and wording of the paragraphs. The substance of this section constitutes Chapter VI of the Charter.

The Committee thought the first Article in this Chapter should set forth the basic obligations of Members to settle disputes by pacific means. The Dumbarton Oaks text had stated that parties to a dispute should seek a solution "by negotiation, mediation, conciliation, arbitration or judicial settlement, or other peaceful means of their own choice." Committee III/2 added "inquiry" and, upon the recommendation of Committee III/4, "resort to regional agencies or arrangements" to the list of pacific means.

The Dumbarton Oaks text had suggested that any State, whether a Member of the organization or not, might bring any dispute, or any situation which might give rise to a dispute, to the attention of the General Assembly or of the Security Council. Committee III/2 revised this text so as to make it clear: (1) that any Member might bring any dispute or situation to the attention of the General Assembly or of the Security Council; and

(2) that a State, not a Member of the organization, might bring only a dispute (not a situation) to the Assembly or the Council if it accepted in advance the obligations of pacific settlement as provided in the Charter. It was understood that the enemy States in the Second World War "shall not have the right of recourse to the Security Council or the General Assembly until the Security Council gives them this right."

Committee III/2 agreed to the Dumbarton Oaks recommendations, as amended by the sponsoring Governments: (1) that the Security Council might investigate any dispute, or any situation which might lead to international friction or give rise to a dispute, in order to determine whether the continuance of the dispute or situation was likely to endanger international peace and security; (2) that the Security Council might, at any stage of such dispute, recommend appropriate procedures or methods of adjustment; and (3) that the Security Council, if it deemed that the continuance of a dispute was in fact likely to endanger the maintenance of international peace and security, might recommend appropriate procedures or actual terms of settlement. With respect to the last clause, it was understood that such a recommendation "possessed no obligatory effect for the parties."

c. Enforcement Arrangements

Section B of Chapter VIII of the Dumbarton Oaks Proposals was the basis of discussion in Committee III/3. The substance of this section, as amended and adopted by the Conference, constitutes Chapter VII of the Charter.

According to the Dumbarton Oaks Proposals, the Security Council "should determine the existence of any threat to the peace, breach of the peace or act of aggression and should make recommendations or decide upon the measures to be taken to maintain or restore peace and security." Several delegations proposed that the term "aggression" might be defined or explained, but the majority of the Committee thought that a preliminary definition of "aggression" went beyond the scope of the Charter and that the modern techniques of warfare rendered any definition of "aggression" impossible. The Committee decided to adhere to the Dumbarton Oaks text.

The Chinese delegation introduced a new paragraph to the effect that, before making recommendations or deciding upon enforcement measures, the Security Council might call upon the parties to a dispute to comply with such provisional measures as it might deem necessary and desirable, such provisional measures being without prejudice to the rights, claims and position of the parties concerned, the failure to comply with such provisional measures to be duly taken account of by the Council. The substance of this paragraph became Article 40 of the Charter.

In using the word "recommendations" in the two preceding paragraphs, Committee III/3 intended to indicate the action of the Security Council under the provisions of pacific settlement, and at the same time the Committee realized that the Security Council would in reality pursue simultaneously two distinct actions, one having for its object the settlement of the dispute, and the other the taking of enforcement or provisional measures. The Committee was unanimous in the belief that, in the case of flagrant aggression imperilling the existence of a Member, enforcement action should be taken without delay.

Committee III/3 agreed to the Dumbarton Oaks recommendations: (1) that the Security Council might call upon Members to employ measures not involving the use of armed forces, such as severance of economic and diplomatic relations, to give effect to its decisions; and (2) that, should these measures prove to be inadequate, the Council might take such action by land, sea or air forces as might be necessary to maintain international peace and security.

The Dumbarton Oaks Proposals contemplated that the forces put at the disposition of the Security Council should take the form of national contingents furnished by Members according to special agreements to be negotiated subsequently. On this matter the French delegation proposed a new draft, which became Article 43 of the Charter. The draft read:

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.

The Dumbarton Oaks Proposals had suggested that a Military Staff Committee should be established to advise and assist the Security Council on all questions relating to the Council's military requirements, to the employment and command of forces, to the regulation of armaments and possible disarmament; that the Military Staff Committee should consist of the Chiefs of Staff of the permanent members of the Security Council or their representatives; and that any Member not represented on the Committee should be invited by the Committee to be associated with it when the efficient discharge of the Committee's responsibilities required that such a State should participate in its work.

Upon the suggestion of the Canadian delegation, Committee III/3 added a new paragraph which became Article 44 of the Charter. It read:

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 fulfilment of its obligations under the preceding paragraph, invite such Member, if it so requests, to send a representative to participate in the decisions of the Security Council concerning the employment of contingents of its armed forces.

Under this paragraph every Member not represented on the Security Council may participate, with the right of voting, in the deliberations of the Council when it is a question of the utilization of its armed forces. To repeat the expression of the Netherlands representative, the principle of "no military action without representation" was accepted by Committee III/3.

The Philippine delegation proposed and the Mexican delegation seconded an amendment that the Military Staff Committee should be composed of the Chiefs of Staff of all the Members of the United Nations. The amendment was not adopted, on the grounds that the Committee should be a small group so that it might be able to make decisions on military matters and that if the forces of a country not represented on the Committee were used there was no question but that the military staff of that country would be consulted.

d. Regional Arrangements

Section C of Chapter VIII of the Dumbarton Oaks Proposals was referred to Committee III/4. The substance of this section constitutes Chapter VIII of the Charter.

The Dumbarton Oaks Proposals had suggested that "nothing in the Charter precludes the existence of regional arrangements or agencies for dealing with such matters relating to the maintenance of international peace and security as are appropriate for regional action, provided such arrangements or agencies and their activities are consistent with the Purposes and Principles of the United Nations." This was accepted by Committee III/4.

The Egyptian delegation introduced a definition of regional arrangements which read:

There shall be considered as regional arrangements organizations of a permanent nature grouping in a given geographical area several countries which, by reason of their proximity, community of interests, or cultural, linguistic, historical or spiritual affinities, make themselves jointly responsible for the peaceful settlement of any disputes which may arise between them and for the maintenance of peace and security in their region, as well as for the safeguarding of their interests and the development of their economic and cultural relations.

This amendment was not adopted, on the ground that it might not cover all the situations which might come under the term "regional arrangements."

Committee III/4 agreed to the Dumbarton Oaks recommendation that the Security Council should encourage pacific settlement of local disputes through regional arrangements or by regional agencies, either on the initiative of the States concerned or by reference from the Security Council. However, the Committee added a new paragraph to the effect that this provision did not impair the application of Articles 33 and 35 of the Charter.

Committee III/4 also agreed to the Dumbarton Oaks recommendation that the Security Council should, when appropriate, utilize regional arrangements or agencies for enforcement action under its authority, but no enforcement action should be taken under regional arrangements or by regional agencies

without the authorization of the Security Council. The Committee approved an exception, suggested by the sponsoring Governments. It recommended that measures under regional arrangements directed against the renewal of aggressive policy by any enemy State of the Second World War might be taken without the authorization of the Security Council until such time as the United Nations might be charged with the responsibility for preventing further aggression by any such State.

Committee III/4 wrote a new paragraph which read as follows:

> Nothing in the present Charter shall impair the inherent right of individual or collective self-defence if an armed attack occurs against a Member of the United Nations, until the Security Council has taken the measures necessary to maintain international peace and security. Measures taken by Members in the exercise of this right of self-defence shall be immediately reported to the Security Council and shall not in any way affect the authority and responsibility of the Security Council under the present Charter to take at any time such action as it deems necessary in order to maintain or restore international peace and security.

This paragraph, however, was not inserted in Chapter VIII of the Charter, which deals with regional arrangements, but became Article 51 of Chapter VII, which deals with enforcement measures.

9. International Economic and Social Co-operation

Chapter IX of the Dumbarton Oaks Proposals constituted the agenda of Committee II/3. The substance of that chapter, as amended by Committee II/3, became Chapter IX, International Economic and Social Co-operation, and Chapter X, The Economic and Social Council, of the Charter.

Committee II/3 made certain significant contributions to the drafting of Chapters IX and X of the Charter.

In the first place, the Committee unanimously recommended that the Economic and Social Council be listed as one of the principal organs of the United Nations. This recommendation expressed the opinion of the Committee that international economic and social co-operation was of the utmost importance to the success of the United Nations as a whole.

In the second place, the Committee greatly enlarged and broadened the objectives which the United Nations should promote in the economic and social fields. It recommended that the United Nations should promote:

(a) higher standards of living, full employment, and conditions of economic and social progress and development;

(b) solutions of international economic, social, health and related problems; and international cultural and educational co-operation;

(c) universal respect for, and observance of, human rights and fundamental freedoms for all without distinction as to race, sex, language or religion.

There were some misgivings as to whether this statement of objectives might not be taken to imply that the United Nations might interfere in the domestic affairs of Member States. The Committee agreed to include in its record a statement to the effect that nothing in the provisions relating to international economic and social co-operation "can be construed as giving authority to the Organization to intervene in the domestic affairs of Member States."

Committee II/3 accepted the Dumbarton Oaks recommendation that the Economic and Social Council should consist of eighteen members elected by the General Assembly for three-year terms. The Committee specified that one third of the members of the Council should retire every year. It rejected amendments designed to give permanent representation to the great Powers or to make membership dependent upon economic and social importance.

As to the functions and powers of the Economic and Social Council, Committee II/3 recommended that, under the authority of the General Assembly, the Council might initiate studies and make recommendations with respect to international economic, social, cultural, education, health and related fields; make recommendations for the purpose of promoting respect for, and observance of, human rights and fundamental freedoms; prepare draft conventions and call international conferences on matters falling within its competence; enter into agreements with specialized agencies and co-ordinate the activities of and receive reports from such agencies. The Committee suggested that the General Assembly, however, and not the Economic and Social Council, should examine the administrative budgets of the specialized agencies.

The Dumbarton Oaks Proposals had suggested that the various specialized economic,

social and other agencies should be brought into relationship with the United Nations. Committee II/3 recommended that this provision should apply only to those inter-governmental agencies having wide international responsibilities, as defined in their basic instruments, in economic, social, cultural, educational, health and related fields. It was understood that the term "inter-governmental agencies" should be interpreted to mean agencies set up by agreement among governments. It was further understood that the United Nations should not deprive any specialized agency of its responsibilities in its own specialized field as defined in its basic instrument.

Committee II/3 further recommended that the Economic and Social Council might make suitable arrangements for consultation with non-governmental organizations which were concerned with matters within its competence.

In the course of the Committee's discussions, a number of statements and declarations relating to specific problems of international co-operation were made by national delegations. The French delegation issued a statement on cultural co-operation; the Brazilian and Chinese delegations a joint declaration regarding international health co-operation; the Greek delegation a declaration regarding the reconstruction of devastated areas; the Brazilian delegation a declaration on the status of women; the Panamanian delegation a declaration on the question of migration; the United States delegation a statement on the control of dangerous drugs. The Committee thought that its terms of reference did not permit it to pass resolutions on these matters; it decided to keep the texts of the statements and declarations on its record.

10. International Trusteeship

The Dumbarton Oaks Proposals did not contain any provisions relating to the establishment of an international trusteeship system. At Yalta President Roosevelt, Prime Minister Churchill and Premier Stalin agreed that the San Francisco Conference should discuss only the machinery and principles of trusteeship and that specific territories to be placed under trusteeship should be a matter of subsequent negotiation and agreement.[1]

Consequently Committee II/4 was assigned the task of drafting provisions "on the principles and mechanism of a system of international trusteeship for such dependent territories as may by subsequent agreement be placed thereunder."

On the basis of a number of proposals, the delegations of Australia, China, France, the U.S.S.R., the United Kingdom and the United States submitted a Working Paper to the Committee on May 15. The text of the Working Paper was as follows:

A. General Policy

1. States Members of the United Nations which have responsibilities for the administration of territories inhabited by peoples not yet able to stand by themselves under the strenuous conditions of the modern world accept the general principle that it is a sacred trust of civilization to promote to the utmost the well-being of the inhabitants of these territories within the world community, and to this end:

(i) to insure the economic and social advancement of the peoples concerned;
(ii) to develop self-government in forms appropriate to the varying circumstances of each territory; and
(iii) to further international peace and security.

2. States Members also agree that their policy in respect to such territories, no less than in respect to their metropolitan areas, must be based on the general principle of good neighbourliness, due account being taken of the interests and well-being of other members of the world community, in social, economic and commercial matters.

B. Territorial Trusteeship System

1. The Organization should establish under its authority an international system of trusteeship for the administration and supervision of such territories as may be placed thereunder by subsequent individual agreements and set up suitable machinery for these purposes.

2. The basic objectives of the trusteeship system should be: (a) to further international peace and security; (b) to promote the political, economic, and social advancement of the trust territories and their inhabitants and their progressive development toward self-government in forms appropriate to the varying circumstances of each territory; and (c) to insure equal treatment in social, economic and commercial matters for all Members of the United Nations, without prejudice to the attainment of (a) and (b) above, and subject to the provisions of paragraph 5 below.

3. The trusteeship system should apply only to such territories in the following categories as may be placed thereunder by means of trusteeship arrangements: (a) territories now held

[1] See p. 11.

under mandates; (b) territories which may be detached from enemy States as a result of this war; and (c) territories voluntarily placed under the system by States responsible for their administration. It would be a matter for subsequent agreement as to which territories would be brought under a trusteeship system and upon what terms. The trusteeship system should not apply to territories which have become Members of the United Nations.

4. The trusteeship arrangement for each territory to be placed under trusteeship should be agreed upon by the States directly concerned and should be approved as provided for in paragraphs 8 and 10 below.

5. Except as may be agreed upon in individual trusteeship arrangements placing each territory under the trusteeship system, nothing in this chapter should be construed in and of itself to alter in any manner the rights of any States or any peoples in any territory.

6. The trusteeship arrangements in each case should include the terms under which the territory will be administered and designate the State which should exercise the administration of the territory or designate the United Nations Organization itself to exercise the administration of the territory.

7. In addition, there may also be designated, in the trusteeship arrangement, a strategic area or areas which may include part or all of the territory to which the arrangement applies.

8. All functions of the Organization relating to such strategic areas, including the approval of the trusteeship arrangements and their alteration or amendment, should be exercised by the Security Council. The basic objective as provided for in paragraph B. 2 above should be applicable to the people of each strategic area. The Security Council may avail itself of the assistance of the Trusteeship Council provided for in paragraph 11 below to perform those functions of the Organization under the trusteeship system relating to political, economic and social matters in the strategic areas, subject to the provisions of the trusteeship arrangements.

9. It shall be the duty of the State administering any trust territory to insure that the territory shall play its part in the maintenance of international peace and security. To this end the State shall be empowered to make use of volunteer forces, facilities and assistance from the territory in carrying out the obligations undertaken by the State for the Security Council in this regard and for local defense and the maintenance of law and order within the territory.

10. The functions of the Organization with regard to trusteeship arrangements for all areas not designated as strategic should be exercised by the General Assembly.

11. In order to assist the General Assembly to carry out those functions under the trusteeship system not reserved to the Security Council, there should be established a Trusteeship Council which would operate under its authority. The Trusteeship Council should consist of specially qualified representatives, designated (a) one each by the States administering trust territories, and (b) one each by an equal number of other States named for three-year periods by the General Assembly.

12. The General Assembly, and under its authority, the Trusteeship Council, in carrying out their functions, should be empowered to consider reports submitted by the administering State to accept petitions and examine them in consultation with the administering State, to make periodic visits to the respective territories at times agreed upon with the administering State, and to take other action in conformity with the trusteeship arrangements.

13. The administering authority in each trust territory within the competence of the General Assembly should make an annual report to the General Assembly upon the basis of a questionnaire formulated by the Trusteeship Council.

Committee II/4 adopted the Working Paper as a basis of discussion. As to the "general policy" in the Working Paper, the Committee found that it was desirable to change the description of Non-Self-Governing Territories as being "inhabited by peoples not yet able to stand by themselves under the strenuous conditions of the modern world" to that of territories "whose peoples have not yet attained a full measure of self-government." The Committee added a further obligation requiring the administering powers to transmit regularly to the Secretary-General statistical and other information relating to the economic, social and educational conditions of the territories they administered. The Committee changed the "general policy" into a "declaration," which eventually became Chapter XI of the Charter.

As to the "territorial trusteeship system" in the Working Paper, Committee II/4 made some significant changes. In the first place the Committee recommended that the promotion of the progressive development of the peoples of Trust Territories should be directed toward "independence" as well as "self-government." In the second place, the Committee suggested that the trusteeship system should encourage respect for human rights and fundamental freedoms for all without distinction as to race, sex, language or religion.

The Committee agreed to the provisions in the Working Paper that the trusteeship system should apply to such territories in the following categories as might be placed thereunder

by means of Trusteeship Agreements (a) territories now held under mandate; (b) territories which might be detached from enemy States as a result of the Second World War; and (c) territories voluntarily placed under the system by States responsible for their administration.

The Working Paper had suggested a "conservatory clause" to the effect that, until individual Trusteeship Agreements were concluded, nothing in the provisions concerning the trusteeship system should be "construed in and of itself to alter in any manner the rights of any States or any peoples." The Committee added at the end of this paragraph the following words, "or the terms of existing international instruments." It inserted a new paragraph, however, to the effect that the conservatory clause should be not interpreted as giving grounds for delay or postponement of the negotiation and conclusion of Trusteeship Agreements.

With regard to the terms of Trusteeship Agreements, the Committee accepted with some minor changes the recommendations of the Working Paper. The terms of trusteeship should be agreed upon by the "States directly concerned" and should designate the Administering Authority. In any Trust Territory a strategic area or areas might be designated. All functions of the United Nations relating to Trust Territories, other than strategic areas, should be exercised by the General Assembly, and those relating to strategic areas by the Security Council.

In the course of the discussion the Egyptian delegation proposed: (1) that the General Assembly should have the power to terminate the status of trusteeship of a territory and declare the territory to be fit for full independence; and (2) hat whenever an Administering Authority violated the terms of trusteeship, or ceased to be a Member of the United Nations or was suspended from membership in the United Nations, the organization should transfer the territory under trusteeship to another Administering Authority. These proposals, however, were not adopted.

Committee II/4 recommended the creation of a Trusteeship Council as a principal organ of the United Nations. The Council was to consist of: (a) those Members administering Trust Territories; (b) those permanent members of the Security Council which were not Administering Authorities; and (c) as many other Members elected for three-year terms by the General Assembly as might be necessary to ensure that the total number of members of the Trusteeship Council was equally divided between those which administered Trust Territories and those which did not.

The Committee agreed to the definition of the functions and powers of the Trusteeship Council as suggested in the Working Paper, and wrote several paragraphs on the voting and procedure of the Council.

The provisions on the International Trusteeship System constitute Chapter XII of the Charter, and those on the Trusteeship Council, Chapter XIII.

11. The International Court of Justice

Chapter VII of the Dumbarton Oaks Proposals and the report of the Committee of Jurists constituted the agenda of Committee IV/1.

The basic question the Committee had to resolve was whether the Permanent Court of International Justice should be continued as an organ of the United Nations or whether a new Court should be established. After balancing the advantages to be gained and objections to be overcome in adopting either course, the Committee recommended the establishment of a new Court. This was thought to be in keeping with provisions to be proposed in the Charter, under which all Members of the United Nations are *ipso facto* parties to the Statute of the International Court of Justice and a State not a Member of the United Nations may become a party to the Statute on conditions to be determined by the General Assembly upon the recommendation of the Security Council.

Committee IV/1 recommended that each Member of the United Nations should undertake to comply with the decision of the Court in any case to which it was a party. The Committee added another paragraph to the effect that, should any party fail to comply with the decision of the Court, the other party could have recourse to the Security Council, which might make such recommendations or decide upon such measures as to give effect to the decision.

The Committee of Jurists had presented two alternative texts relating to the nomination of judges, one retaining the system of nomination by national groups, the other instituting a system of nomination by governments. The

majority of Committee IV/1 thought that the system of nomination by national groups had worked very well in the past; the Committee therefore decided to recommend the retention of the system. As to the election of judges, two views were expressed: one favored election by both the General Assembly and the Security Council, the other election by the General Assembly alone. In the end the Committee decided to recommend that both the Assembly and the Council should take part in the election of judges and that an absolute majority should be required in each body.

There was a general desire on the part of the Committee to establish compulsory jurisdiction for the Court. However, some of the delegates feared that insistence upon compulsory jurisdiction might impair the possibility of obtaining general accord to the Statute as well as to the Charter itself. It was in that spirit that the Committee recommended the adoption of the optional clause.

The Committee proposed that the procedure in amending the Statute should be the same as that in amending the Charter, but it added that the Court itself should have the power to propose amendments to the Statute.

12. The Secretariat

The task of drafting provisions for the Secretariat was assigned to Committee I/2. Chapter X of the Dumbarton Oaks Proposals was the agenda of the Committee.

The Dumbarton Oaks text had suggested that there should be a Secretary-General, who was to be elected by the General Assembly upon the recommendation of the Security Council. The sponsoring Governments proposed an amendment providing that there should be four Deputy Secretaries-General elected in the same way. However, Committee I/2 did not adopt this amendment.

The Committee accepted the Dumbarton Oaks recommendations: (1) that the Secretary-General should be the chief administrative officer; (2) that the Secretary-General should act in that capacity in all meetings of the General Assembly and the Councils; (3) that he should make an annual report to the General Assembly on the work of the Organization. After considerable discussion the Committee also agreed to the Dumbarton Oaks suggestion that the Secretary-General might bring to the attention of the Security Council any matter which in his opinion might threaten international peace and security.

The Committee recommended that the Secretariat should be truly international in character; that the members of the staff should not receive instructions from any governments and the Members of the United Nations should not seek to influence the members of the staff. It further recommended that the paramount consideration in the employment of the staff should be the necessity of securing the highest standards of efficiency, competence and integrity, and that due regard should be paid to the importance of recruiting the staff on as wide a geographical basis as possible.

13. Legal Problems

Committee IV/2 was assigned the task of drafting provisions regarding such legal matters as the judicial status of the United Nations, the privileges and immunities of the United Nations, registration of treaties, treaty obligations inconsistent with the Charter and interpretation of the Charter.

The Committee recommended that the United Nations should enjoy in the territory of each Member such legal capacity as might be necessary for the fulfilment of its purposes and that representatives of the Members of the United Nations and officials of the United Nations should enjoy such privileges and immunities as were necessary for the independent exercise of their functions.

It recommended that every treaty and every international agreement should be registered with the Secretariat and published by it and that no party to any such treaty or agreement which had not been registered might invoke that treaty or agreement before any organ of the United Nations.

It further recommended that in the event of a conflict between the obligations of the Members of the United Nations under the Charter and their obligations under any other international agreements, their obligations under the Charter should prevail.

As to the question, how and by what organ or organs the Charter should be interpreted, the Committee decided that it would be neither necessary nor desirable to make any explicit provision in the Charter. It made the following statement for the record:

> If two Member States are at variance concerning the correct interpretation of the Charter, they are of course free to submit the dispute to the International Court of Justice

as in the case of any other treaty. Similarly, it would always be open to the General Assembly or to the Security Council, in appropriate circumstances, to ask the International Court of Justice for an advisory opinion concerning the meaning of a provision of the Charter. Should the General Assembly or the Security Council prefer another course, an *ad hoc* committee of jurists might be set up to examine the question and report its views, or recourse might be had to a joint conference. In brief, the Members or the organs of the Organization might have recourse to various expedients in order to obtain an appropriate interpretation.

14. Amendments

Committee I/2 was charged with the responsibility for drafting provisions relating to amendments to the Charter.

Chapter XI of the Dumbarton Oaks Proposals contained only one Article on amendments. This was amended as follows:

> Amendments to the present Charter shall come into force for all Members of the United Nations when they have been adopted by a vote of two-thirds of the Members of the General Assembly and ratified in accordance with their respective constitutional processes by two thirds of the Members of the United Nations, including all of the permanent members of the Security Council.

The Dumbarton Oaks Proposals did not provide for the calling of a general conference to review the Charter. The sponsoring Governments proposed an amendment providing for such a conference to meet the wishes expressed by several delegations. After lengthy debate on the voting procedure and the time limit for calling a general conference, the Committee decided to recommend the following provisions:

> A General Conference of the Members of the United Nations for the purpose of reviewing the present Charter may be held at a date and place to be fixed by a two-thirds vote of the members of the General Assembly and by a vote of any seven members of the Security Council. Each Member of the United Nations shall have one vote in the conference.
>
> Any alteration of the present Charter recommended by a two thirds vote of the conference shall take effect when ratified in accordance with their respective constitutional processes by two-thirds of the Members of the United Nations including all the permanent members of the Security Council.
>
> If such a conference has not been held before the tenth annual session of the General Assembly following the coming into force of the present Charter, the proposal to call such a conference shall be placed on the agenda of that session of the General Assembly, and the conference shall be held if so decided by a majority vote of the members of the General Assembly and by a vote of any seven members of the Security Council.

15. Signing of the Charter

At the final plenary session of the San Francisco Conference on June 25, 1945, the Charter of the United Nations was unanimously approved, the heads of the 50 delegations standing to mark their vote in favor.

President Harry S. Truman attended this final session in person and addressed the Conference on the conclusion of its historic task. He congratulated the delegates of all 50 nations upon having produced a solid structure on which could be built a better world.

On the following day the signing ceremony took place in the Veterans War Memorial Building at San Francisco. China, in recognition of its long-standing fight against aggression, was accorded the honor of being the first to sign. It was arranged that the signatures of the U.S.S.R., the United Kingdom and France should follow, and then, in alphabetical order, the remaining nations, with the United States, as host country, signing last. As each delegation came forward to sign, its chairman made an official speech to commemorate his country's participation in the work of the Conference.

16. Ratification of the Charter

Under Article 110, the Charter of the United Nations, together with the Statute of the International Court of Justice, was to come into force upon the deposit with the Government of the United States of ratifications by China, France, the U.S.S.R., the United Kingdom, the United States, and by a majority of the other signatory States.

On October 24, 1945, the Charter came into force when the five permanent members of the Security Council and 24 other signatory States had deposited their ratifications with the Government of the United States. On that date the United States Secretary of State signed a Protocol of Deposit of Ratifications, which read as follows:

> WHEREAS, paragraph 3 of Article 110 of the Charter of the United Nations, signed at San Francisco on June 26, 1945, provides as follows:

"3. The present Charter shall come into force upon the deposit of ratifications by the Republic of China, France, the Union of Soviet Socialist Republics, the United Kingdom of Great Britain and Northern Ireland, and the United States of America, and by a majority of the other signatory states. A protocol of the ratifications deposited shall thereupon be drawn up by the Government of the United States of America, which shall communicate copies thereof to all the signatory States.";

WHEREAS, the Charter of the United Nations has been signed by the Plenipotentiaries of fifty-one states;

WHEREAS, instruments of ratification of the Charter of the United Nations have been deposited by

the Republic of China on September 28, 1945,
France on August 31, 1945,
the Union of Soviet Socialist Republics on October 24, 1945,
the United Kingdom of Great Britain and Northern Ireland on October 20, 1945, and
the United States of America on August 8, 1945;
and by
Argentina on September 24, 1945,
Brazil on September 21, 1945,
the Byelorussian Soviet Socialist Republic on October 24, 1945,
Chile on October 11, 1945,
Cuba on October 15, 1945,
Czechoslovakia on October 19, 1945,
Denmark on October 9, 1945,
the Dominican Republic on September 4, 1945,
Egypt on October 22, 1945,
El Salvador on September 26, 1945,
Haiti on September 27, 1945,
Iran on October 16, 1945,
Lebanon on October 15, 1945,
Luxembourg on October 17, 1945,
New Zealand on September 19, 1945,
Nicaragua on September 6, 1945,
Paraguay on October 12, 1945,
the Philippine Commonwealth on October 11, 1945,
Poland on October 24, 1945,
Saudi Arabia on October 18, 1945,
Syria on October 19, 1945,
Turkey on September 28, 1945,
the Ukrainian Soviet Socialist Republic on October 24, 1945,
Yugoslavia on October 19, 1945;

AND WHEREAS, the requirements of paragraph 3 of Article 110 with respect to the coming into force of the Charter have been fulfilled by the deposit of the aforementioned instruments of ratification;

NOW THEREFORE, I, James F. Byrnes, Secretary of State of the United States of America, sign this Protocol in the English language, the original of which shall be deposited in the archives of the Government of the United States of America and copies thereof communicated to all the States signatory of the Charter of the United Nations.

DONE at Washington this twenty-fourth day of October, one thousand nine hundred forty-five.

James F. Byrnes
Secretary of State
of the United States of America

After the signature of this Protocol the following States deposited their instruments of ratification:

Country	*Date of Deposit*
Australia	November 1, 1945
Belgium	December 27, 1945
Bolivia	November 14, 1945
Canada	November 9, 1945
Colombia	November 5, 1945
Costa Rica	November 2, 1945
Ecuador	December 21, 1945
Ethiopia	November 13, 1945
Greece	October 25, 1945
Guatemala	November 21, 1945
Honduras	December 17, 1945
India	October 30, 1945
Iraq	December 21, 1945
Liberia	November 2, 1945
Mexico	November 7, 1945
Netherlands	December 10, 1945
Norway	November 27, 1945
Panama	November 13, 1945
Peru	October 31, 1945
Union of South Africa	November 7, 1945
Uruguay	December 18, 1945
Venezuela	November 15, 1945

L. THE PREPARATORY COMMISSION OF THE UNITED NATIONS

1. INTERIM ARRANGEMENTS

On June 26, 1945, when the delegates to the San Francisco Conference signed the Charter of the United Nations, they affixed their signatures at the same time to an agreement on Interim Arrangements. This agreement established a Preparatory Commission of the United Nations for the purpose of making provisional arrangements for the first sessions of the General Assembly, the Security Council, the Economic and Social Council and the Trusteeship Council, for the establishment of the Secretariat, and for the convening of the International Court of Justice.

The text of the agreement was as follows:

The Governments represented at the United Nations Conference on International Organization in the City of San Francisco,

Having determined that an international organization to be known as the United Nations shall be established,

Having this day signed the Charter of the United Nations, and

Having decided that, pending the coming into force of the Charter and the establishment of the United Nations as provided in the Charter, a Preparatory Commission of the United Nations should be established for the performance of certain functions and duties,

AGREE as follows:

1. There is hereby established a Preparatory Commission of the United Nations for the purpose of making provisional arrangements for the first sessions of the General Assembly, the Security Council, the Economic and Social Council, and the Trusteeship Council, for the establishment of the Secretariat, and for the convening of the International Court of Justice.

2. The Commission shall consist of one representative from each government signatory to the Charter. The Commission shall establish its own rules of procedure. The functions and powers of the Commission, when the Commission is not in session, shall be exercised by an Executive Committee composed of the representatives of those governments now represented on the Executive Committee of the Conference. The Executive Committee shall appoint such committees as may be necessary to facilitate its work, and shall make use of persons of special knowledge and experience.

3. The Commission shall be assisted by an Executive Secretary, who shall exercise such powers and perform such duties as the Commission may determine, and by such staff as may be required. This staff shall be composed so far as possible of officials appointed for this purpose by the participating governments on the invitation of the Executive Secretary.

4. The Commission shall:

(*a*) convoke the General Assembly in its first session;

(*b*) prepare the provisional agenda for the first sessions of the principal organs of the Organization, and prepare documents and recommendations relating to all matters on these agenda;

(*c*) formulate recommendations concerning the possible transfer of certain functions, activities, and assets of the League of Nations which it may be considered desirable for the new Organization to take over on terms to be arranged;

(*d*) examine the problems involved in the establishment of the relationship between specialized intergovernmental organizations and agencies and the Organization;

(*e*) issue invitations for the nomination of candidates for the International Court of Justice in accordance with the provisions of the Statute of the Court;

(*f*) prepare recommendations concerning arrangements for the Secretariat of the Organization; and

(*g*) make studies and prepare recommendations concerning the location of the permanent headquarters of the Organization.

5. The expenses incurred by the Commission and the expenses incidental to the convening of the first meeting of the General Assembly shall be met by the Government of the United Kingdom of Great Britain and Northern Ireland or, if the Commission so requests, shared by other governments. All such advances from the governments shall be deductible from their first contributions to the Organization.

6. The seat of the Commission shall be located in London. The Commission shall hold its first meeting in San Francisco immediately after the conclusion of the United Nations Conference on International Organization. The Executive Committee shall call the Commission into session again as soon as possible after the Charter of the Organization comes into effect and whenever subsequently it considers such a session desirable.

7. The Commission shall cease to exist upon the election of the Secretary-General of the Organization, at which time its property and records shall be transferred to the Organization.

8. The Government of the United States of America shall be the temporary depositary and shall have custody of the original document embodying these interim arrangements in the five languages in which it is signed. Duly certified copies thereof shall be transmitted to the governments of the signatory states. The Government of the United States of America shall transfer the original to the Executive Secretary on his appointment.

9. This document shall be effective as from this date, and shall remain open for signature by the states entitled to be the original Members of the United Nations until the Commission is dissolved in accordance with paragraph 7.

IN FAITH WHEREOF, the undersigned representatives having been duly authorized for that purpose, sign this document in the English, French, Chinese, Russian, and Spanish languages, all texts being of equal authenticity.

DONE at the city of San Francisco this twenty-sixth day of June, one thousand nine hundred and forty-five.

2. First Session of the Preparatory Commission

The Preparatory Commission held its first session on June 27, 1945, at San Francisco immediately after the closing session of the Conference. It was agreed at this meeting that the Executive Committee should carry on in London the work of the Commission and should

call the full Preparatory Commission into session again as soon as possible after the Charter of the United Nations had come into effect. The Executive Committee was to choose its own officers and staff and to determine its own rules of procedure.

3. Executive Committee of the Preparatory Commission

The Executive Committee of the Preparatory Commission, consisting of representatives of Australia, Brazil, Canada, Chile, China, Czechoslovakia, France, Iran, Mexico, the Netherlands, the U.S.S.R., the United Kingdom, the United States and Yugoslavia, held its first meeting in London on August 16, 1945. The Committee elected Mr. Gladwyn Jebb as its Executive Secretary. The representatives of China, France, the U.S.S.R., the United Kingdom and the United States in turn served as Chairman of the Executive Committee for two weeks each. The representative of Brazil served as Chairman for the last meeting on November 24, at which the Executive Committee adopted provisional rules of procedure and a provisional agenda for the second session of the Preparatory Commission. He presented the Executive Committee's Report to the Preparatory Commission.

Under item 2 of the Interim Arrangements, the functions and powers of the Preparatory Commission, when it was not in session, were exercised by the Executive Committee. The Committee conceived it to be its duty to prepare for the second session of the Preparatory Commission by undertaking the work laid down in items 1 and 4 (b) to (g) of the Interim Arrangements. For this purpose the Executive Committee on September 1 set up the following ten committees:

Committee	*Subject*
Committee 1	General Assembly
Committee 2	Security Council
Committee 3	Economic and Social Council
Committee 4	Trusteeship Council
Committee 5	Court and Legal Problems
Committee 6	Arrangements for the Secretariat
Committee 7	Financial Arrangements
Committee 8	Relations with Specialized Agencies
Committee 9	League of Nations
Committee 10	General

The ten committees completed their work in seven weeks and made a number of recommendations and proposals. These recommendations and proposals were embodied in a Report of the Executive Committee to the Preparatory Commission.[1]

4. Second Session of the Preparatory Commission

The second session of the Commission began on November 24, 1945, and concluded on December 23. At its second meeting on November 26, 1946, the Preparatory Commission adopted the agenda and rules of procedure drafted by the Executive Committee and elected as Chairman Eduardo Zuleta Angel (Colombia) and as Vice-Chairmen D. Z. Manuilsky (Ukrainian S.S.R.) and Paul-Henri Spaak (Belgium).

The Preparatory Commission established eight Technical Committees as follows:

Committee	*Subject*
Committee 1	General Assembly
Committee 2	Security Council
Committee 3	Economic and Social Council
Committee 4	Trusteeship
Committee 5	Court and Legal Problems
Committee 6	Administrative and Budgetary
Committee 7	League of Nations
Committee 8	General Questions

Each of these committees was to consider and report on appropriate chapters and sections of the Report of the Executive Committee. In addition, the Commission, on the recommendation of the Executive Committee, appointed an Advisory Group of Experts on Administrative and Budgetary Questions and a Technical Advisory Committee on Information.

The Report of the Executive Committee served as the basis of the Preparatory Commission's work. While the Preparatory Commission did not in all cases adopt the recommendations and proposals of the Executive Committee, these played an indispensable part in the whole preparatory process. The work of the Preparatory Commission was embodied

[1] The Report of the Executive Committee to the Preparatory Commission is available in all of the five official languages of the United Nations.

in a Report of the Preparatory Commission of the United Nations.[1]

5. Recommendations of the Preparatory Commission

Following is a brief review of the principal recommendations of the Preparatory Commisison and of some of the major issues as they arose in the course of the deliberations both of the Executive Committee and the Preparatory Commission:

a. General Assembly

The Preparatory Commission recommended that the General Assembly meet at the earliest possible date. The Commission submitted the provisional agenda for the first session and Provisional Rules of Procedure for adoption by the General Assembly. It recommended that the Assembly establish six Main Committees (Political and Security; Economic and Financial; Social, Humanitarian and Cultural; Trusteeship; Administrative and Budgetary; Legal), two Procedural Committees (Credentials Committee and General Committee), two Standing Committees (Advisory Committee on Administrative and Budgetary Questions and Committee on Contributions) and such *ad hoc* committees as might be required from time to time.

As regards the Main Committees, representatives both in the Executive Committee and the Preparatory Commission differed as to whether there should be one or two committees to deal with questions in the economic and social field. In favor of a single committee it was argued that economic and social problems were closely interrelated and that one committee should have the overall review of the policy and program of the Economic and Social Council. In favor of two committees it was maintained that there would be so many different questions to be dealt with in the economic and social field that more than one committee would be needed, lest important work be neglected due to pressure of time. The work of two committees could be coordinated by joint meetings, joint sub-committee meetings or in the plenary sessions of the General Assembly. A small majority of the Executive Committee was in favor of the establishment of two committees. By a vote of 28 to 14, Committee 1 (General Assembly) of the Preparatory Commission decided in favor of the creation of two committees and the Preparatory Commission endorsed this decision.

Divergent views concerning the functions and the composition of the General Committee were expressed both in the Executive Committee and the Preparatory Commission. Some representatives considered that the General Committee should ensure the general political direction of the work of the General Assembly and that committee members therefore should be chosen on the basis of broad geographical distribution. Other representatives considered that the main function of the General Committee was to guide the practical work of the General Assembly and that it was desirable to have a small, efficient committee whose members should be chosen primarily for their personal competence. Although a Sub-Committee of Committee 1 of the Preparatory Commission defined the functions of the General Committee as being primarily concerned with non-political matters, a Belgian amendment to the effect that "the General Committee cannot decide any political questions" failed to obtain the required two-thirds majority vote for adoption. The Preparatory Commission recommended that the General Committee consist of the President, the seven Vice-Presidents and the Chairmen of the Main Committees.[2]

Committee 1 (General Assembly) of the Executive Committee had voted 10 to 2 in favor of a Nominations Committee to nominate "candidates other than the President for functions which carry with them a seat on the General Committee." In the plenary meeting of the Executive Committee, however, this proposal obtained only 8 votes against 6, less than the required two-thirds majority. In favor of a Nominations Committee it was argued that only a properly constituted body would be able to give the exhaustive and intelligent appraisal necessary for the proper evaluation of candidates, taking due account of all such factors as personal competence, equitable geographical distribution, etc. In opposition, representatives pointed to the danger of concentrating too much power in a small body such as a Nominations Committee. The question of making nominations, they declared,

[1] The Report of the Preparatory Commission of the United Nations is available in all of the five official languages of the United Nations.

[2] The Executive Committee's recommendation included the Chairman of the Credentials Committee.

should be left to informal consultation between all of the Members of the General Assembly. After considerable discussion the Preparatory Commission decided by a vote of 37 to 3 against the creation of a Nominations Committee.

b. Security Council

The Preparatory Commission, on the basis of the Executive Committee's Report, recommended that the Security Council adopt the provisional agenda for its first meeting and the Rules of Procedure presented by the Commission. The representative of the first member of the Security Council in the English alphabetical order of the names of members was to act as temporary Chairman of the Council.

The Preparatory Commission recommended that at its first meeting the Council should adopt a directive requesting the Chiefs of Staff of the permanent members of the Security Council to meet at a given place and date and to constitute the Military Staff Committee. The provisional agenda for the first meeting of the Security Council included recommendation to the General Assembly on the appointment of a Secretary-General; election of members of the International Court of Justice; discussion on the organization of the staff which would assist the Council and the best means of negotiating special agreements for placing armed forces at the disposal of the Security Council.

The Preparatory Commission's recommendations regarding the Security Council were less detailed than those dealing with other organs of the United Nations, partly because it was felt that the Council would meet continuously and would be able to develop its own organization and program of work.

c. Economic and Social Council

The Preparatory Commission recommended that the Economic and Social Council be organized at the earliest practicable date and adopt the provisional agenda and Rules of Procedure submitted by the Preparatory Commission. The Executive Committee had recommended that the Economic and Social Council at its first session establish a Commission on Human Rights, an Economic and Employment Commission, a Temporary Social Commission, and a Statistical Commission, and consider the desirability of establishing at an early date a Demographic Commission and a Temporary Transport and Communications Commission. At its first sessions the Council should consider the desirability of establishing a Co-ordination Commission.

The Preparatory Commission approved these recommendations, but it proposed that the Economic and Social Council, in addition, establish a Commission on Narcotic Drugs to deal with problems of the control of narcotic drugs and to take over certain of the functions in this field previously exercised by the League of Nations, and that it consider the desirability of establishing a Fiscal Commission. A proposal that a commission should be established to deal with the refugee problem was not accepted by the Preparatory Commission, although it was agreed that the problem should be considered by the Economic and Social Council. At the same time it was recommended that the General Assembly likewise consider the question because of the political problems involved.

The Executive Committee made no specific recommendations concerning the relationships of the Economic and Social Council with specialized agencies, but submitted a number of observations which the Preparatory Commission transmitted to the General Assembly "to serve as a guide to the Economic and Social Council in its negotiations with specialized agencies."

d. Trusteeship Council

The Preparatory Commission submitted Provisional Rules of Procedure of the Trusteeship Council. As the Trusteeship Council could not be established until some territories were placed under trusteeship the Executive Committee recommended the establishment of a Temporary Trusteeship Committee to carry out certain of the functions assigned by the Charter to the Trusteeship Council and to assist the United Nations in speeding the conclusion of Trusteeship Agreements. The representatives of Czechoslovakia, the U.S.S.R. and Yugoslavia opposed the establishment of such a committee on the ground that it was unconstitutional because it was not in accordance with the Charter. Some representatives questioned whether the establishment of such a committee would not retard rather than hasten the establishment of Trusteeship Agreements. Various alternative proposals presented to Committee 4 (Trusteeship) of the Preparatory Commission were referred to a

Sub-Committee composed of the representatives of Belgium, the U.S.S.R., Syria, the United Kingdom, the United States and Yugoslavia. Committee 4 and the Preparatory Commission adopted the Sub-Committee's recommendations, which consisted of a draft resolution to be adopted by the General Assembly calling on Mandatory Powers to undertake practical steps in concert with the other States directly concerned so that Trusteeship Agreements could be submitted for approval, preferably not later than the second part of the first session of the General Assembly.

e. International Court of Justice

The Interim Arrangements agreed upon at San Francisco empowered the Preparatory Commission (instead of the Secretary-General as provided for in Article 5 of the Statute of the Court) to issue invitations for the nomination of candidates for the International Court of Justice. The Statute of the Court, however, requires that invitations shall be issued at least three months before the election. In order that the election of the judges should take place at the first session of the General Assembly and the Security Council, the Executive Committee directed the Executive Secretary to issue the invitations. The Preparatory Commission approved this action and recommended that the General Assembly take the necessary steps for the convening of the International Court of Justice. It adopted a resolution stating that it would welcome the taking by the League of Nations of appropriate steps for the purpose of dissolving the Permanent Court of International Justice.

Certain of the members of the Preparatory Commission which were members of the League of Nations informed the Commission of their intention of moving at the forthcoming session of the League Assembly a resolution for dissolving the Permanent Court of International Justice, and stated that they would also take steps to require the assent of ex-enemy States which were parties to the Protocol of Signature of the Statute of the Court to any measures taken for dissolving the Court. Members of the Preparatory Commission which were parties to the Protocol of Signature recorded their assent to the Court's dissolution.

f. Registration of Treaties

Both the Executive Committee and the Preparatory Commission recommended that the Secretary-General should work out details for the registration and publication of treaties in accordance with Article 102 of the Charter.

In order to prevent any gap occurring between the conclusion of the League of Nations treaty series and the beginning of a similar treaty series by the United Nations, the Executive Committee instructed the Executive Secretary to send a circular letter to the Members of the United Nations informing them that as from the date of the entry into force of the Charter of the United Nations treaties which Members sent in would be received and filed on a provisional basis until the adoption of detailed regulations. The Preparatory Commission approved this action. The Commission recommended that the General Assembly consider inviting non-Members to send on their own initiative treaties and international agreements for registration with and publication by the Secretariat and inviting all governments, whether or not Members of the United Nations to send for publication treaties and international agreements concluded before the date of entry into force of the Charter, which had not been included in the League of Nations treaty series.

g. Privileges, Immunities and Facilities of the United Nations

Upon the recommendation of the Executive Committee the Preparatory Commission instructed the Executive Secretary to invite the attention of the Members of the United Nations to the fact that under Article 105 of the Charter the obligation of all Members to accord to the United Nations all privileges and immunities necessary for the accomplishment of its purposes operated from the coming into force of the Charter. The Preparatory Commission transmitted to the General Assembly for its consideration and information a Study on Privileges and Immunities presented by the Executive Committee and a Draft Convention on Privileges and Immunities drawn up by a Sub-Committee of Committee 5 (Legal) of the Preparatory Commission. The Preparatory Commission recommended that the privileges and immunities of specialized agencies contained in their respective constitutions should be reconsidered with a view to their co-ordination with any convention ultimately adopted by the United Nations.

h. Secretariat

The Preparatory Commission adopted the Executive Committee's recommendation that the Secretariat be organized on a functional basis, each administrative unit being at the disposal of any organ of the United Nations for the performance of work falling within its competence. The principal units of the Secretariat should be: Department of Security Council Affairs, Department of Economic Affairs, Department of Social Affairs, Department of Trusteeship and Information from Non-Self-Governing Territories, Department of Public Information, Legal Department, Conference and General Services, Administrative and Financial Services. The Executive Committee rejected a minority proposal submitted by the Soviet delegation for the establishment of separate secretariats for each of the principal organs of the United Nations (Security Council, General Assembly, Economic and Social Council, Trusteeship Council).

Representatives differed as to the desirability of establishing one, or two, departments within the Secretariat to deal with questions in the economic and social field, but after discussion both the Executive Committee and the Preparatory Commission decided in favor of two departments. The Executive Committee rejected a proposal that an official of a status superior to that of a departmental head should ensure co-ordination between the two departments. The Preparatory Commission recommended that the Secretary-General should take the necessary steps to co-ordinate the work of the Department of Economic Affairs and the Department of Social Affairs.

As the Preparatory Commission considered that the United Nations could not achieve its purposes unless the peoples of the world were fully informed of its aims and activities, it appointed a Technical Advisory Committee on Information to make recommendations concerning the functions, policies and activities of the Department of Public Information. The Preparatory Commission transmitted the Technical Advisory Committee's recommendations to the General Assembly for its consideration. Moreover, the Commission appointed a small Sub-Committee to study certain aspects of the practical application of these recommendations and submit its report to the Secretary-General for his guidance.

The Executive Committee made recommendations concerning the recruitment of staff and the grading of posts in the Secretariat, drew up provisional staff regulations and recommended that the Preparatory Commission make detailed recommendations concerning salaries and allowances. It recommended that the Preparatory Commission consider the establishment of an International Civil Service Commission to advise the Secretary-General on methods of recruitment.

The Preparatory Commission considered that the Secretary-General's freedom to organize the Secretariat should not be restricted, however, by too much detail. In particular, it felt that it would be premature to make definite recommendations concerning salary scales. The Preparatory Commission recommended that the General Assembly should determine the salaries of the Secretary-General, the Assistant-Secretaries-General, and the top-ranking Directors, and that for all other posts the Secretary-General should determine a classification scheme. The question of salaries, allowances and pensions was referred for preliminary study to the Advisory Group of Experts appointed by the Preparatory Commission to assist the Executive Secretary in the development of administrative, budgetary and personnel policies.

The Preparatory Commission established a special Sub-Committee to revise, in consultation with the Advisory Group of Experts, the staff regulations submitted by the Executive Committee. Upon the recommendation of the sub-committee the Preparatory Commission divided the provisional staff regulations drafted by the Executive Committee into staff regulations defining the fundamental rights and obligations of the staff which the Preparatory Commission recommended should be adopted by the General Assembly, and provisional staff rules to implement the staff regulations, which were to be transmitted by the General Assembly to the Secretary-General for his information. The Preparatory Commission rejected a proposal requiring that appointments of staff members should be made only with the concurrence of the governments of the candidates concerned.

The Preparatory Commission recommended that the Secretary-General establish an International Civil Service Commission after consultation with the heads of specialized agencies.

i. Budgetary and Financial Arrangements.

In it recommendations the Preparatory Commission laid down the general principles which it considered should govern the financial and budgetary arrangements of the United Nations, leaving detailed arrangements for future consideration by the General Assembly. Draft provisional financial regulations submitted by the Advisory Group of Experts and the observations of certain delegations on them were referred to the General Assembly for its consideration.

To meet United Nations expenditures until such time as the first annual budget was approved by the United Nations the Preparatory Commission instructed the Executive Secretary, assisted by the Advisory Group of Experts, to prepare a provisional budget for submission to the first part of the first session of the General Assembly.

The Preparatory Commission recommended that the General Assembly establish an advisory committee on administration and budgetary questions and a committee on contributions, and that pending the appointment of the Advisory Committee the Secretary-General appoint an advisory group of experts similar to the one appointed by the Preparatory Commission.

j. Permanent Headquarters

On October 3, 1945, the Executive Committee voted 9 in favor, with 3 against and 2 abstaining, that "the permanent headquarters of the United Nations be located in the United States of America."

The Preparatory Commission assigned the question of the headquarters to Committee 8 (General Questions) for consideration. On November 29, 1945, Committee 8 appointed a Sub-Committee of seven members (Australia, Colombia, Cuba, Egypt, Iran, the Netherlands and Yugoslavia) to take evidence from delegations, municipalities and other bodies which had invited the United Nations to establish its seat within their territory. Notwithstanding the Executive Committee's recommendation that the headquarters be located in the United States, the whole question was reopened in the Preparatory Commission, many representatives expressing themselves in favor of Europe as the seat of the headquarters of the United Nations. A lengthy debate ensued, involving points of substance as well as procedure.

In favor of establishing the United Nations headquarters in Europe it was argued that Europe was the most important potential center of international unrest. The United Nations should be located where the need for action to maintain peace and security was greatest. If the United Nations were located away from Europe, with its troubles and sufferings arising from the war, this might result in official aloofness and lack of realism. Europe was the cultural center of a large part of the world; it was a natural center of communications and was closer to the capitals of the majority of the Members of the United Nations than the United States.

Another argument in favor of Europe as against the United States considered of major importance was that the United Nations should not be located in the territory of one of the major powers, in particular one of the five permanent members of the Security Council. A permanent member of the Security Council in the role of host State might exert undue influence over the organization and might obtain advantages not enjoyed by the other powers. On the other hand the presence of the United Nations on its territory might embarrass a permanent member of the Security Council and limit its freedom of action. The headquarters of the United Nations, therefore, should be established in a small country unaffected by major political and international issues. International influence, moreover, should be equitably distributed throughout the world. With the International Monetary Fund, the International Bank for Reconstruction and Development and the Food and Agriculture Organization of the United Nations located in the United States, it was not desirable to locate there, in addition, the headquarters of the United Nations.

In favor of establishing the headquarters of the United Nations in America it was maintained that Europe was not the only center of international difficulties and that other areas such as the Pacific or South America should not be neglected. The United Nations should be a truly international and not a regional organization. Moreover, the prevention of international conflict was only one of the functions of the United Nations. It was hoped that its positive tasks in the fields of international economic, social and cultural co-operation would become increasingly important. The United States with its traditions of peace and

freedom and in view of its location between Europe and the Pacific countries would provide the best choice. The League of Nations had failed despite the fact that it was located in Europe. A new start toward world peace should be made in a new atmosphere.

In answer to the contention that the headquarters should not be located in the territory of a major power, lest one of them gain quarters should not be located in the territory it was pointed out that this argument was based on the old concept of balance of power, while the concept underlying the establishment of the United Nations was that of collective security. The United Nations should be international in spirit and action, wherever its headquarters were located. Finally, the location of the headquarters of the United Nations in the United States would help to ensure the support of the American people for the United Nations, which was an important factor in its success.

At its meeting of December 15, 1945, an amendment to the Executive Committee's report recommending Europe in place of the United States as the site of the permanent headquarters was defeated by a vote of 25 to 23, with 2 abstentions. Following the defeat of this amendment, the recommendation of the Executive Committee was carried with a vote of 30 in favor and 14 against, with 6 abstentions. The recommendation having been passed by a two-thirds majority, it was decided that the vote be made unanimous.

On December 22, 1945, Committee 8 voted 22 to 6, with 12 abstentions, against a motion that the site should be located in the west of the United States. The Committee then approved an eastern site by a vote of 25 to 5, with 10 abstentions.

On December 20 the Sub-Committee charged with taking evidence from deputations which had come to invite the United Nations reported to Committee 8 that it had received deputations from some fifteen communities in the United States, but that more time was required to make a satisfactory report concerning a specific site for the United Nations headquarters. Committee 8 therefore decided that the Sub-Committee should close its hearings and that an interim committee be appointed to start functioning upon the close of the Preparatory Commission's session. The interim committee composed of twelve members would determine the exact requirements for a United Nations site and would examine specific sites in the light of these requirements. The Preparatory Commission on December 23 approved the recommendations of Committee 8.

On December 28 the Interim Committee approved as a location for the site the following areas: within 50 to 60 miles from Boston, Massachusetts; east of the Hudson River in New York or Connecticut, between 25 and 80 miles from New York City; or the Princeton, New Jersey, area. The Committee appointed an Inspection Group of seven members, who left London on January 4, 1946, and arrived in New York on January 5; then proceeded to study areas near Boston, Princeton and New York; and departed for London on February 2. The Inspection Group recommended that the permanent headquarters should be established: (1) near to New York City, and (2) in the North Stamford - Greenwich district.

k. League of Nations

Representatives to the Executive Committee and the Preparatory Commission agreed that it was desirable that the United Nations should take over certain of the functions, powers, activities and assets of the League of Nations. Opposition was expressed, however, against assumption by the United Nations of political functions exercised by the League of Nations under international agreements. Some representatives opposed the transfer even of certain non-political functions of the League. The Preparatory Commission therefore recommended that the United Nations take over only custodial, technical and non-political functions belonging to the League under international agreements, and that the General Assembly reserve its right, after due examination, not to assume any particular function and power. Concerning non-political activities performed by the League of Nations other than those arising from international agreements, the Preparatory Commission recommended that the Economic and Social Council survey these functions to determine which of them should be assumed by the United Nations. Pending the conclusion of this survey the Economic and Social Council should provisionally continue certain of these functions. The Preparatory Commission's recommendations were put in the form of a draft resolution for adoption by the General Assembly.

On December 18, 1945, the Preparatory Commission appointed a Committee consisting of one representative each designated by the delegations of Chile, China, France, Poland, South Africa, the U.S.S.R., the United Kingdom and the United States to enter into discussions with the League of Nations Supervisory Committee for the purpose of establishing a common plan for the transfer of the assets of the League of Nations to the United Nations. This Common Plan was to be submitted to the first part of the first session of the General Assembly for approval.

ANNEX I

Representatives at the Dumbarton Oaks Conversations

CHINA

V. K. Wellington Koo
Wei Tao-ming
Victor Chi-tsai Hoo
General Shang Chen

UNION OF SOVIET SOCIALIST REPUBLICS

Andrei A. Gromyko
Arkady A. Sobolev
Semen K. Zarapkin
Major-General Nikolai V. Slavin
Rear Admiral Konstantin K. Rodionov
Sergei A. Golunsky
Sergei B. Krylov
Grigori G. Dolbin
Mikhail M. Yunin

UNITED KINGDOM

Sir Alexander Cadogan
Lord Halifax
Sir William Malkin
Admiral Sir Percy Noble
Lieutenant-General G. N. Macready
Major-General M. F. Grove-White
Air-Marshal Sir William Welsh
Air-Vice-Marshal R. P. Willock
Commodore A. W. Clarke
Sir George Sansom
Gladwyn Jebb
Colonel Denis Capel-Dunn
Peter Loxley
C. K. Webster
P. H. Gore-Booth

UNITED STATES

Edward R. Stettinius, Jr.
Isaiah Bowman
Benjamin V. Cohen
James Clement Dunn
Lieutenant-General Stanley D. Embick
Major-General Muir S. Fairchild
Henry P. Fletcher
Joseph Clark Grew
Green H. Hackworth
Admiral Arthur J. Hepburn
Stanley K. Hornbeck
Breckinridge Long
Leo Pasvolsky
Major-General George V. Strong
Rear-Admiral Harold C. Train
Vice-Admiral Russell Willson
Edwin C. Wilson

ANNEX II

Representatives and Officers at the United Nations Conference on International Organization, San Francisco

Representatives

ARGENTINA

Miguel Angel Carcano
Oscar Ibarra Garcia
Brigadier-General Juan Carlos Bassi
Rear-Admiral Alberto D. Brunet

AUSTRALIA

Francis Michael Forde
Herbert Vere Evatt

BELGIUM

Paul-Henri Spaak
Auguste De Schryver
Albert Marteaux
Victor de Laveleye
Baron Robert Silvercruys
Charles De Visscher
Fernand van Langenhove
Lieutenant-Colonel Henri Rolin
Fernand Dehousse
Joseph van der Elst
Walter Loridan
Joseph Nisot
Roland Lebeau
Baron Pierre de Gaiffier d'Hestroy

BOLIVIA

Gustavo Chacón
Victor Andrade

Eduardo Arze Quiroga
Carlos Salamanca
Luis Iturralde

BRAZIL

Pedro Leão Velloso
Carlos Martins
Cyro de Freitas Valle
Major-General Estevão Leitãs de Carvalho
Major-General Armando Figueira Trompowsky de Almeida
Admiral Sylvio de Noronha
Antonio Camillo de Oliveira
Dr. Bertha Lutz

BYELORUSSIAN SOVIET SOCIALIST REPUBLIC

Kuzma V. Kiselev
Anton R. Zhebrak
Vladimir N. Pertsev
Georgy I. Baidakov
Frol P. Shmigov

CANADA

W. L. Mackenzie King
L. S. St. Laurent
J. H. King
Lucien Moraud
Gordon Graydon
M. J. Coldwell
Mrs. Cora T. Casselman

CHILE

Joaquín Fernández
Marcial Mora
Miguel Cruchaga
José Maza
Gabriel Gonzalez-Videla
Carlos Contreras-Labarca
Eduardo Cruz-Coke
Félix Nieto del Río
Amílcar Chiorrini
Enrique Alcalde
Guillermo del Pedregal
Oscar Gajardo Villarroel
Germán Vergara
Julio Escudero

CHINA

T. V. Soong
V. K. Wellington Koo
Wang Chung-hui
Wei Tao-ming
Hu Shih
Miss Wu Yi-fang
Li Hwang
Tung Pi-wu
Hu Lin

COLOMBIA

Alberto Lleras Camargo
Roberto Urdaneta Arbeláez
Miguel López Pumarego
Alberto González Fernández
Eduardo Zuleta Angel
Silvio Villegas
Jesús Mariá Yepes

COSTA RICA

Julio Acosta García
Luis Anderson Morua
Alvaro Bonilla Lara
Francisco de P. Gutiérrez
Luis Demetrio Tinoco Castro
J. Rafael Oreamuno
Julio Peña Morua

CUBA

Guillermo Belt Ramírez
Ernesto Dihigo López Trigo
Ramiro Guerra y Sánchez
Francisco Aguirre

CZECHOSLOVAKIA

Jan Masaryk
Vladimír S. Hurban
Jan Papánek
Ivan Kerno
Karel Cervenka
Josef Hanc
Vladimír Vochoc
Václav Benes

DOMINICAN REPUBLIC

Manuel A. Peña Batlle
Emilio García Godoy
Gilberto Sánchez Lustrino
Tulio Franco y Franco
General Antonio Leyba y Pou
Miss Minerva Bernardino

ECUADOR

Camilo Ponce Enríquez
Luis Eduardo Laso
Galo Plaza
Gonzalo Escudero Moscoso
Neftalí Ponce
Carlos Tobar Zaldumbide

EGYPT

Abdel Hamid Badawi Pasha
Ibrahim Bey Abdel Hadi
Mahmoud Pasha Hassan

EL SALVADOR

Hector David Castro
J. Antonio Quiros
Carlos Leiva

ETHIOPIA

Bitwodded Makonnen Endalkachau
Aklilou Abte-Wold
Ambai Wold-Mariam
Blatta Ephrem Tewelde Medhen
Emmanuel Abraham
Menasse Lemma

FRANCE

Georges Bidault
René Pléven
François Billoux
Joseph Paul-Boncour
Henri Bonnet

GREECE

John Sofianopoulos
Kyriakos Varvaressos
John Politis
Thanassis Aghnides
Cimon Diamantopoulos
Nicholas G. Lély

GUATEMALA

Guillermo Toriello
Manuel Noriega Morales
Eugenio Silva Peña

HAITI

Gérard E. Lescot
Vély Thébaud
General Alfred Nemours
André Liautaud

HONDURAS

Julián R. Cáceres
Marcos Carias Reyes
Virgilio R. Gálvez

INDIA

Sir A. Ramaswami Mudaliar
Sir Firoz Khan Noon
Sir V. T. Krishnamachari

IRAN

Mostafa Adle
Bagher Kazemi
Ali Akbar Siassi
Nasrollah Entezam
Allah Yar Saleh
Ghasem Ghani
Mohammed Shayesteh
Major-General Ali Riazi
Sadigh Rezazadeh Schafagh
Jalal Abdoh
Abdoul Hosein Etebar

IRAQ

Arshad Al-Omari
Ali Jawdat
Nasrat Al-Farsy
Fadhil Al-Jamali

LEBANON

Wadih Naim
Abdallah Yafi
Joseph Salem
Charles Habib Malik

LIBERIA

C. L. Simpson
Gabriel L. Dennis
Lemuel Gibson
Richard Henries
Colonel Moses Grant

LUXEMBOURG

Joseph Bech
Hugues Le Gallais

MEXICO

Ezequiel Padilla
Francisco Castillo Nájera
Primo Villa Michel
Manuel Tello

NETHERLANDS

Eelco N. van Kleffens
Alexander Loudon
H. J. van Mook
J. C. Kielstra
Vice-Admiral C. E. L. Helfrich
Charles O. van der Plas
Major-General A. G. van Tricht
Father L. J. C. Beaufort

NEW ZEALAND

Peter Fraser
Carl A. Berendsen

NICARAGUA

Mariano Argüello Vargas
Guillermo Sevilla Sacasa
Colonel Luis Manuel de Bayle

NORWAY

Wilhelm Munthe Morgenstierne
Arnold Raestad
Jac. S. Worm-Müller
Arne Ording
Oyestein Thommessen

Officers of the Secretariat

Secretary-General
Alger Hiss

Deputy Secretary-General
John C. Ross

Executive Secretary
C. E. Rothwell

Deputy Executive Secretary
Carter L. Burgess

Assistant Executive Secretaries
Robert B. Stewart
John C. Dreier

Administrative Secretary
William D. Wright

Deputy Administrative Secretaries
John Russell
Millard Kenestrick
Stephen P. Dorsey
Merle K. Wood
O. H. Transtrum

ANNEX III

Members and Officers of the Executive Committee and of the Preparatory Commission

Members of the Executive Committee

Country	Representative
Australia	H. V. Evatt
Brazil	C. de Freitas-Valle
Canada	W. F. A. Turgeon
Chile	Manuel Bianchi
China	V. K. Wellington Koo
Czechoslovakia	Jan Masaryk
France	René Massigli
Iran	Nasrollah Entezam
Mexico	Luis Padilla Nervo
Netherlands	J. H. van Roijen
U.S.S.R.	A. A. Gromyko
United Kingdom	P. J. Noel-Baker
United States	Edward R. Stettinius, Jr.
Yugoslavia	Ljubo Leontic

Chairmen of Committees of the Executive Committee

Committee	Chairman
Committee 1 (General Assembly)	P. J. Noel-Baker
Committee 2 (Security Council)	Edward R. Stettinius, Jr.
Committee 3 (Economic and Social Council)	Victor Chi-tsai Hoo
Committee 4 (Trusteeship Council)	H. V. Evatt
Committee 5 (Court and Legal Problems)	S. B. Krylov succeeded by H. McKinnon Wood
Committee 6 (Arrangements for the Secretariat)	A. Pelt
Committee 7 (Financial Arrangements)	Glenvil Hall
Committee 8 (Relations with Specialized Agencies)	B. J. O. Schrieke succeeded by Raoul Aglion
Committee 9 (League of Nations)	Jacques Fouques-Duparc
Committee 10 (General)	Nasrollah Entezam

Members of the Preparatory Commission

Country	Representative
Argentina	Adolfo Scilingo
Australia	H. V. Evatt
Belgium	P.-H. Spaak
Bolivia	Carlos Salamancà
Brazil	C. de Freitas-Valle
Byelorussia	Kuzma Venediktovich Kiselev
Canada	L. D. Wilgress
Chile	Manuel Bianchi
China	V. K. Wellington Koo
Colombia	Eduardo Zuleta Angel
Cuba	Guillermo Belt
Czechoslovakia	Jan Masaryk
Denmark	Franz Hvass
Dominican Republic	Porfirio Herrera-Baez
Ecuador	Antonio Parra Velasco
Egypt	Abdel Hamid Badawi Pasha
El Salvador	Gustavo Guerrero
Ethiopia	Blatta Ephrem Tewelde Medhen
France	René Massigli
Greece	Th. Aghnides
Guatemala	Miguel Ydigoras-Fuentes
Haiti	Léon Laleau
Honduras	Tiburcio Carias, Jr.
India	Sir A. Ramaswami Mudaliar
Iran	Nasrullah Entezam
Iraq	Col. Shakir el Wadi
Lebanon	Camille Chamoun
Liberia	J. J. Pearson
Luxembourg	Joseph Bech
Mexico	Luis Padilla Nervo
Netherlands	J. H. van Roijen
New Zealand	R. M. Campbell
Nicaragua	Eduardo Avilés Ramirez
Norway	Erik Colban
Panama	Roberto Jiménez
Paraguay	Gen. Andrés Aguilera
Peru	Ricardo Riviera Schreiber
Philippines	Pedro Lopez
Poland	Zygmunt Modzelewski
Saudi Arabia	H. R. H. Faisal ibn 'Abdul 'Aziz
Syria	Najeeb al Armanazi
Turkey	Cevad Acikalin
Ukraine	Dmitro Z. Manuilsky
Union of South Africa	G. Heaton Nicholls
U.S.S.R.	Andrei A. Gromyko
United Kingdom	P. J. Noel-Baker
United States	Edward R. Stettinius, Jr.
Uruguay	R. E. MacEachen
Venezuela	Manuel Perez Guerrero
Yugoslavia	Stoyan Gavrilovic

Chairman of the Preparatory Commission

Eduardo Zuleta Angel

Vice-Chairmen of the Preparatory Commission

D. Z. Manuilsky P.-H. Spaak

Chairmen of Technical Committees of the Preparatory Commission

Committee	Chairman
Committee 1 (General Assembly)	Erik Colban
Committee 2 (Security Council)	Zygmunt Modzelewski
Committee 3 (Economic and Social)	Sir Ramaswami Mudaliar
Committee 4 (Trusteeship)	Guillermo Belt
Committee 5 (Legal Questions)	Abdel Hamid Badawi Pasha
Committee 6 (Administrative and Budgetary)	Th. Aghnides
Committee 7 (League of Nations)	Najeeb al Armanazi
Committee 8 (General Questions)	R. E. MacEachen

SECRETARIAT

Executive Secretary of the Executive Committee and of the Preparatory Commission
Gladwyn Jebb

Deputy Executive Secretary
A. D. K. Owen

Executive Committee

Section	Chief of Section
1. General Assembly	Andrew Cordier
2. Security Council	M. P. Shakhov
3. Economic and Social Council	Paul Guérin
4. Trusteeship Council	Ping-chia Kuo
5. Court and Legal Questions	Václav Benes
6. Arrangements for the Secretariat	Martin Hill
7. Financial Arrangements	C. R. S. Harris
8. Relations with Specialized Agencies	John D. Tomlinson
9. League of Nations	C. Beelaerts van Blokland
10. General	Benjamin Cohen

Preparatory Commission

Section	Chief of Section
1. General Assembly	Andrew Cordier
2. Security Council	M. P. Shakhov
3. Economic and Social	J. D. Tomlinson
4. Trusteeship	Ping-chia Kuo
5. Legal Questions	E. Hambro
6. Administrative and Budgetary	Martin Hill
7. League of Nations	C. Beelaerts van Blokland
8. General Questions	Benjamin Cohen

STRUCTURE OF THE GENERAL ASSEMBLY

GENERAL ASSEMBLY

PROCEDURAL COMMITTEES

- GENERAL COMMITTEE
- CREDENTIALS COMMITTEE

MAIN COMMITTEES

- FIRST COMMITTEE: POLITICAL AND SECURITY (Including the regulation of armaments)
- SECOND COMMITTEE: ECONOMIC AND FINANCIAL
- THIRD COMMITTEE: SOCIAL, HUMANITARIAN AND CULTURAL
- FOURTH COMMITTEE: TRUSTEESHIP
- FIFTH COMMITTEE: ADMINISTRATIVE AND BUDGETARY
- SIXTH COMMITTEE: LEGAL

STANDING COMMITTEES

- ADVISORY COMMITTEE ON ADMINISTRATIVE AND BUDGETARY QUESTIONS
- COMMITTEE ON CONTRIBUTIONS

AD HOC BODIES

Established at First Part of First Session

- Permanent Headquarters Committee
- League of Nations Committee
- Committee on UNRRA
- Committee on Negotiations with USA
- Committee on Negotiations for the Transfer of League of Nations Assets and the Premises of the Peace Palace at the Hague
- Headquarters Commission

Established at Second Part of First Session

- Committee on Rules of Procedure Governing the Admission of New Members
- Committee on Transmission of Information under Article 73(e)
- Advisory Committee on Headquarters
- Special Technical Committee on Post-UNRRA Relief
- Committee on Progressive Development of International Law and Its Codification
- Committee on Procedures and Organization
- Board of Auditors

Established at First Special Session

- Special Committee on Palestine

UN Presentation 502

Part One:

II. The General Assembly

A. THE CHARTER AND THE GENERAL ASSEMBLY[1]

The General Assembly is the first of the six principal organs of the United Nations and is the only principal organ which consists of all of the Members of the United Nations.

The General Assembly has been characterized as the "town-meeting of the world" and is said to represent "the open conscience of humanity." It is essentially a deliberative, overseeing, reviewing and criticizing organ.

In broad terms, the Charter states that the General Assembly may discuss any questions or any matters within the scope of the Charter or relating to the powers and functions of any organs of the United Nations, and it may make recommendations to the Members of the United Nations or to the Security Council, or to both, on any such questions or matters, except disputes or situations that are being dealt with by the Security Council.

The functions and powers of the General Assembly fall into three main categories: maintenance of international peace and security, promotion of international economic and social co-operation and operation of the International Trusteeship System.

Although the Security Council is entrusted with the primary responsibility for the maintenance of international peace and security, including the formulation of plans for the establishment of a system for the regulation of armaments, the General Assembly may consider the general principles of co-operation in the maintenance of international peace and security, including the principles governing disarmament and the regulation of armaments, and may make recommendations with regard to such principles to the Members of the United Nations or to the Security Council, or to both.

The General Assembly may discuss any questions relating to the maintenance of international peace and security brought before it by any Member of the United Nations, or by the Security Council, or by a State which is not a Member of the United Nations if that State accepts in advance the obligations of pacific settlement provided in the Charter, and may make recommendations to the State or States concerned or to the Security Council on such questions unless they are already being dealt with by the Security Council. Any such question on which action is necessary is to be referred to the Security Council by the General Assembly either before or after discussion.

The General Assembly may recommend measures for the peaceful adjustment of any situation, regardless of origin, which it deems likely to impair the general welfare or friendly relations among nations, including situations resulting from violations of the Principles and Purposes of the United Nations, provided such situations are not being dealt with by the Security Council.

The General Assembly may call the attention of the Security Council to situations which are likely to endanger international peace and security.

While the Security Council is exercising its functions in respect of any dispute or situation, the General Assembly is not to make any recommendation with regard to that dispute or situation unless the Security Council so requests.

The Secretary-General, with the consent of the Security Council, is to notify the General Assembly at each session of any matters relative to the maintenance of international peace and security which are being dealt with by the Security Council and is similarly to notify the General Assembly, or the Members of the United Nations if the General Assembly

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[1] This section is a summary of the Charter provisions with respect to the General Assembly. Chapter VI, Articles 9-22, of the Charter is devoted to the General Assembly. Other provisions are to be found in Articles 1-2, 4-7, 23-24, 35, 60-60, 66, 85-88, 93, 96, 97-98, 101, 104-05, 108-09 of the Charter, and Articles 4, 7-12, 32-33, 69 of the Statute of the International Court of Justice.

is not in session, immediately the Security Council ceases to deal with such matters.

The Security Council is to submit annual and, when necessary, special reports to the General Assembly, and the General Assembly is to receive and consider them; these reports are to include an account of the measures that the Security Council has decided upon or taken to maintain international peace and security. The General Assembly is to receive and consider reports from the other organs of the United Nations.

The General Assembly is to initiate studies and make recommendations for the purpose of:

(a) promoting international co-operation in the political field and encouraging the progressive development of international law and its codification;

(b) promoting international co-operation in the economic, social, cultural, educational and health fields, and assisting in the realization of human rights and fundamental freedoms for all without distinction as to race, sex, language or religion.

The functions and powers of the United Nations with respect to international economic and social co-operation are vested in the General Assembly and, under the authority of the General Assembly, in the Economic and Social Council. Subject to the authority of the General Assembly, the Economic and Social Council may make studies and recommendations with respect to international economic, social, cultural, educational, health and related matters; make recommendations for the purpose of promoting respect for, and observance of, human rights and fundamental freedoms for all; and may prepare draft conventions and call international conferences on matters falling within its competence. Subject to the approval of the General Assembly, the Economic and Social Council may enter into agreements with specialized agencies and may co-ordinate the policies and activities of specialized agencies.

The functions and powers of the United Nations with regard to Non-Self-Governing territories not designated as strategic that are placed under the International Trusteeship System, including the terms of Trusteeship Agreements and of their alteration or amendment, are exercised by the General Assembly; the Trusteeship Council, operating under the authority of the General Assembly, assists the General Assembly in carrying out these functions.

In addition to the functions and powers in these three main categories—maintenance of international peace and security, promotion of international economic and social co-operation and operation of the International Trusteeship System—the General Assembly exercises a number of organizational, administrative and budgetary functions and powers.

The General Assembly elects the non-permanent members of the Security Council, the members of the Economic and Social Council, and such members of the Trusteeship Council as may be necessary to ensure that the total number of members of the Trusteeship Council is equally divided between those Members of the United Nations which administer Trust Territories and those which do not. The General Assembly and the Security Council, voting independently, elect the members of the International Court of Justice.

Upon the recommendation of the Security Council, the General Assembly appoints the Secretary-General of the United Nations. The Secretary-General acts in that capacity in all meetings of the General Assembly, and makes an annual report to the General Assembly on the work of the organization. He appoints the staff of the Secretariat in accordance with regulations established by the General Assembly.

The General Assembly considers and approves the budget of the United Nations. The expenses of the United Nations are to be borne by the Members as apportioned by the General Assembly. The General Assembly considers and approves any financial and budgetary arrangements with specialized agencies and examines the administrative budgets of such agencies with a view to making recommendations.

Upon the recommendations of the Security Council, the General Assembly may admit any State to membership in the United Nations; suspend the exercise of the rights and privileges of membership by any Member against which preventive or enforcement action has been taken by the Security Council; and expel from the United Nations any Member which has persistently violated the Principles of the Charter.

The General Assembly, upon the recommendation of the Security Council, is to determine the conditions on which a State which

is not a member of the United Nations may become a party to the Statute of the International Court of Justice. The General Assembly may request the International Court of Justice to give an advisory opinion on any legal question, and it may authorize the Economic and Social Council, the Trusteeship Council and the Secretariat, as well as the specialized agencies, to request advisory opinions of the Court on legal questions arising within the scope of their activities.

The General Assembly may make recommendations concerning, or propose conventions on the privileges and immunities of the United Nations, of representatives of Members of the United Nations and officials of the United Nations, to the Member Governments of the United Nations.

Any amendment to or alteration of the Charter will come into force when it is adopted respectively by a two-thirds vote of the General Assembly or of the General Conference and ratified by two thirds of the Members of the United Nations, including all the permanent members of the Security Council.

The voting and procedure of the General Assembly are defined as follows:

Each Member of the United Nations may send not more than five representatives to the General Assembly, but each Member has only one vote.

Decisions of the General Assembly on important questions shall be made by a two-thirds majority of the members present and voting. These questions shall include: recommendations with respect to the maintenance of international peace and security; the election of the non-permanent members of the Security Council, the election of the members of the Economic and Social Council; the election of members of the Trusteeship Council; the admission of new Members to the United Nations; the suspension of the rights and privileges of membership, the expulsion of Members; questions relating to the operation of the trusteeship system; and budgetary questions. Decisions on other questions, including the determination of additional categories of questions to be decided by a two-thirds majority, are to be made by a majority of the Members present and voting.

A Member of the United Nations which is in arrears in the payment of its financial contributions to the organization is to have no vote in the General Assembly if the amount of its arrears equals or exceeds the amount of the contributions due from it for the preceding two full years. 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 General Assembly meets in regular annual sessions and in such special sessions as occasion may require. Special sessions may be convoked by the Secretary-General at the request of the Security Council or of a majority of the Members of the United Nations.

The General Assembly adopts its own rules of procedure, and it elects its President for each session.

The General Assembly may establish such subsidiary organs as it deems necessary for the performance of its functions.

B. STRUCTURE OF THE GENERAL ASSEMBLY

The General Assembly consists of all of the Members of the United Nations.

At each annual session the General Assembly elects a President and seven Vice-Presidents, who hold office until the close of the session at which they are elected. If the President finds it necessary to be absent during a meeting or any part thereof, he appoints one of the Vice-Presidents to take his place. If the President is unable to perform his functions, a new President is elected for the unexpired term.

There are four types of committees of the General Assembly:

(1) Procedural Committees.
(2) Main Committees.
(3) Standing Committees.
(4) *ad hoc* Committees.

There are two Procedural Committees: a Credentials Committee and a General Committee.

The Credentials Committee, which consists of nine members, is elected at the beginning of each session by the General Assembly on the proposal of the President. The Committee is to examine and verify the credentials of representatives.

The General Committee consists of fourteen members, no two of whom may be nationals of the same State, and is so constituted as to ensure its representative character. It comprises the President of the General Assembly, who presides, the seven Vice-Presidents and the Chairmen of the six Main Committees. It assists the President and the General Assembly in drawing up the agenda for each plenary meeting, in determining the priority of its items, and in co-ordinating the proceedings of all committees of the General Assembly. It also assists the President in the conduct of the work of the General Assembly which falls within the competence of the President. It is not, however, to decide on political questions.

There are six Main Committees:

First Committee (Political and Security);

Second Committee (Economic and Financial);

Third Committee (Social, Humanitarian and Cultural);

Fourth Committee (Trusteeship);

Fifth Committee (Administrative and Budgetary);

Sixth Committee (Legal).

These Main Committees correspond to the major fields of responsibility of the General Assembly. They have the double role of considering agenda items referred to them by the General Assembly and of preparing draft recommendations and resolutions for submission to the General Assembly. On each of these Committees all Members of the United Nations have the right to be represented.

The Political and Security Committee considers, among other items, appropriate aspects of the admission, suspension and expulsion of Members; any political and security matters within the scope of the Charter or relating to the powers and functions of any of the organs of the United Nations; the general principles of co-operation in the maintenance of international peace and security and the principles governing disarmament and the regulation of armaments; the promotion of international co-operation in the political field and the peaceful adjustment of situations likely to impair the general welfare and friendly relations among nations.

The Economic and Financial Committee concerns itself with the economic and financial aspects of the program of the Economic and Social Council and of the specialized agencies, and may consider any economic and financial matters within the scope of the Charter or relating to the powers and functions of any of the organs of the United Nations. It may also consider the promotion of international co-operation in the economic field, including questions of higher standards of living, full employment and conditions of economic progress and development. It may also deal with the question of equilibrium and stabilization of prices.

The Social, Humanitarian and Cultural Committee considers the corresponding aspects of the work of the Economic and Social Council and of the specialized agencies, and any social, humanitarian, cultural, educational, health and related matters within the scope of the Charter or relating to the powers and functions of any of the organs of the United Nations. It may also consider the promotion of international co-operation in the social, humanitarian, cultural, educational, and health fields and assistance in the realization of human rights and fundamental freedoms. It may also consider conditions of social progress and development.

The Trusteeship Committee has the large and clearly defined task of considering items pertaining to trusteeship arrangements as set forth in Article 16 and Chapters XII and XIII of the Charter. This Committee may also consider any matters arising under Chapter XI relating to non-self-governing peoples.

The Administrative and Budgetary Committee considers matters pertaining to the budget of the organization, changes in the assessments of Members, financial and budgetary arrangements with the specialized agencies referred to in Article 57 of the Charter and the examination of the administrative budgets of the specialized agencies. It may also consider the staff regulations to be established by the General Assembly.

The Legal Committee considers the legal and constitutional aspects of such matters as proposed amendments to the Charter, requests to the International Court of Justice for advisory opinions and legal problems referred from other committees. It may also consider measures to encourage the progressive development of international law and its codification.

There are two Standing Committees: an Advisory Committee for Administrative and

Budgetary Questions and a Committee on Contributions.

The Advisory Committee is charged with the responsibility of expert examination of the budget of the United Nations. It consists of nine members, at least two of whom should be recognized financial experts. The members of the Advisory Committee are elected on the basis of broad geographical representation, personal qualifications and experience and they serve for three years.

The Committee on Contributions is appointed to report to the General Assembly concerning the apportionment, under Article 17 of the Charter, of the expenses of the United Nations among Members, broadly according to capacity to pay. The Committee should also report to the General Assembly on the contributions to be paid by new Members; appeals made by Members for a change of assessment; and the action to be taken with regard to the application of Article 19 of the Charter, which deals with the question of Members in arrears in the payment of their financial contributions to the United Nations. The Committee consists of ten members who are elected on the basis of broad geographical representation, personal qualifications and experience; they serve for three years. The members of the Committee retire by rotation and are eligible for re-election.

In addition to Procedural, Main and Standing Committees, the General Assembly may appoint such *ad hoc* committees as may be required from time to time for special purposes. During the first part of its first session the General Assembly appointed an *ad hoc* League of Nations Committee and an *ad hoc* Permanent Headquarters Committee.

C. FIRST PART OF THE FIRST SESSION

1. Organizational Matters

The General Assembly held its first meeting at Central Hall, Westminster, London, on January 10, 1946. Representatives of all 51 Members of the United Nations were present.

The Preparatory Commission had recommended that the first regular session of the General Assembly should be divided into two parts, the first part in January to be devoted mainly to organizational and procedural matters, the second part in the spring of 1946 to be devoted to substantive matters. The second regular session of the General Assembly was to be held on the first Tuesday after September 2, 1946, the date set for the regular annual meetings of the General Assembly, according to Rule 1 of the Provisional Rules of Procedure.

It was subsequently decided not to hold any session in the spring of 1946, but to hold the next session of the General Assembly in September 1946. The General Committee of the General Assembly considered, however, that the September session could not be called the second regular session as Article 20 of the United Nations Charter provided that the General Assembly should "meet in regular annual sessions." The General Committee therefore recommended and the General Assembly adopted at its 26th plenary meeting on February 9, 1946 the following resolution:

1. The present session of the General Assembly shall be adjourned in February on a date to be subsequently determined and shall be known as the first part of the first regular session.

2. The second part of the first regular session of the General Assembly shall be convened on the first Tuesday after 2 September 1946 in accordance with Rule 1 and Supplementary Rule B of the Provisional Rules of Procedure.

3. Supplementary Rules C, F and G of the Provisional Rules of Procedure shall apply for the second part of the first regular session of the General Assembly rather than Rules 7, 11 and 13. References elsewhere in the Supplementary Rules or in resolutions of the Assembly and its Committees to the "second part of the first session" shall be construed to refer to the second part of the first regular session.[1]

The first part of the first session of the General Assembly lasted from January 10 to February 14, 1946. During this time the Assembly held 33 plenary meetings and 102 committee meetings.

The second part of the first session was scheduled to convene on September 3, 1946, in accordance with the above-mentioned resolution. When it was decided, however, to

[1] The Provisional Rules of Procedure apply to all sessions of the General Assembly, while the Supplementary Rules apply only to the first session.

convene the Peace Conference in Paris on July 29, 1946, Members of the Council of Foreign Ministers recommended that the General Assembly be convened on September 23 instead of September 3, to avoid possible conflict between the two international gatherings. On July 11, 1946 the Acting Secretary-General addressed cables to all 51 Members of the United Nations, informing them that the General Assembly would convene on September 23 unless objections were received to this recommendation for postponement by July 20, 1946. No objections were received and the Acting Secretary-General on July 24, 1946, announced the convocation of the General Assembly for September 23, 1946.

By September it became apparent that the Paris Peace Conference would not be able to conclude its work by September 23, 1946. On September 9 the Secretary-General of the United Nations received a cablegram from the President of the General Assembly stating that the Governments of Belgium, China, France, the U.S.S.R. and the United Kingdom favored postponement of the General Assembly to October 23, 1946, and that the Government of the United States did not oppose this suggestion. After obtaining assurances from the Members of the Council of Foreign Ministers that they would request no further postponement, the Secretary-General on September 9, 1946, sent cables to all Members of the United Nations recommending postponement of the General Assembly to October 23, 1946, and requesting them to reply to this suggestion not later than September 13, 1946. By September 12, 37 Members had agreed to the postponement. In the absence of rules of procedure concerning postponement this majority was held adequate to decide the question. By September 16, 49 Members had replied favorably to the Secretary-General's communication. Thus the second part of the first session of the General Assembly was scheduled to open at Flushing Meadow Park, New York, on October 23, 1946.

a. Adoption of the Provisional Rules of Procedure and the Provisional Agenda

At the second plenary meeting on January 11, 1946, the General Assembly, after some discussion, decided to adopt provisionally the Provisional Rules of Procedure drawn up by the Preparatory Commission. The Rules, together with several amendments proposed during the discussion, were referred to the Sixth Committee (Legal) for study.

The General Assembly decided, further, to adopt the provisional agenda proposed by the Preparatory Commission. A list of supplementary items proposed by Members was referred to the General Committee for its consideration and report.

b. Election of Officers of the General Assembly

(1). Election of the President

At the first plenary meeting on January 10, 1946, the General Assembly elected its President. The representative of the U.S.S.R. proposed Mr. Trygve Lie, Foreign Minister of Norway, as candidate for the post. The Chairman of the Preparatory Commission, who acted as provisional Chairman of the General Assembly, pointed out that Rule 73 of the Provisional Rules of Procedure provided that all elections should be taken by secret ballot. The representative for the Ukrainian S.S.R., supporting Mr. Lie's candidature, proposed that Mr. Lie be chosen by acclamation. A vote was therefore taken on the question of voting by acclamation. The Assembly decided 15 to 9 in favor of a vote by secret ballot. When the ballot was taken Mr. Lie received 23 votes and Mr. Paul-Henri Spaak, Prime Minister of Belgium, 28. Having obtained a majority vote of the Members present and voting, Mr. Spaak was elected President of the General Assembly.

(2). Election of the Vice-Presidents

At the third plenary meeting on January 11, 1946, the General Assembly elected seven Vice-Presidents. According to the Rules of Procedure the President of the General Assembly, the Chairmen of the Main Committees and the seven Vice-Presidents compose the General Committee. The Vice-Presidents are to be elected with a view to ensuring the representative character of the General Committee. Upon the proposal of the representative of the Netherlands the General Assembly, by acclamation, elected the Chairmen of the delegations of the following countries as Vice-Presidents:

China
France
Union of South Africa
U.S.S.R.
United Kingdom
United States
Venezuela

c. Appointment of Committees

(1). Credentials Committee

At its second plenary meeting the General Assembly unanimously accepted the President's proposal that the delegations of the following countries form the Credentials Committee in accordance with Rule 23 of the Provisional Rules of Procedure:

Byelorussian S.S.R.
China
Denmark (Chairman)
France
Haiti
Paraguay
Philippines
Saudi Arabia
Turkey

(2). General Committee

According to Rule 32 of the Provisional Rules of Procedure the General Committee is to be composed of the President of the General Assembly, the seven Vice-Presidents, and the Chairmen of the six Main Committees. In the course of the discussion concerning adoption of the Provisional Rules of Procedure the representative of Cuba proposed that the General Committee be composed not of fourteen members but of the heads of all 51 delegations. In addition there should be an Executive Committee consisting of the President, the seven Vice-Presidents, and seven other members to be elected. This, the Cuban representative suggested, would make for perfect equality and freedom of expression in the Committee. Although it had been stressed by representatives favoring a small General Committee that the Committee's functions would be limited to administrative questions, he considered that the General Committee might be involved in political questions as well. In fact, the Preparatory Commission had refused to accept a Belgian motion to the effect that in the General Committee no decision which had any political import should be taken. It would, moreover, be difficult to determine in each case whether a question was important politically or not. His proposal, the Cuban representative considered, safeguarded the principle of full representation in the General Assembly; it also safeguarded the principle of freedom of speech and avoided a limited body which might prove to be a gag should any critical situation arise.

In reply the representative of the United Kingdom remarked that the question raised by the Cuban representative had been discussed at great length by the Preparatory Commission and it had been decided that for the sake of the efficient conduct of the General Assembly's business a small General Committee was preferable. Everybody was agreed, the United Kingdom representative stated, that Rules 32 and 33 made it impossible for the General Committee to consider questions of political importance. The representative of the United Kingdom therefore proposed that the General Assembly accept the Provisional Rules of Procedure as presented by the Preparatory Commission, and refer the Cuban proposal to the Sixth Committee (Legal) for study. The British proposal was accepted and the Sixth Committee was instructed, by a vote of 29 to 18, with 4 abstentions, to report to the General Assembly within eight days concerning this matter.

In the Sixth Committee the Cuban representative withdrew his proposal for a General Committee of 51 members, substituting instead the following proposals: (a) that a provision should be added to Rule 33 stating that the General Committee should not decide any political questions; (b) that a new Rule 33 A should be included as follows:

A Member of the General Assembly which has no representative on the General Committee, and which has requested the inclusion of an additional item in the agenda, shall be entitled to attend any meeting of the General Committee at which its request is discussed, and may participate, without vote, in the discussion of that item.

At its third meeting on January 22, 1946, the Sixth Committee adopted the Cuban proposals. The General Assembly in turn adopted them by a large majority at the eighteenth plenary meeting on January 26, 1946.

(3). Main Committees

The substantive work of the General Assembly is divided among the six Main Committees. The Committees elect their own Chairmen, Vice-Chairmen, and Rapporteurs. The Preparatory Commission recommended that these officials be elected on the basis of equitable geographical distribution, experience and personal competence. The Main Committees each met for the first time on January 11, 1946, to elect their Chairmen. The following Chairmen were elected by acclamation:

Committee	Chairman
First Committee (Political and Security)	Dmitro Z. Manuilsky (Ukrainian S.S.R.)
Second Committee (Economic and Financial)	Waclaw Konderski (Poland)
Third Committee (Social, Humanitarian and Cultural)	Peter Fraser (New Zealand)
Fourth Committee (Trusteeship)	Roberto E. MacEachen (Uruguay)
Fifth Committee (Administrative and Budgetary)	Faris el-Khouri (Syria)
Sixth Committee (Legal)	Robert Jiménez (Panama)

(4). Standing Committees

Advisory Committee on Administrative and Budgetary Questions. — According to Rules 37-39 of the Provisional Rules of Procedure the General Assembly was to appoint an Advisory Committee for Administrative and Budgetary Questions of seven members. The matter was referred to the Fifth Committee (Administrative and Budgetary), which on January 28 unanimously adopted the recommendations of the Preparatory Commission. At the next meeting of the Fifth Committee, however, the representative of France proposed an amendment increasing the membership of the Advisory Committee from seven to twelve. The representative of New Zealand considered that a Committee of seven would make for greater efficiency, while the representative of Chile stressed the desirability of enlarging the representation of smaller countries on this important Committee. The Fifth Committee, at the suggestion of the representative of Mexico, accepted an amendment to the French proposal that the membership of the Advisory Committee should be nine. The General Assembly at its 31st plenary meeting on February 13, 1946, therefore adopted the proposals of the Preparatory Commission as amended by the Fifth Committee. The Advisory Committee on Administrative and Budgetary Questions, thus to be composed of nine members, was to be appointed during the second part of the first session of the General Assembly. It was to assist the Fifth Committee in the consideration of budgetary and administrative matters.

As a result of the Assembly's decision to increase the membership of the Advisory Committee on Administrative and Budgetary Questions, the Provisional Rules of Procedure of the General Assembly were amended as follows:

Rule 37

The General Assembly shall appoint an Advisory Committee on Administrative and Budgetary Questions (hereinafter called the "Advisory Committee") with a membership of nine, including at least two financial experts of recognized standing.

Supplementary Rule J

At the second part of the first session, the General Assembly shall elect simultaneously, in accordance with Rule 75, the nine members of the Advisory Committee on Administrative and Budgetary Questions, two of whom at least shall be financial experts of recognized standing. It shall then, by a second vote, choose three of the elected members, one of whom shall be a financial expert, for the three-year term. By a third vote it shall choose three of the remaining elected members, one of whom shall be a financial expert, for the two-year term.

Committee on Contributions.—According to Rule 40 of the Provisional Rules of Procedure the General Assembly was to establish a Committee on Contributions of seven members. The matter was referred to the Fifth Committee, which on January 29, 1946, accepted by 30 votes to 4 an amendment proposed by the representative of Venezuela increasing the membership of the Committee on Contributions from seven to nine. On February 11, 1946 the Rapporteur of the Fifth Committee stated that representatives of the following countries had been put forward as possible candidates to serve on the Committee on Contributions:

China	United Kingdom
France	United States
Iraq	Uruguay
South Africa	Yugoslavia
U.S.S.R.	

The representative of Belgium considered that the list of nine proposed candidates was not entirely satisfactory, since, aside from the

five major powers, it included only one representative of Members whose contributions would be between one per cent and four per cent as against three representatives of States whose contributions would be under one per cent. Moreover, he considered that the geographical distribution was not altogether equitable. For these reasons he proposed the addition of Australia to the list. The Committee felt that to vote for nine of the ten candidates might prove embarrassing. A proposal put forward by the representatives of the Netherlands, the U.S.S.R. and France to increase the membership of the Committee on Contributions to ten was, therefore, accepted by a vote of 18 to 6.

At its 31st plenary meeting on February 13, 1946, the General Assembly unanimously accepted the recommendations of the Fifth Committee concerning the composition of the Committee on Contributions and appointed the following members:

To serve for a term of three years:
J. P. Brigden (Australia)
Martínez Cabañas (Mexico)
Seymour Jacklin (South Africa)
Nicolai V. Orlov (U.S.S.R.)

To serve for a term of two years:
M. Baumont (France)
Sir Cecil Kisch (United Kingdom)
Nedim El-Pachachi (Iraq)

To serve for a term of one year:
Paul H. Appleby (United States)
Chi Chao-ting (China)
Pavle Lukin (Yugoslavia)

As a result of the General Assembly's decision to increase the membership of the Committee on Contributions from seven to ten the Provisional Rules of Procedure were amended as follows:

Rule 40

The General Assembly shall appoint an expert Committee on Contributions, consisting of ten members.

Supplementary Rule K

At the first part of the first session, the General Assembly shall elect simultaneously, in accordance with Rule 75, the ten members of the Committee on Contributions. It shall then, by a second vote, choose four of the elected members for the three-year term. By a third vote it shall choose three of the remaining elected members for the two-year term.

(5). *ad hoc Committees*

League of Nations Committee. — At its eighteenth plenary meeting on January 24, 1946, the General Assembly, upon the recommendation of the General Committee, established an *ad hoc* committee, on which all Members were represented, to consider the transfer of certain functions, activities and assets of the League of Nations. At its first meeting on January 31, 1946, the League of Nations Committee elected Erik Colban of Norway as its Chairman.

Permanent Headquarters Committee.—Upon the recommendation of the General Committee the General Assembly at its eighteenth plenary meeting on January 24, 1946, established a committee, on which all Members were represented, to consider the question of the site of the permanent headquarters of the United Nations. At its first meeting on February 4, 1946 the Committee elected Eduardo Zuleta Angel, of Columbia, as its Chairman.

d. Election of Members of Councils

(1). Election of Non-Permanent Members of the Security Council

Under Article 23 of the United Nations Charter, the General Assembly elects the non-permanent members of the Security Council.

When the General Assembly, at its fourth plenary meeting on January 12, 1946, proceeded to elect the six non-permanent members of the Security Council, the representative of the U.S.S.R. moved that the election be postponed for several days, so that the delegations might have more time to consult with each other. The representative of the United States opposed the Soviet proposal, stating that the Preparatory Commission had adopted the provisional agenda of the General Assembly on December 23, 1945, and that the delegations thus had had ample time to consider the matter. To postpone the election would set an exceedingly bad precedent. The representative of New Zealand supported the Soviet proposal for postponement, on the ground that the representatives should be given more time to consider the application of the principle of equitable geographical distribution to this election. In particular he urged that the Council consider the important problems of the Pacific, and asked that the South and Southwest Pacific be represented on the Security Council. Australia should be considered a candidate for that position. The General

Assembly by 34 votes to 9 rejected the Soviet proposal for postponement of the election.

The representative for the Ukrainian S.S.R. then suggested the following countries as non-permanent members of the Security Council:

Brazil and Mexico to represent South American Countries,
New Zealand to represent the South Pacific,
Poland to represent Eastern European countries,
Egypt to represent the Arab countries, and
Norway as the sixth non-permanent member of the Council.

The representatives of New Zealand and Norway stated that their countries were not candidates for membership of the Security Council. When a vote was taken the following five countries were elected on the first ballot, by a two-thirds majority, as members of the Council: Brazil, Egypt, Mexico, the Netherlands, and Poland. Canada and Australia obtained the highest numbers of votes short of the required two-thirds majority and a second vote was taken to determine which of these two countries should sit on the Security Council. As the second vote was inconclusive, the Canadian representative at the fifth plenary meeting of the General Assembly on January 12, 1946 withdrew the candidature of Canada and asked the General Assembly to make the election of Australia unanimous.

By a simple majority vote the General Assembly then decided that Australia, Brazil and Poland should sit as non-permanent members of the Security Council for a term of two years; and Egypt, Mexico and the Netherlands for a term of one year.

(2). Election of Members of the Economic and Social Council

Under Article 61 of the Charter, the General Assembly elects the members of the Economic and Social Council.

At its fifth plenary meeting on January 12, 1946 the General Assembly elected on the first ballot, by a two-thirds majority, the following seventeen countries as members of the Economic and Social Council:

Belgium	India
Canada	Lebanon
Chile	Norway
China	Peru
Colombia	Ukrainian S.S.R.
Cuba	U.S.S.R.
Czechoslovakia	United Kingdom
France	United States
Greece	

Yugoslavia and New Zealand obtained the highest number of votes short of the required two-thirds majority. Two further votes to determine which of these two countries should serve on the Economic and Social Council failed to break the tie. At the sixth plenary meeting of the General Assembly on January 14, 1946, New Zealand therefore withdrew in favor of Yugoslavia.

By a further simple majority of three votes the General Assembly decided:

(a) that the following countries should serve on the Council for a term of three years:

Belgium	China
Canada	France
Chile	Peru

(b) that the following countries should serve on the Council for a term of two years:

Cuba	Norway
Czechoslovakia	U.S.S.R.
India	United Kingdom

(c) that the following countries should serve on the Council for a term of one year:

Colombia	Ukrainian S.S.R.
Greece	United States
Lebanon	Yugoslavia

(3). Terms of Office of Members of Councils

Rule 78 of the Provisional Rules of Procedure[1] provides that the term of office of each member elected by the General Assembly to serve on the Security Council and the Economic and Social Council shall begin immediately on election by the General Assembly and shall end on the election of a member for the next term. Supplementary Rule S provides that the terms of office of members of Councils elected for one, two and three year terms shall end on the day of the elections held at the second, third and fourth regular sessions respectively of the General Assembly. As it was originally planned to hold the second part of the first session of the General Assembly in the spring of 1946 and the second regular session in September 1946, application of these rules would have meant that the terms of office of the members elected in

[1] See footnote, p. 55.

January 1946 for one year would have been shortened to eight months.

After considerable debate, the Sixth Committee (Legal) to which the question was referred, adopted an Egyptian amendment to provide that new members of the Council should be elected at the regular sessions of the General Assembly in September each year, but should not take office until the following January, so that members previously elected should serve their full terms.

By the time the question came up for consideration by the General Assembly in plenary session, it had been decided not to hold the second part of the first session in the spring of 1946, as originally planned, but in September. It was pointed out that if Rule 78 and Supplementary Rule S of the Rules of Procedure were applied, the effect would be to lengthen the terms of office of members of Councils to twenty months instead of shortening them to eight months. Some representatives were in favor of this; others opposed it on the ground that to lengthen or to shorten the terms of office of Council members was contrary to the Charter. An amendment providing that three non-permanent members of the Security Council and six members of the Economic and Social Council should be elected at the second part of the first session in September and take office in the following January, thus enabling members elected in January 1946 to serve for twelve months, was lost by a close vote. The President thereupon ruled that Rule 78 and Supplementary Rule S remain unchanged.

After the question had been referred to the General Committee for interpretation the draft resolution was amended to read:

RESOLVED that it is the sense of the General Assembly that Members of Councils elected in January 1946 under the provisional Rules of Procedure shall hold office for twenty months and that elections of their successors shall be held at the second regular session of the General Assembly.

The Secretary-General is requested to report at the opening of the second part of the first regular session what, if any, changes in the rules he deems necessary to give effect to the foregoing.

The General Assembly considered this draft resolution at its 31st plenary meeting on February 13, 1946. Two amendments were proposed changing the term of office from twenty months to twelve or eight months respectively. The General Assembly after further discussion, voted in favor of the twelve months term. The resolution as finally adopted, therefore, was as follows:

RESOLVED that it is the sense of this Assembly that members of Councils elected in January, 1946 under the Provisional Rules of Procedure shall hold office for twelve months and that elections of their successors shall be held at the second part of the first regular session of the General Assembly.

The second paragraph of the draft resolution above remained unchanged.

e. Election of Officers of the United Nations

(1). Appointment of the Secretary-General

Article 97 of the Charter states that the Secretary-General shall be appointed by the General Assembly upon the recommendation of the Security Council.

At its second plenary meeting on January 11, 1946, the General Assembly decided that the Executive Secretary of the Preparatory Commission and his staff should perform the functions of the Secretary-General and the Secretariat pending the appointment of the Secretary-General.

At its fourth meeting (private) on January 30, 1946, the Security Council decided to recommend to the General Assembly that Trygve Lie, Foreign Minister of Norway, be appointed Secretary-General. Upon this recommendation the General Assembly, at its twentieth plenary meeting on February 1, appointed Mr. Lie Secretary-General of the United Nations. The official installation took place at the 22nd plenary meeting on February 2, 1946, the Executive Secretary of the Preparatory Commission administering the oath of office to Mr. Lie.

(2). Election of Judges of the International Court of Justice

Article 8 of the Statute of the International Court of Justice provides that the General Assembly and the Security Council, voting independently, shall elect the members of the Court.

The Executive Secretary submitted a list of candidates nominated in response to the invitations issued by the Executive Secretary at the request of the Executive Committee of the Preparatory Commission by the national groups

On January 30, the First Committee unanimously adopted the following draft resolution:

RESOLVED THAT THE GENERAL ASSEMBLY:

(a) ADOPTS rules of procedure concerning languages in conformity with the rules herewith presented (annex);

(b) RECOMMENDS to the other organs of the United Nations the adoption of language rules in conformity with the rules herewith presented;

(c) RECOMMENDS that the Secretary-General makes a thorough enquiry into the question of the installation of telephonic systems of interpretation and, if possible, arranges for the establishment of such a system for the second part of the first session.

Annex

1. In all the organs of the United Nations, other than the International Court of Justice, Chinese, French, English, Russian and Spanish shall be the official languages, and English and French the working languages.

2. Speeches made in either of the working languages shall be interpreted into the other working language.

3. Speeches made in any of the other three official languages shall be interpreted into both working languages.

4. Any representative may make a speech in a language other than the official languages. In this case he shall himself provide for interpretation into one of the working languages. Interpretation into the other working language by an interpreter of the Secretariat may be based on the interpretation given in the first working language.

5. Verbatim records shall be drawn up in the working languages. A translation of the whole or part of any verbatim record into any other of the official languages shall be furnished if requested by any delegation.

6. Summary records shall be drawn up as soon as possible in the official languages.

7. The *Journals* of the organs of the United Nations shall be issued in the working languages.

8. All resolutions and other important documents shall be made available in the official languages. Upon the request of any representative, any other document shall be made available in any or all of the official languages.

9. Documents of the organs of the United Nations shall, if those organs so decide, be published in any languages other than the official languages.

The First Committee's report to the General Assembly noted that it was generally understood that sub-committees and *ad hoc* committees might, in consultation with the Secretariat, adopt simplified rules of procedure concerning languages.

At the 21st meeting on February 1, 1946, the General Assembly unanimously adopted the First Committee's draft resolution.

2. Political and Security Matters

a. Establishment of an Atomic Energy Commission

In a declaration issued in Washington on November 15, 1945, the Governments of Canada, the United Kingdom and the United States proposed the establishment of a commission under the United Nations to study the problems raised by the discovery of atomic energy. At the Moscow Conference of Foreign Ministers in December 1945 the U.S.S.R. agreed to join in the sponsorship of a resolution for the establishment of such a commission to be presented to the first session of the General Assembly, and the text of the proposed resolution was agreed upon. Canada, France and China agreed to join in the sponsorship of the resolution drafted by the Foreign Ministers in Moscow.

On January 6, 1946, the resolution was accordingly submitted to the Executive Secretary of the Preparatory Commission, and was placed on a supplementary list of agenda items. On the recommendation of the General Committee the General Assembly at its sixth plenary meeting on January 14, 1946, decided to place the resolution on its agenda, and referred it to the First Committee (Political and Security). Following is the text of the resolution:

RESOLVED BY THE GENERAL ASSEMBLY OF THE UNITED NATIONS to establish a Commission, with the composition and competence set out hereunder, to deal with the problems raised by the discovery of atomic energy and other related matters:

1. ESTABLISHMENT OF THE COMMISSION

A Commission is hereby established by the General Assembly with the terms of reference set out under section 5 below.

2. RELATIONS OF THE COMMISSION WITH THE ORGANS OF THE UNITED NATIONS

(*a*) The Commission shall submit its reports and recommendations to the Security Council, and such reports and recommendations shall be made public unless the Security Council, in the interest of peace and security, otherwise directs. In the appropriate cases

the Security Council should transmit these reports to the General Assembly and the Members of the United Nations, as well as to the Economic and Social Council and other organs within the framework of the United Nations.

(*b*) In view of the Security Council's primary responsibility under the Charter of the United Nations for the maintenance of international peace and security, the Security Council shall issue directions to the Commission in matters affecting security. On these matters the Commission shall be accountable for its work to the Security Council.

3. COMPOSITION OF THE COMMISSION

The Commission shall be composed of one representative from each of those States represented on the Security Council, and Canada when that State is not a member of the Security Council. Each representative on the Commission may have such assistance as he may desire.

4. RULES OF PROCEDURE

The Commission shall have whatever staff it may deem necessary, and shall make recommendations for its rules of procedure to the Security Council, which shall approve them as a procedural matter.

5. TERMS OF REFERENCE OF THE COMMISSION

The Commission shall proceed with the utmost despatch and enquire into all phases of the problem, and make such recommendations from time to time with respect to them as it finds possible. In particular, the Commission shall make specific proposals:

(*a*) for extending between all nations the exchange of basic scientific information for peaceful ends;

(*b*) for control of atomic energy to the extent necessary to ensure its use only for peaceful purposes;

(*c*) for the elimination from national armaments of atomic weapons and of all other major weapons adaptable to mass destruction;

(*d*) for effective safeguards by way of inspection and other means to protect complying States against the hazards of violations and evasions.

The work of the Commission should proceed by separate stages, the successful completion of each of which will develop the necessary confidence of the world before the next stage is undertaken.

The Commission shall not infringe upon the responsibilities of any organ of the United Nations, but should present recommendations for the consideration of those organs in the performance of their tasks under the terms of the United Nations Charter.

During the discussion both in the First Committee and in the General Assembly the representative of the Philippines remarked that the proposed Atomic Energy Commission would be a mere duplication of the Security Council, since except for the addition of Canada it had the same membership as the Security Council and was to report to the Council. Once the General Assembly had created the Commission it would practically lose control over it. If the General Assembly was granted the power to create the Commission, it should likewise have the power to alter, modify, control or abolish altogether that which it created. Otherwise it would be better if the whole problem were assigned to the Security Council. He suggested, therefore, that the resolution before the General Assembly be referred to the Security Council for appropriate action. The representative of Australia feared that it would be hard to establish the Atomic Energy Commission's responsibility to the General Assembly as the Security Council would be able to decide which reports of the Commission should be forwarded to the General Assembly. He proposed that the Security Council should include a report of the Commission's work in its annual report to the General Assembly. The representative of the U.S.S.R. considered that, owing to the fact that the General Assembly set up the Commission, the rights and powers of the Assembly were fully protected. The representative of Brazil thought it important that the veto should not apply to the work of the Commission. The representative of Poland remarked that it was not sufficient to act through the organs of the United Nations to prevent the use of atomic energy for destructive purposes. He suggested that the General Assembly recommend to the delegations that their parliaments adopt laws embodying the following principles:

1. That States should exchange between each other all discoveries of a scientific character such as that of atomic energy.

2. That the results obtained in this scientific field should be used only for the benefit of humanity and not for its destruction.

3. That the Member States should support the United Nations organization in its efforts to control and supervise the use of atomic energy for peace.

4. That the Members of the United Nations undertake to eliminate atomic arms and other

arms for mass destruction from their national armaments.

The question was also raised of the expediency of rotating the membership of the Atomic Energy Commission in accordance with the rotation of the non-permanent members of the Security Council. Some representatives pointed out that a frequent change of membership would deprive the Commission of the services of representatives who had gained experience in this intricate problem. It was agreed, however, that it was not desirable to limit the membership of the Commission for all time to the original twelve. The Commission, moreover, could at any time seek the advice of any Member of the General Assembly.

No representative pressed his views to the point of opposing the resolution. On January 22, 1946, the First Committee by a vote of 46 to 1, with 1 abstention, adopted the draft resolution agreed upon at the Moscow Conference. At the seventeenth plenary meeting on January 24, 1946, the General Assembly unanimously approved the report of the First Committee.

b. Extradition and Punishment of War Criminals

On February 2, 1946, the General Committee recommended to the General Assembly that a Byelorussian draft resolution concerning the extradition and punishment of war criminals be included in the Assembly's agenda. The draft resolution was referred to the first Committee. After some discussion, during which several representatives stressed the importance of bringing war criminals to justice, the First Committee appointed a drafting committee, which made some minor alterations in the text of the draft resolution. The revised resolution was unanimously adopted by the First Committee on February 11, 1946, and by the General Assembly at its 32nd plenary meeting on February 13, 1946. The resolution as adopted read as follows:

THE GENERAL ASSEMBLY:

taking note of the Moscow Declaration of 1 November 1943 by President Roosevelt, Marshal Stalin and Prime Minister Churchill concerning enemy atrocities in the course of the war, and of the declaration by certain allied governments of 13 January and 18 December 1942 concerning the same matter;

taking note of the laws and usages of warfare established by the fourth Hague Convention of 1907;

taking note of the definition of war crimes and crimes against peace and against humanity contained in the Charter of the International Military Tribunal dated 8 August 1945;

believing that certain war criminals continue to evade justice in the territories of certain States;

RECOMMENDS

that Members of the United Nations forthwith take all the necessary measures to cause the arrest of those war criminals who have been responsible for or have taken a consenting part in the above crimes, and to cause them to be sent back to the countries in which their abominable deeds were done, in order that they may be judged and punished according to the laws of those countries;

AND CALLS UPON

the Governments of States which are not Members of the United Nations also to take all necessary measures for the apprehension of such criminals in their respective territories with a view to their immediate removal to the countries in which the crimes were committed for the purpose of trial and punishment according to the laws of those countries.

The Uruguayan delegation submitted a draft resolution against the infliction of the death penalty on war criminals. In view of strong opposition from the representatives of the U.S.S.R. and the Ukrainian S.S.R. to the inclusion of this item on the agenda of the Assembly, the Chairman of the General Committee, on February 6, 1946, asked the Uruguayan representative whether he would consider withdrawing his proposal. On February 11 the General Committee by a vote of 10 to 1 decided not to recommend the inclusion of the Uruguayan resolution in the agenda. The Uruguayan representative, upon instructions of his Government, did not press his proposal.

c. Relations of Members of the United Nations with Spain

On February 8, 1946, the General Committee decided to recommend to the General Assembly the inclusion in the agenda of a draft resolution submitted by the representative of Panama concerning the relations of Members of the United Nations with Spain. On the suggestion of the representative of the United States, seconded by the representatives of the U.S.S.R. and Venezuela, it was decided to recommend that the General Assembly should proceed to

examine this draft resolution without referring it to a committee. Following is the text of the resolution:

1. THE GENERAL ASSEMBLY recalls that the San Francisco Conference adopted a resolution according to which paragraph 2 of Article 4 of Chapter II of the United Nations Charter "cannot apply to States whose regimes have been installed with the help of armed forces of countries which have fought against the United Nations so long as these regimes are in power."

2. THE GENERAL ASSEMBLY recalls that at the Potsdam Conference the Governments of the United Kingdom, the United States of America and the U.S.S.R. stated that they would not support a request for admission to the United Nations of the present Spanish Government "which, having been founded with the support of the Axis powers, in view of its origins, its nature, its record and its close association with the aggressor States, does not possess the necessary qualifications to justify its admission."

3. THE GENERAL ASSEMBLY, in endorsing these two statements, recommends that the Members of the United Nations should act in accordance[1] with the letter and the spirit of these statements in the conduct of their future relations with Spain.

During the discussion at the 26th plenary meeting of the General Assembly on February 9, 1946, the representatives of France, Norway, the United Kingdom, the United States, Uruguay, Yugoslavia and Venezuela spoke in support of the resolution. The representative of Czechoslovakia considered that individual Members of the United Nations should draw the necessary inferences from the proposed resolution in their relations with Spain and should support the Spanish Republicans. The representative of Mexico stated that his Government, as the seat of the Spanish Republican Government in Exile, was honor-bound to the cause of Republican Spain. Mexico did not seek interference in the national affairs of Spain, but asked that Members of the United Nations should refrain from having diplomatic relations with the illegal regime of General Franco. The Byelorussian representative drew the attention of the General Assembly to the fact that the Byelorussian S.S.R. was actually in a state of war with Franco Spain as a Spanish division had fought on the side of Germany on the eastern front.

The General Assembly adopted the resolution as quoted above by a vote of 45 to 2.

3. ECONOMIC AND SOCIAL MATTERS

a. Recommendations Concerning the Economic and Social Council and Observations on Relationships with Specialized Agencies

The recommendations of the Preparatory Commission concerning the organization of the Economic and Social Council were submitted to the first part of the first session of the General Assembly for approval. The Preparatory Commission had considered that the Economic and Social Council should be organized at the earliest possible date and had recommended that the Secretary-General of the United Nations or the Executive-Secretary of the Preparatory Commission should summon the first session of the Economic and Social Council in London fifteen days after the election of the members of the Council by the General Assembly. The Council should adopt the Provisional Agenda and Provisional Rules of Procedure drawn up by the Preparatory Commission. It should also establish, at its first session, the following Commissions:

Commission on Human Rights,
Economic and Employment Commission,
Temporary Social Commission,
Statistical Commission,
Commission on Narcotic Drugs.

The Economic and Social Council should, furthermore, consider the desirability of establishing at an early date the following Commissions:

Demographic Commission,
Temporary Transport and Communications Commission,
Fiscal Commission,
Co-ordination Commission.

The Preparatory Commission recommended that the Commissions should be kept of manageable size, and that they should be composed of a majority of responsible, highly qualified governmental representatives. In establishing these Commissions the Council should take into account the following considerations:

(1) Duplication between specialized agencies and the Council should be avoided. The

[1] The original text of the resolution read "... that the Members of the United Nations should take into account the letter and the spirit of these statements...." The text was changed in accordance with an amendment proposed by the representative of Norway, who felt that this change made the meaning more precise.

following subjects were assumed to fall within the responsibility of the specialized agencies:

(a) relief and rehabilitation;
(b) monetary co-operation and international investment;
(c) trade policies;
(d) food and agricultural policies;
(e) labor standards, labor welfare and related social questions;
(f) educational and cultural co-operation;
(g) health;
(h) some aspects of transport;
(i) some aspects of communications.

The Commissions of the Council should function in areas not covered by the specialized agencies, or function temporarily in the above fields until specialized agencies could be set up.

(2) The Commissions should consider the complex economic and social problems which had arisen out of the war. The most urgent of these problems was that of refugees, which the Economic and Social Council should consider at its first session.

(3) The Council should make provision for the continuance of certain functions and activities of the League of Nations.

(4) There should be a maximum of flexibility in the number, scope and activities of the Commissions.

(5) The importance of co-ordination of activities in related fields should be kept in mind.

The Preparatory Commission recommended further that the Economic and Social Council, at its first session, should make arrangements for the negotiation of agreements bringing specialized agencies into relationship with the United Nations; it should establish a committee to report on arrangements for consultation with non-governmental organizations; and it should confer with representatives of the Security Council and the Trusteeship Council on methods of co-operation in dealing with matters of common concern to them. The Preparatory Commission submitted to the General Assembly, for the guidance of the Economic and Social Council in its negotiations with specialized agencies, a number of observations and a list of items which it deemed appropriate for inclusion in the agreements with the specialized agencies.[1]

The Preparatory Commission's recommendations regarding the proposed Economic and Employment Commission, the Statistical Commission, the Temporary Transport and Communications Commission and the Fiscal Commission were considered by the Second Committee (Economic and Financial), which unanimously approved them on January 22, 1946.

The Preparatory Commission's recommendations concerning the Commission on Human Rights, the Temporary Social Commission, the Commission on Narcotic Drugs and the Demographic Commission were referred to the Third Committee (Social, Humanitarian and Cultural) of the General Assembly, which unanimously approved them on January 22, 1946.

At the tenth meeting of the Third Committee on February 9, 1946, the representative of Cuba proposed the establishment of a cultural commission composed of cultural and educational experts to advise the Economic and Social Council in its relations with the United Nations Educational, Scientific and Cultural Organization and to establish more effective liaison between the two organizations. The representatives of Belgium, Ecuador, and Poland supported the Cuban proposal. The representatives of China, France, the United Kingdom and the United States, however, opposed the proposal on the ground that the Preparatory Commission had agreed that no commission under the Economic and Social Council should be established where a specialized agency existed. The establishment of a commission such as that proposed by the Cuban representative would prejudice the work of UNESCO. The Third Committee rejected the Cuban proposal by a vote of 21 to 13.

The provisional agenda, the Provisional Rules of Procedure of the Economic and Social Council and the recommendations regarding relationships with the specialized agencies were referred to a Joint Sub-Committee of the Second and Third Committees, which approved them on January 24, 1946. Although no changes were made in the Preparatory Commission's recommendations, certain views expressed in the course of the discussion were noted in the Sub-Committee's report to the General Assembly:

1. The representatives had taken the general view that the Economic and Social Council should be allowed the widest possible freedom to carry out its work.

2. The recommendation that the Economic and Social Council consider at its first session

[1] For the full text of the observations, see Report of the Preparatory Commission, pp. 40-48.

the advisability of setting up a co-ordination commission was approved with the understanding that it should not be regarded as a directive, since the Council might not find it advisable to set up the commission at this early stage.

3. Doubt was expressed by some representatives as to whether the recommendation that the commissions should contain a majority of highly qualified governmental representatives was desirable and whether it allowed the Council sufficient freedom. The Preparatory Commission's recommendation was approved on the understanding that it would not be regarded as binding and that no limitation should be put on the Council in choosing the members of the commissions.

4. In discussing the relationship with specialized agencies, the need for new forms of international co-operation was emphasized, and the hope expressed that the Council would be given the greatest liberty to consider and to propose any form of international machinery which it might consider the most effective for co-ordinating action on economic and social problems.

5. There was some divergence of opinion as to the desirability of centralization of the headquarters of the United Nations and the specialized agencies. While it seemed to be generally accepted that as many of the specialized agencies as possible should be located at the central headquarters, some representatives thought that it might be necessary to have certain agencies located in places particularly suited to their effective functioning.

The General Assembly unanimously approved the reports of the Second and Third Committees (which included the report of the Joint Sub-Committee) at its ninth plenary meeting on January 29, 1946.

b. Calling of International Conferences by the Economic and Social Council

Some discussion arose in the General Assembly concerning Supplementary Rule T of the Provisional Rules of Procedure of the General Assembly. Article 62, paragraph 4, of the United Nations Charter states that the Economic and Social Council may, in accordance with the rules prescribed by the United Nations, call international conferences on matters falling within its competence. Pending the adoption of definite rules for the calling of international conferences by the Economic and Social Council, Supplementary Rule T authorized the Council to call international conferences in conformity with the spirit of Article 62 of the Charter on any matter within the competence of the Council, including the following matters: international trade and employment, and health.

The representative of Ecuador submitted an amendment to include "the equitable adjustment of prices in the international market" in the enumeration of items on which the Economic and Social Council might call international conferences. The amendment was referred to the Sixth Committee (Legal). Opposition to the amendment in the Committee was based on the argument that the text of Supplementary Rule T did not preclude discussion of the adjustment of prices in the international market by the Economic and Social Council. It was not necessary, therefore, to mention this point specifically. The representative of Ecuador insisted, however, that the subject was of such importance as to deserve specific mention. Some representatives thought it would be preferable to exclude mention of any specific subject on which the Economic and Social Council might call conferences, as the enumeration of examples might tend to restrict the Council. Other representatives mentioned that the Preparatory Commission had included mention of international trade and employment and health for reasons of policy, as the Commission had considered these problems to be so pressing that it wanted to draw attention to them.

A motion by the representative of the United States to delete the last phrase of Supplementary Rule T, "including the following matters: international trade, employment and health," was rejected by the Sixth Committee. The Committee then adopted by a vote of 25 to 12 the amendment proposed by the representative of Ecuador.

At the nineteenth plenary meeting on January 29, 1946, the General Assembly adopted by a vote of 38 to 1 the text of the resolution proposed by the Sixth Committee as follows:

THE GENERAL ASSEMBLY RESOLVES THAT:

Supplementary Rule T shall be amended to read as follows:

"Pending the adoption, under paragraph 4 of Article 62 of the Charter, of definitive rules for the calling of international conferences, the Economic and Social Council may, after due consultation with Members of the

United Nations, call international conferences in conformity with the spirit of Article 62 on any matter within the competence of the Council, including the following matters: international trade and employment; the equitable adjustment of prices on the international market, and health."

c. Representation of Non-Governmental Bodies on the Economic and Social Council

At its second meeting on January 15, 1946, the General Committee of the General Assembly considered a request of the World Federation of Trade Unions for participation in the work of the General Assembly and for full participation, with the right to vote, in the Economic and Social Council. While several representatives, including those of France and the U.S.S.R., supported this request, it was pointed out that to grant the WFTU the right to speak in the General Assembly and to vote in the Economic and Social Council would give it a standing equal to that of national governments. This was contrary to the Charter of the United Nations, which envisaged membership only of sovereign States.

By a letter of January 17, 1946, the WFTU withdrew its request for participation with right to vote, but maintained its request to be heard in the General Assembly and for permanent participation in a consultative capacity in the work of the Economic and Social Council. Requests to participate in the work of the Economic and Social Council were likewise received from the International Co-operative Alliance, the International Federation of Women and the American Federation of Labor. As regards the WFTU's request to speak in the General Assembly, the representatives of France and the U.S.S.R. supported a proposal of the Chairman of the General Committee that the Assembly might create a special category of "official permanent guests," and that the General Assembly might hear the views of such "guests" as the WFTU. In the course of the deliberations of the General Committee, the Soviet delegation agreed not to press the WFTU's request for participation in the General Assembly, if that organization were granted permanent consultative status in the Economic and Social Council.

Concerning arrangements for participation in the meetings of the Economic and Social Council of the WFTU, the International Co-operative Alliance, the International Federation of Women and the American Federation of Labor, sharp differences of opinion arose. Some representatives, including those of France, the U.S.S.R., and the Ukrainian S.S.R., considered that the WFTU was a unique organization representing 65,000,000 workers all over the world. Its advice would be valuable to the Economic and Social Council on any question of international co-operation in the economic or social field. The General Assembly therefore should recommend to the Economic and Social Council that the WFTU be granted the right of permanent participation in a consultative capacity in the Economic and Social Council, while no such recommendation should be made regarding the other organizations which had applied. Opposition was directed particularly against granting equal consideration to the WFTU and the American Federation of Labor, the latter being a national, and not an international, trade-union organization which had refused to join the WFTU.

The representatives of the United Kingdom and the United States opposed these views. They argued that if the WFTU were granted the right of permanent participation in the work of the Economic and Social Council it would be placed in a far more favorable position than the governments which were not represented on the Economic and Social Council (the Council consisting of only eighteen members at any one time) and which, according to Article 69 of the Charter, were to be invited to participate in the meetings of the Council only when matters of particular concern to them were being discussed. Similarly the WFTU should participate in the work of the Council only on matters of particular concern to the organization. Article 71 of the Charter provided for participation of international as well as national organizations in the work of the Economic and Social Council. There was no reason to accord preferential treatment to the WFTU or to exclude the other organizations which had applied.

The General Committee twice referred the whole question to a Sub-Committee, but no agreement was reached on various proposals presented. Several representatives, moreover, questioned the competence of the General Committee to make a decision on the substance of the matter, which was a political question. The only issue the Committee was competent to decide, they argued, was whether

the requests of the WFTU and other organizations should be placed on the agenda of the General Assembly. At its eighth meeting on January 29, 1946 the General Committee decided to refer the question to the General Assembly, calling attention to the discussion which had taken place in the Committee.

At the 22nd plenary meeting on February 2, 1946, the General Assembly decided to refer the matter to the First Committee (Political and Security). A sub-committee of the First Committee which was to draft a resolution for presentation to the General Assembly was unable to reach agreement. On February 11, it submitted four draft resolutions presented respectively by the representatives of Belgium, the U.S.S.R., the United Kingdom and the United States to the full Committee. The United Kingdom and United States resolutions were not essentially different, recommending that the Economic and Social Council should arrange for collaboration for purposes of consultation in the first instance with the WFTU, the International Co-operative Alliance and other international non-governmental organizations, and secondly with the American Federation of Labor and other national and regional organizations, in accordance with Article 71 of the United Nations Charter. The Soviet resolution provided that the General Assembly recommend participation in an advisory capacity in the work of the Economic and Social Council by the WFTU only, while the Belgian proposal made mention both of the WFTU and the American Federation of Labor.

On February 12, 1946, the First Committee adopted the United States resolution. After prolonged debate, during which several amendments to the United States resolution were voted down, the General Assembly at the 33rd plenary meeting on February 14, 1946, adopted the resolution as follows:

In connection with the requests of the World Federation of Trade Unions, the American Federation of Labor, the International Co-operative Alliance, and other non-governmental organizations, that their representatives shall be allowed to take part in the work of the Economic and Social Council, and in accordance with Article 71 of the Charter providing for the carrying out by the Economic and Social Council of appropriate consultations with non-governmental organizations,

THE GENERAL ASSEMBLY RECOMMENDS:

(a) that the Economic and Social Council should, as soon as possible, adopt suitable arrangements enabling the World Federation of Trade Unions and the International Co-operative Alliance as well as other international non-governmental organizations whose experience the Economic and Social Council will find necessary to use, to collaborate for purposes of consultation with the Economic and Social Council;

(b) that the Economic and Social Council should likewise adopt as soon as possible suitable arrangements enabling the American Federation of Labor as well as other national and regional organizations whose experience the Economic and Social Council will find necessary to use, to collaborate for purposes of consultation with the Economic and Social Council.

d. United Nations Relief and Rehabilitation Administration

At its eleventh plenary meeting on January 17, 1946, the General Assembly referred to the Second Committee (Economic and Financial) a draft resolution of the United Kingdom concerning the United Nations Relief and Rehabilitation Administration. Taking into consideration the great need of war-devastated areas and the importance of expediting the work of UNRRA, the General Assembly, according to the United Kingdom resolution, was to urge States signatory to the UNRRA Agreement to make a further contribution of one per cent of their national income to UNRRA's funds, as had been recommended by the Council of UNRRA in August 1945. At the same time the Assembly was to urge other peace-loving States who were not signatories to the UNRRA Agreement to join the organization.

The representative of the U.S.S.R. presented an alternative draft according to which only members of UNRRA which had not been occupied by enemy forces were to make the suggested contribution to the UNRRA funds. Furthermore, instead of urging "other peace-loving States" to join UNRRA, the Soviet draft proposed to limit this recommendation to "Members of the United Nations who were not signatories to the UNRRA Agreement," so as to preclude the possibility of politically undesirable elements joining UNRRA. The Soviet representative stated that his first proposal merely underlined an already accepted principle, since UNRRA contributions had, in fact, been received only from countries which had not been occupied by the enemy. It was

objected, however, that this proposal might prevent the receipt of contemplated contributions from such countries as France. As regards the second Soviet amendment, several representatives favored retention of the words "peace-loving States" in the original United Kingdom draft in order to enable such countries as Portugal, Sweden or Switzerland to contribute to the work of UNRRA. Others pointed out that the Soviet text did not prevent peace-loving States who were not Members of the United Nations from applying to the UNRRA Council for membership in UNRRA. A number of additional amendments designed to clarify the United Kingdom proposal were discussed in the Second Committee.

After consulting the representatives of the U.S.S.R. and the United Kingdom, the representative of the United States presented an alternative resolution designed to reconcile the different points of view. Instead of a direct appeal by the General Assembly the resolution contemplated the establishment of a committee to secure further contributions to the work of UNRRA. The resolution read as follows:

THE GENERAL ASSEMBLY, impressed with the imperative urgency that action to facilitate the final stages of the work of UNRRA be taken at the earliest possible date in view of the understanding of the Council of UNRRA that the work of that organization will be completed in Europe by 31 December 1946, and in the Far East by March 1947:

1. ESTABLISHES A COMMITEE,

(a) to consult with States signatory to the UNRRA Agreement which have not made or arranged to make the further contributions to UNRRA recommended in Council resolution No. 80 of August 1945, and to urge upon them that they make such contributions with the least possible delay;

(b) to urge upon Members of the United Nations who are not signatories to the UNRRA Agreement to join that organization and thereby to make their contributions to this great humanitarian task.

2. APPOINTS as members of this Committee the representatives of the following countries: Canada, China, Dominican Republic, France, Greece, New Zealand, Norway, Poland, Union of Soviet Socialist Republics, United Kingdom, United States of America, and instructs the Committee to begin its work as soon as possible.

3. INSTRUCTS the Secretary-General to seek to make arrangements with the Director-General of UNRRA whereby the General Assembly may be furnished with full reports on the work of UNRRA and on the progress made towards economic rehabilitation in the countries being assisted by UNRRA.

The representatives of several South American States declared that the economic dislocation resulting from the war made it impossible for their countries to agree to a further obligatory contribution to UNRRA. In answer it was emphasized that the United States resolution did not formally obligate governments to make the contributions requested, but merely called on them to do the best they could.

The Second Committee on January 29, 1946, adopted the United States resolution by acclamation. After many representatives had paid high tribute to the work of UNRRA the General Assembly, at its 21st plenary meeting on February 1, 1946, unanimously adopted the resolution as quoted above.

The Committee on UNRRA, thus established, held its first meeting during the fourth session of the UNRRA Council at Atlantic City in March 1946. It engaged in consultation with the Director-General and other officials of UNRRA. It agreed upon plans to encourage Members to contribute the full amount of their quota to the Administration at the earliest possible date and to inform Members of the United Nations who were not Members of UNRRA of the procedure whereby they might become Members of UNRRA.

The UNRRA Council passed a resolution which established the basis of working coordination with the Committee and with the Secretariat. Communications had been sent to the Members of the United Nations urging them to give full and prompt support to the work of UNRRA. The Committee was represented at the fifth session of the UNRRA Council, which met in Geneva in August 1946.

Pursuant to the General Assembly's resolution, the Director-General of UNRRA submitted in September 1946 a report to be presented to the second part of the first session of the General Assembly.

e. Question of Refugees

On January 23, 1946, the United Kingdom delegation put forward a proposal concerning refugees. On January 25 the Yugoslav delegation presented an alternative proposal. Both were referred to the Third Committee (Social, Humanitarian and Cultural) for consideration. The United Kingdom proposal, after a

lengthy review of past efforts on the part of the League of Nations and the Inter-governmental Committee on Refugees to deal with the refugee problem, concluded by stating that the present machinery for dealing with the problem was no longer adequate. It was proposed, therefore, to refer the question to the Economic and Social Council for thorough examination at the Council's first session.

The Yugoslav proposal urged that the Assembly should consider that the problem of displaced persons had ceased to be an important international question, as the defeat of the fascist countries permitted the return of all displaced persons to their home countries. No permanent international machinery was necessary, therefore, to organize assistance to such persons. The problem of those displaced persons who were still outside their own countries should be dealt with through bilateral arrangements between the countries of origin and the countries of residence of such refugees. Any displaced persons who did not report for repatriation within a period of four months should not be entitled to assistance at the expense of international organizations or of their State of origin. The Spanish Republican refugees should form the only exception to this. The General Assembly, further, should recommend to Members of the United Nations that they make arrangements to facilitate the apprehension of war criminals.

In the course of the prolonged discussion which ensued both in the Third Committee and in the plenary meetings of the General Assembly a number of representatives including those of the Byelorussian S.S.R., Poland, the U.S.S.R., and the Ukrainian S.S.R., emphasized that, in their view, all men of good will could return to their home countries as a result of the defeat of the Axis Powers. Quislings, war criminals, traitors, Fascists and undemocratic elements who opposed the governments of their countries should not receive any assistance from an international organization. The solution of the refugee problem was repatriation at the earliest possible date, preferably through bilateral arrangements between the countries concerned. Assistance by an international organization to persons unwilling to return to their own countries for political reasons would tend to perpetuate the problem instead of solving it. It was necessary to distinguish between genuine victims of fascist aggression and other displaced persons who for one reason or another did not wish to be repatriated. The Polish representative said that he thought Allied soldiers who had contributed to the common victory and who remained away from their countries should not be regarded as refugees. The representatives of a number of Arab States registered their opposition to political Zionism in this connection. Although expressing sympathy for Jewish victims of fascism, they agreed that this problem should be in no way related to the problem of Palestine. If Jews left Europe as a matter of personal preference this could not be regarded as a refugee question.

Another group of representatives which included those of Belgium, the Netherlands, Panama, South Africa, the United Kingdom and the United States, considered that it was necessary to place human considerations above political ones. In their view there was an important group of political dissidents who were neither Fascists nor war criminals or traitors. Such persons should not be forced to return to their home countries. The right of asylum for political dissidents was part and parcel of those basic human rights embodied in the Charter of the United Nations.

On February 1 and 4 respectively the representatives of the Netherlands and the U.S.S.R. presented alternative draft resolutions. Both resolutions agreed that the problem should be referred to the Economic and Social Council. Both agreed, furthermore, that refugees who did not wish to return to their countries of origin should not be compelled to do so. While the Netherlands resolution stated that the resettlement of such refugees should be the responsibility of an international organization, the Soviet resolution sought to make such resettlement contingent upon the consent of the country of origin of these refugees. The Netherlands resolution, moreover, recommended to the Economic and Social Council the establishment under the Council of an international body to examine the refugee problem in all its aspects. The Soviet resolution stressed that the main task of the United Nations concerning refugees was to give all possible help for their early return to their native countries. According to the Netherlands resolution only persons liable to extradition in conformity with an international agreement because of their action or attitude during the last war were to be refused refugee status.

The Soviet resolution, on the other hand, stated that:

THE GENERAL ASSEMBLY CONSIDERS THAT:

(a) Quislings, traitors and war criminals, as persons dishonoured for collaboration with the enemies of the United Nations in any form, should not be regarded as refugees who are entitled to get protection of the United Nations, and that quislings, traitors and war criminals who are still hiding under the guise of refugees, should be immediately returned to their countries;

(b) Germans being transferred to Germany from other States or who fled to other States from Allied troops, do not fall under the action of this decision; their situation may be decided by allied forces of occupation in Germany, in agreement with the Governments of the respective countries.

In addition the U.S.S.R. resolution contained the following provisions concerning refugee camps:

No propaganda should be permitted in refugee camps against the interests of the Organization of the United Nations or her Members, nor propaganda against returning to their native countries.

The personnel of refugee camps should be comprised mainly of representatives of States concerned, whose citizens are the refugees.

After further discussion the representative of the United States introduced a compromise resolution which proposed that the General Assembly recommend to the Economic and Social Council the establishment of a special committee to make a thorough study of the refugee problem and to report to the second part of the first session of the General Assembly. Persons who objected to returning to their country of origin should not be compelled to do so, but every effort should be made to encourage repatriation. No action taken in accordance with this resolution, however, should interfere in any way with the surrender and punishment of war criminals, quislings and traitors in conformity with international arrangements and agreements.

In the hope that a majority of the Third Committee might support the United States resolution, the representatives of the Netherlands and the United Kingdom agreed to withdraw their own draft proposals. The Soviet and the United States drafts were referred to a Sub-Committee, which on February 7 reported the following text, which was adopted by the full Committee:

THE GENERAL ASSEMBLY,

Recognizing that the problem of refugees and displaced persons of all categories is one of immediate urgency and recognizing the necessity of clearly distinguishing between genuine refugees and displaced persons, on the one hand, and the war criminals, quislings and traitors referred to in paragraph (d) below, on the other:

(a) DECIDES to refer this problem to the Economic and Social Council for thorough examination in all its aspects under item 10 of the agenda for the first session of the Council and for report to the second part of the first session of the General Assembly;

(b) RECOMMENDS to the Economic and Social Council that it establish a special Committee for the purpose of carrying out promptly the examination and preparation of the report referred to in paragraph (a);

(c) RECOMMENDS to the Economic and Social Council that it take into consideration in this matter the following principles:

(i) This problem is international in scope and nature;

(ii) No refugees or displaced persons who have finally and definitely, in complete freedom and after receiving full knowledge of the facts, including adequate information from the governments of their countries of origin, expressed valid objections to returning to their countries and who do not come within the provisions of paragraph (d) below, shall be compelled to return to their country of origin. The future of such refugees or displaced persons shall become the concern of whatever international body may be recognized or established as a result of the report referred to in paragraphs (a) and (b) above, except in cases where the government of the country where they are established has made arrangement with this body to assume the complete cost of their maintenance and the responsibility for their protection;

(iii) The main task concerning displaced persons is to encourage and assist in every possible way their early return to their countries of origin. Such assistance may take the form of promoting the conclusion of bilateral arrangements for mutual assistance in the repatriation of such persons having regard to the principles laid down in paragraph (c) (ii) above;[1]

(d) CONSIDERS that no action taken as a result of this resolution shall be of such a character as to interfere in any way with the surrender and punishment of war criminals,

[1] In the resolution as originally reported by the Sub-Committee, paragraph (c) (iii) preceded paragraph (c) (ii). Upon the suggestion of the representative of the United Kingdom the Third Committee reversed this order, so as to bring out more clearly the fact that the principles contained in paragraph (c) (ii) took precedence over those contained in paragraph (c) (iii).

quislings and traitors, in conformity with present and future international agreements;

(e) CONSIDERS that Germans being transferred to Germany from other States or who fled to other States from Allied troops, do not fall under the action of this declaration insofar as their situation may be decided by Allied forces of occupation in Germany, in agreement with the governments of the respective countries.

The Soviet representative proposed the amendment of the above text to include the provision contained in the original Soviet draft that resettlement of refugees should not take place without the consent of the country of origin as well as the country of resettlement, and also the Soviet recommendations quoted above concerning refugee camps. This was rejected.

When the report of the Third Committee came before the General Assembly at the 29th plenary meeting on February 12, 1946, the representative of the U.S.S.R. reintroduced the amendments previously rejected in the Committee. After considerable debate all amendments were rejected and the General Assembly at the 30th plenary meeting adopted the text as presented by the Third Committee.

f. World Shortage of Cereals

On February 11, 1946, the General Committee recommended that a draft resolution concerning the world shortage of cereals submitted by the representatives of China, France, the U.S.S.R., the United Kingdom and the United States be placed on the agenda of the General Assembly, together with letters from the Director-General of UNRRA and the Director-General of the Food and Agriculture Organization addressed to the Secretary-General of the United Nations. The draft resolution was discussed at the 32nd and 33rd plenary meetings of the General Assembly. The representatives of the sponsoring countries, as well as many others, spoke in support of the resolution, calling attention to the critical food shortage throughout the world which made concerted action on the part of the United Nations an immediate necessity. As a result of crop failures in India and South Africa, the food shortage, it was pointed out, was even worse than had been foreseen when the Food and Agriculture Organization held its first meeting in October 1945. Representatives of food-importing countries impressed their needs upon the General Assembly, while representatives of food-exporting countries reviewed the measures they had taken or were about to take to alleviate the critical situation.

The General Assembly by unanimous vote adopted the following resolution:

The damage caused by war and the dislocation of agricultural production resulting from the shortage and dislocation of labour, the removal of draught animals, the shortage of fertilizers and other circumstances connected with the war have caused a serious fall in world production of wheat. In addition, a large number of countries, including some of those which are normally the largest producers of grain, have suffered serious droughts and have therefore reaped abnormally small crops. The supply of rice is also so short as to threaten a famine in certain areas. There is, moreover, a serious risk of grain production in the coming season being insufficient to prevent continuing hunger. For these reasons the world is faced with conditions which may cause widespread suffering and death and consequently set back all plans for reconstruction.

THE GENERAL ASSEMBLY, therefore:

1. URGES all Governments and peoples to take immediate and drastic action, both directly and through the international organizations concerned, to conserve supplies, by securing adequate collection of crops from the producers, by saving food and avoiding waste, and to ensure the maximum production of grain in the coming season;

2. NOTES that several of the United Nations have recently announced measures to reserve grain supplies for direct human consumption and to secure increased production;

3. URGES all Governments to publish as full information as possible regarding their own supplies and requirements of cereals and the steps they have taken or are prepared to take to achieve the objectives of paragraph 1;

4. REQUESTS the international organizations concerned with food and agriculture to publish full information in their possession on the world food position and the future outlook, and to intensify efforts to obtain as full information as possible on this subject, in order to assist Governments in determining their short term and long term agricultural policy.

The Secretary-General subsequently communicated with Member Governments drawing their attention to the resolution, urging them to publish full information on the food situation and inviting them to supply the Secretariat with any relevant information, including any indication of steps which had been taken or which might be taken to achieve the objectives of the resolution. The replies received were transmitted to the United Nations

Food and Agriculture Organization for its information.

Following the adoption of the resolution by the General Assembly, the Food and Agriculture Organization arranged a Special Meeting on Urgent Food Problems, which made recommendations concerning the short-term and long-term international arrangements required.

In addition to action reported by individual governments and action resulting from the international meeting arranged by the Food and Agriculture Organization, related action was taken by the United Nations Relief and Rehabilitation Administration and the Emergency Economic Committee for Europe with reference to aspects of the cereals situation of special concern to them.

Representatives from the United Nations Secretariat attended these various meetings and kept themselves closely informed on other developments relating to the subject of the resolution of the General Assembly.

g. Reconstruction of Devastated Areas

Upon the recommendation of the General Committee, the General Assembly at its 22nd plenary meeting on February 2, 1946, voted to place on its agenda and to discuss immediately a draft resolution submitted by the representative of Poland on the reconstruction of countries devasted by war.

The Polish representative stated that the problem of reconstructing war devastated areas was an unprecedented one which reached far beyond the possibilities of the afflicted nations and had become a problem of world economy. The economies of devastated countries must be reconstructed so that such countries could resume normal consumption of the goods produced in excess by countries whose productive capacity had expanded as a result of the war and who had not suffered any material destruction. Continued economic inequality between nations would result in political tension and would undermine the foundations of world peace. It was the purpose of the Polish resolution to call attention to this serious problem, which, it was proposed, should be examined by the Second Committee (Economic and Financial) of the General Assembly and by the Economic and Social Council.

The representative of the United States, although supporting the Polish resolution, remarked that, desirable as international discussion and study in the field of reconstruction might be, concrete action could be taken only by individual nations themselves. By supporting the Polish resolution, the United States representative emphasized, the United States did not assume any direct or indirect commitment with regard to assistance to war devastated areas in any particular case.

A United States amendment to the Polish resolution providing that the Second Committee examine this problem at the second part of the first session of the General Assembly rather than at the first part of the first session was accepted by the General Assembly, which unanimously adopted the amended resolution as follows:

CONSIDERING:

That the war of aggression waged on the territories of many Members of the United Nations resulted in the destruction of vast areas of these countries on an unprecedented scale;

That these peace-loving nations, which suffered such an extensive damage, represent nearly one-half of the total population of the world;

That the vast areas representing a big consuming power are virtually eliminated from the normal flow of world trade, so that the whole world economy must be seriously affected;

That the great scale of destruction resulted in most cases in a dangerous lowering in the standard of living and in the health of the population, in a substantial loss of productive capacity and sometimes in the complete destruction of the normal economic activities of the respective countries;

That in order to make good the destruction and so to restore the shaken world economy vast amounts of new capital goods must be invested in the destroyed areas;

That in most cases it would be impossible to deal with the work of reconstruction with the necessary speed and efficiency if the affected countries were limited in this respect to their internal resources and possibilities alone;

That only a full-scale and whole-hearted cooperation of all the United Nations can bring about the right solution of this grave problem;

THE GENERAL ASSEMBLY:

1. RECOGNIZES the problem of full reconstruction of the countries belonging to Members of the United Nations which suffered substantial war damage as a grave and urgent matter which should be given very high priority among postwar problems;

2. DECIDES to discuss generally this matter under paragraph 17 of its agenda and to transmit it, at the second part of the first session

of the General Assembly, for a close examination by the Second Committee, which shall present to the General Assembly a report resulting from this examination;

3. ASKS the Economic and Social Council to place this subject on the agenda of its first meeting, as an urgent matter in the economic and social field, according to paragraph 10 of the provisional agenda of the first meeting of the Council, as proposed by the Preparatory Commission.

h. Organization of an International Press Conference

The delegation of the Philippine Commonwealth submitted a draft resolution proposing that an international press conference be called immediately to ensure the establishment, operation and movement of a free press throughout the world. The draft resolution, despatched by wire on January 4, 1946, did not reach the Executive-Secretary of the Preparatory Commission until January 5, 1946. The Preparatory Commission, therefore, had not included this proposal in the provisional agenda of the General Assembly, on the ground that the proposal had not been filed in time, according to the Provisional Rules of Procedure, which required agenda items to be submitted six days in advance of the opening of the General Assembly.

At the second plenary meeting of the General Assembly on January 11, 1946, the Philippine representative protested against the exclusion of this item from the agenda. The matter was referred to the General Committee, which, after some discussion, decided that the Philippine proposal should be dealt with at the second part of the first session of the General Assembly and not at the first part of the first session. The Committee considered that the work of the first part of the first session should be confined largely to organizational tasks and that substantive matters should be reserved for later action. On the understanding that the matter would be taken up at the second part of the first session of the Assembly, the Philippine representative agreed not to press his proposal. Upon the recommendation of the General Committee the General Assembly, therefore, on February 9, 1946, adopted the following resolution:

THE GENERAL ASSEMBLY INSTRUCTS the Secretary-General to place the question of the organization of an international press conference upon the agenda of the second part of the first session of the General Assembly.

i. Declaration on Fundamental Human Rights and on the Rights and Duties of Nations

The representative of Cuba submitted a proposal that the General Assembly should discuss human rights and the rights and duties of nations. The General Committee, however, recommended that the Cuban proposal should not be included on the Assembly's agenda, as in the view of the Committee it was not necessary to make specific provision for such discussion. The subject of human rights, the Committee considered, came properly within the general debate and touched particularly on subjects in connection with the Economic and Social Council. As to the rights and duties of nations, the Committee felt that the United Nations Charter itself made an attempt to clarify and define the rights of nations, and this subject also would thus come under the general debate.

The Cuban representative, however, thought that if the principles embodied in the United Nations Charter were to become a reality it was necessary for the General Assembly to adopt a declaration on fundamental human rights and on the rights and duties of nations. Such a declaration would show the common man all over the world that the United Nations had not forgotten the promises made at San Francisco to establish human rights and to promote human welfare.

At the seventh plenary meeting on January 14, 1946, the General Assembly, in accordance with the General Committee's recommendation, voted not to include the Cuban proposal in its agenda.

j. Declaration on the Participation of Women in the Work of the United Nations

The women representatives, alternates and advisers to the first part of the first session of the General Assembly met and drafted an open letter addressed to the women of the world. This letter read in part as follows:

This first Assembly of the United Nations marks the second attempt of the peoples of the world to live peacefully in a democratic world community. This new chance for peace was won through the joint efforts of men and women working for common ideals of human freedom at a time when need for united effort broke down barriers of race, creed and sex. In view of the variety of tasks which women performed so notably and valiantly during the war, we are gratified that seventeen women delegates and advisers, representing eleven

Member States, are taking part at the beginning of this new phase of international effort. We hope their participation in the work of the United Nations may grow and may increase in insight and in skill. To this end we call on the Governments of the world to encourage women everywhere to take a more active part in national and international affairs, and on women who are conscious of their opportunities to come forward and share in the work of peace and reconstruction as they did in war and resistance.

Mrs. Franklin D. Roosevelt, on behalf of the women members of the General Assembly, presented this letter to the 29th plenary meeting of the General Assembly on February 12, 1946. At the same meeting the French delegation, at the suggestion of Madame Lefaucheux, presented the following declaration regarding the participation of women in the conferences of the United Nations:

Considering that it is necessary to recognize the role played by women during the war and their participation in the resistance organizations in the armed forces and in order to associate more directly all the women of the world with the work of the Organization of the United Nations and with the maintenance of peace and social progress;

Considering that it is necessary to apply the text and the spirit of Article 55, paragraph (c) of the Charter; precisely that the aim of the Economic and Social Council is in particular to promote universal and effective respect of the rights of men and of fundamental freedom for all without distinction of race, sex, language or religion;

The French delegation thinks that a much larger place should be accorded to women in the different delegations of the United Nations at its next conference.

Several representatives emphasized the importance of the creation of a committee on the status of women to function under the Commission of Human Rights of the Economic and Social Council.

No vote was taken on the abovementioned declarations, but several representatives and the President of the General Assembly expressed their hope that these statements would receive wide publicity and serious consideration.

k. Columbus Lighthouse Memorial

At the 26th plenary meeting of the General Assembly, the representative of Chile, on behalf of the delegations of Brazil, Chile, Colombia, Costa Rica, Cuba, the Dominican Republic, Honduras, Mexico, Nicaragua and Panama, presented a declaration stating that the Pan-American Union by resolution of August 25, 1945, had accepted the offer of the Dominican Government to undertake the construction of a monumental lighthouse on the coast of the capital of the Dominican Republic in honor of the memory of Christopher Columbus. The General Assembly expressed its keen sympathy with the impending start of the construction of the Lighthouse Memorial, which it was felt would symbolize the spirit of international peace and co-operation of the American Republics, and unanimously approved the declaration.

4. TRUSTEESHIP AND NON-SELF-GOVERNING TERRITORIES

a. Non-Self-Governing Peoples

The General Assembly, at its sixteenth plenary meeting on January 19, 1946, referred Chapter IV—the Trusteeship System—of the Preparatory Commission's Report to the Fourth Committee (Trusteeship) for consideration and report.

During the general debate in its plenary meetings, the General Assembly had expressed a unanimous desire to set up the Trusteeship Council at the earliest possible date. The representative of the United Kingdom stated that his Government had already prepared draft Trusteeship Agreements for the mandated territories of Tanganyika, the Cameroons and Togoland, and the representative of Belgium that his Government had drafted a Trusteeship Agreement for the mandated territory of Ruanda-Urundi. The Australian and New Zaland representatives declared that their Governments were willing to place their mandated territories under the International Trusteeship System.

The French representative stated that France intended to continue to administer its mandated territories of Togoland and the Cameroons according to the spirit of the mandate, and that it would study arrangements for placing them under trusteeship on the understanding that this would not entail any diminution of the rights of the inhabitants and that the agreements would be submitted to the representative organs of the populations. The South African representative explained the special position of the mandated territory of South West Africa, and stated his Government's intention of consulting the people of

the territory on the form which their future government should take.

The Fourth Committee held twelve meetings. The first nine meetings were devoted to a general debate on the draft resolution submitted by the Preparatory Commission for adoption by the General Assembly. All representatives pointed out that their Governments intended to act in full accordance with the letter and spirit of the Charter as regards non-self-governing peoples.

The French representative presented the position of his Government with respect to its mandated territories. There had been established local freely elected assemblies in Togoland and the Cameroons and these territories designated delegates to the French Assembly.

The representative of New Zealand stated that he would ask for a clarification of the position of France regarding acceptance of the Trusteeship System. He emphasized that mandated territories did not belong to mandatory powers and the latter had no right to attach such mandates to their sovereign territory. The New Zealand representative asked whether the native population would be included in any plebiscite if the question arose of attaching a mandate to the sovereign territory of the mandatory power. He felt that territories ready for self-government should be placed under trusteeship and the support of the whole of the United Nations secured for a change in their status.

The Syrian representative drew attention to Chapters XI and XII of the Charter, which imposed an obligation to promote the native cultures of the peoples of the Non-Self-Governing Territories and their self-government. If Togoland and the Cameroons were to be assimilated into metropolitan France, they would lose their cultural heritages.

The French representative asserted that his Government would abide by the provisions of the Charter.

The representative of the Union of South Africa referred to the advanced stage of self-government enjoyed by South West Africa and the resolution of the Legislature of South West Africa calling for amalgamation into the Union. He stated that no attempt to draw up an agreement would be made until the freely expressed will of both the European and native population was ascertained, at which time the decision of the Union would be submitted to the General Assembly for judgment.

The Netherlands representative felt that, for the effective functioning of the Trusteeship System, there should be consultation and co-operation between the Trusteeship Council and the Administering Authorities, with no attempt to impose the Trusteeship Council upon the Administering Authorities as a judicial organ. He further stated that all groups in the populations of Trust Territories should be brought into closer co-operation with the working of the Trusteeship System and should be consulted continuously. The representative of Australia stated that the paramount objective of the Trusteeship System was to promote the political, economic, social and educational advancement of the inhabitants of Trust Territories; the rights and duties of mandatory States in this respect were those laid down in the mandates themselves. Chapter XI of the Charter and the Preparatory Commission's Report on Trusteeship should be considered separately, he felt, as Chapter XI was already in effect and did not depend upon the establishment of the Trusteeship System.

After commenting on the successful operation of the mandates system in Ruanda-Urundi, the Belgian representative expressed hope for the establishment of the Trusteeship Council at an early date, as his Government desired to resume the submission of reports on its administration of that territory.

All delegations were of the opinion that the first session of the General Assembly should adopt a resolution concerning not only Chapter XII (International Trusteeship System) and Chapter XIII (The Trusteeship Council) of the Charter, as recommended by the Preparatory Commission, but also Chapter XI (Declaration Regarding Non-Self-Governing Territories). At the fifth meeting of the Fourth Committee on January 24, the United States representative presented an amendment to the Preparatory Commission's draft resolution to this effect. The amendment stressed the responsibilities of the Administering Powers toward the peoples of Trust Territories. The representative of China, in support of the United States amendment, said that the essence of both the mandates system and the Trusteeship System was that the title of a territory under trust belonged to its people. He stressed the significance of Chapters XI, XII and XIII of the Charter.

A question was raised by the representatives of the Philippines and Syria concerning the definition of the term "States directly concerned" with the drawing up of Trusteeship Agreements and the administration of Trust Territories. The Iraq delegation expressed the belief that "States directly concerned" were the mandatory powers in the case of mandated territories; States which submitted their colonies to the Trusteeship System; and States which were concerned by virtue of neighborship or cultural, linguistic, economic, social and continued historical ties with territories to be placed under trusteeship. The representative of South Africa thought the decision could best be taken by the Trusteeship Council in individual cases. The representative of Australia argued that any Member of the United Nations could advance its claim to be a "State directly concerned."

At the fifth meeting of the Fourth Committee, it was agreed to fix January 28 as the time limit for submission of additional amendments. At the eighth meeting on January 28 amendments to the draft resolution for the General Assembly were presented by Australia, Belgium, Canada, China, India, Iraq and the Netherlands. In view of the multiplicity of amendments before the Committee, the Chairman appointed a Sub-Committee to draft a complete proposal, after consideration of all questions and amendments in connection with Section 1 of Chapter IV of the Preparatory Commission's Report, for final action by the Committee. The Sub-Committee, in addition to the Chairman (Uruguay) and the Rapporteur (Czechoslovakia), was composed of Australia, Belgium, Canada, China, France, New Zealand, the Netherlands, Syria, the U.S.S.R., the Union of South Africa, the United Kingdom, the United States and Yugoslavia.

In view of the limited time available, the amendments presented by the Belgian, Canadian and Iraqi delegations were withdrawn without prejudice to their future consideration. The Iraqi amendment outlined certain considerations for determining "States directly concerned" in the negotiation of Trusteeship Agreements and the procedure to be followed for the negotiation of such Agreements; the Belgian and Canadian amendments dealt with the latter point.

The Sub-Committee decided that the Netherlands amendment, which dealt with the smooth working of the Trusteeship System, could be discussed more properly when the Trusteeship Council was brought into being.

The suggestion of the Australian delegation —that Chapter XI of the Charter was independent from the setting up of the Trusteeship Council and therefore was already in full force—was adopted.

In conformity with the Chinese proposal, the Sub-Committee included in its resolution a request that the Secretary-General include in his annual report a summary of the information submitted by the Members of the United Nations as required by Article 73 (e) of the Charter.

The resolution as presented by the Sub-Committee was in substance the same as that proposed by the Preparatory Commission, with the changes suggested by the United States amendment as well as the Australian and Chinese amendments.

The Fourth Committee, at its tenth meeting on February 8, unanimously adopted the draft resolution prepared by its Sub-Committee.

The report of the Fourth Committee was presented to the General Assembly at its 27th plenary meeting on February 9. Several delegations indicated their approval of the resolution. China expressed the hope that the minimum number of Trusteeship Agreements required for the setting up of the Trusteeship Council would be submitted to the General Assembly before the second part of its first session. Egypt took exception to the postponement of the definition of the term "States directly concerned." Peru maintained that all States were directly concerned in the political, economic, social and humanitarian aspects of the trusteeship question.

The comprehensive resolution proposed by the Fourth Committee on non-self-governing peoples and adopted unanimously by the General Assembly was as follows:

The United Nations, meeting in its first General Assembly, is keenly aware of the problems and political aspirations of the peoples who have not yet attained a full measure of self-government and who are not directly represented here.

Chapters XI, XII, and XIII of the Charter recognize the problems of the non-self-governing peoples as of vital concern to the peace and general welfare of the world community.

By Chapter XI, all the Members of the United Nations which have or assume responsibilities for the administration of territories

whose peoples have not yet attained a full measure of self-government recognize the principle that the interests of the inhabitants of these territories are paramount. They accept, as a sacred trust, the obligation to promote to the utmost the well-being of the inhabitants of these territories. To that end they accept certain specific obligations, including the obligation to develop self-government and to assist the inhabitants in the progressive development of their free political institutions.

By Chapters XII and XIII, the Charter provides for the establishment of an international trusteeship system, the basic objectives of which are, among others, to promote the political, economic, social and educational advancement of the inhabitants of trust territories, and to promote their progressive development toward self-government or independence.

The General Assembly regrets that the Trusteeship Council cannot be brought into being at this first part of the first session, not because of any lack of desire to do so but because, before the Trusteeship Council can be established, trusteeship agreements must be concluded.

The General Assembly holds the view that any delay in putting into effect the system of international trusteeship prevents the implementation of the principles of the Trusteeship System, as declared in the Charter, and deprives the populations of such territories as may be brought under the Trusteeship System of the opportunity of enjoying the advantages arising from the implementation of these principles.

With a view to expediting the conclusion of these agreements and the establishment of the Trusteeship Council, the Preparatory Commission recommended that the General Assembly should call on those Members of the United Nations which are now administering territories held under mandate to undertake practical steps, in concert with the other States directly concerned, for the implementation of Article 79 of the Charter.

Without waiting for the recommendation of the Preparatory Commission to be considered by the General Assembly, the Members of the United Nations administering territories held under mandate took the initiative in making declarations in regard to these territories.

THEREFORE

WITH RESPECT TO CHAPTER XI OF THE CHARTER, THE GENERAL ASSEMBLY:

1. DRAWS ATTENTION TO the fact that the obligations accepted under Chapter XI of the Charter by all Members of the United Nations are in no way contingent upon the conclusion of trusteeship agreements or upon the bringing into being of the Trusteeship Council and are, therefore, already in full force.

2. REQUESTS the Secretary-General to include in his annual report on the work of the Organization, as provided for in Article 98 of the Charter, a statement summarizing such information as may have been transmitted to him by Members of the United Nations under Article 73 (*e*) of the Charter relating to economic, social and educational conditions in the territories for which they are responsible other than those to which Chapters XII and XIII apply.

WITH RESPECT TO CHAPTERS XII AND XIII OF TER, THE GENERAL ASSEMBLY:

3. WELCOMES the declarations, made by certain States administering territories now held under mandate, of an intention to negotiate trusteeship agreements in respect of some of those territories and, in respect of Transjordan, to establish its independence.

4. INVITES the States administering territories now held under mandate to undertake practical steps, in concert with the other States directly concerned, for the implementation of Article 79 of the Charter (which provides for the conclusion of agreements on the terms of trusteeship for each territory to be placed under the Trusteeship System), in order to submit these agreements for approval, preferably not later than during the second part of the first session of the General Assembly.

IN CONCLUSION, THE GENERAL ASSEMBLY:

5. EXPECTS that the realization of the objectives of Chapters XI, XII and XIII will make possible the attainment of the political, economic, social and educational aspirations of non-self-governing peoples.

b. Provisional Rules of Procedure for the Trusteeship Council

The Provisional Rules of Procedure for the Trusteeship Council prepared by the Preparatory Commission (Section 2 of Chapter IV of the Preparatory Commission's Report) were referred to the Fourth Committee of the General Assembly for consideration. On the motion of the Chairman, the Committee unanimously approved these Rules of Procedure at its tenth meeting on February 4.

Upon the suggestion of the Fourth Committee the General Assembly at its 27th plenary meeting on February 9, 1946, adopted the following resolution:

THE GENERAL ASSEMBLY REQUESTS the Secretary-General to transmit the "Provisional Rules of Procedure of the Trusteeship Council" (Section 2 of Chapter IB of the Preparatory Commission's Report) to the Trusteeship Council as soon as it is constituted.

5. ADMINISTRATIVE AND BUDGETARY MATTERS

a. Terms of Appointment of the Secretary-General

The Preparatory Commission made a number of suggestions concerning the terms of appointment of the Secretary-General,[1] and recommended that the General Assembly should decide what the salary of the Secretary-General should be. Upon the recommendation of the Fifth Committee (Administrative and Budgetary) the General Assembly at its 21st plenary meeting on February 1, 1946, unanimously adopted the following resolution:

THE GENERAL ASSEMBLY RESOLVES that, in view of the heavy responsibilities which rest upon the Secretary-General in fulfilling his obligations under the Charter:

1. The terms of the appointment of the Secretary-General shall be such as to enable a man of eminence and high attainment to accept and maintain the position.

2. The Secretary-General shall receive a salary of an amount sufficient to bring him in a net sum of $20,000 (US), together with representation allowance of $20,000 (US), per annum. In addition, he shall be provided with a furnished residence, the repairs and maintenance of which, excluding provision of household staff, shall be borne by the Organization.

3. The first Secretary-General shall be appointed for five years, the appointment being open at the end of that period for a further five year term.

4. The following observations contained in paragraphs 18-21 of Section 2, Chapter VIII of the Preparatory Commission's Report be noted and approved:

(*a*) There being no stipulation on the subject in the Charter, the General Assembly and the Security Council are free to modify the term of office of future Secretaries-General in the light of experience.

(*b*) Because a Secretary-General is a confidant of many governments, it is desirable that no Member should offer him, at any rate immediately on retirement, any governmental position in which his confidential information might be a source of embarrassment to other Members, and on his part a Secretary-General should refrain from accepting any such position.

(*c*) From the provisions of Articles 18 and 27 of the Charter, it is clear that, for the nomination of the Secretary-General by the Security Council, an affirmative vote of seven members, including the concurring votes of the permanent Members, is required; and that for his appointment by the General Assembly, a simple majority of the members of that body present and voting is sufficient, unless the General Assembly itself decides that a two-thirds majority is called for. The same rules apply to a renewal of appointment as to an original appointment; this should be made clear when the original appointment is made.

(*d*) It would be desirable for the Security Council to proffer one candidate only for the consideration of the General Assembly, and for debate on the nomination in the General Assembly to be avoided. Both nomination and appointment should be discussed at private meetings, and a vote in either the Security Council or the General Assembly, if taken, should be by secret ballot.

b. Appointment of Temporary Staff

The General Assembly at its third plenary meeting on January 12, 1946, referred the question of the appointment of a temporary staff to the Fifth Committee. The Committee on January 26, unanimously adopted the following resolution submitted by the representative of the United States:

Recognizing the ability and faithful service of the temporary staff under the Executive Secretary and the need for the staff members to be informed soon of their status in the Secretariat; and recognizing also the desirability of leaving to the Secretary-General full freedom to select the permanent staff which will assist him to carry out his responsibilities:

THE GENERAL ASSEMBLY AUTHORIZES the Secretary-General to continue, pursuant to rule *M* of its provisional rules of procedure, the employment of the members of the staff of the Executive Secretary under the present terms and regulations until April 1, 1946, or until such prior date as the Secretary-General may enter into employment arrangements with such members in accordance with the provisional staff regulations and other conditions of employment in the Secretariat established by the General Assembly.

The General Assembly adopted this resolution at its 21st plenary meeting on February 1, 1946.

c. Organization of the Secretariat

On the recommendation of the Fifth Committee the General Assembly at its 31st plenary meeting on February 13, adopted a series of 34 resolutions, including two annexes, on the following subjects pertaining to the organization of the Secretariat of the United Nations:

I. Administrative Organization of the Secretariat (Resolutions 1-4)

II. Information (Resolution 5)

[1] See Chapter VIII, Section 1, Paragraphs 5-7, and Section 2, Paragraphs 18-21, of the Preparatory Commission's Report.

ANNEX I. Recommendations of the Technical Advisory Committee on Information concerning the Policies, Functions and Organization of the Department of Public Information

III. Recruitment and Promotion (Resolutions 6-9)

IV. Rights and Obligations of the Staff (Resolutions 10-11)

ANNEX II. Provisional Staff Regulations

V. Taxation (Resolutions 12-14)

VI. Classification, Salaries and Allowances (Resolutions 15-23)

VII. Duration and Termination of Appointments (Resolutions 24-27)

VIII. Retirement and Compensation (Resolutions 28-33)

IX. Transmittal of Section 2 of Chapter VIII of the Report of the Preparatory Commission (Resolution 34)

The resolutions were based mainly upon the recommendations of the Preparatory Commission, including those of its Technical Advisory Committee on Information and its Advisory Group of Experts.[1]

(1). Administrative Organization of the Secretariat

The resolution adopted by the General Assembly was based closely on the recommendations of the Preparatory Commission. The General Assembly resolved that the Secretariat should be composed of eight departments, each headed by an Assistant Secretary-General, as outlined in the Preparatory Commission's Report, and instructed the Secretary-General to follow, broadly speaking, the suggestions of the Preparatory Commission in determining in detail the structure and functions of the departments. Following is the text of the resolution:

I. ADMINISTRATIVE ORGANIZATION OF THE SECRETARIAT

The administrative organization of the Secretariat should be so designed as to enable the work of the Secretariat to be conducted with the greatest possible efficiency.

THEREFORE, THE GENERAL ASSEMBLY RESOLVES THAT:

1. The Secretary-General shall take immediate steps to establish an administrative organization which will permit of the effective discharge of his administrative and general responsibilities under the Charter and the efficient performance of those functions and services required to meet the needs of the several organs of the United Nations.

2. The principal units of the Secretariat should be:

(*a*) Department of Security Council Affairs.
(*b*) Department of Economic Affairs.
(*c*) Department of Social affairs.
(*d*) Department for Trusteeship and Information from Non-Self-Governing Territories.
(*e*) Department of Public Information.
(*f*) Legal Department.
(*g*) Conference and General Services.
(*h*) Administrative and Financial Services.

3. The Secretary-General is authorized to appoint Assistant Secretaries-General and such other officials and employees as are required and to prescribe their responsibilities and duties. Assistant Secretaries-General shall have responsibility for and supervision of Departments and Services. There shall always be one Assistant Secretary-General designated by the Secretary-General to deputize for him when he is absent or unable to perform his functions. The Secretary-General shall take whatever steps may be required to ensure the necessary co-ordination between the Departments of Economic Affairs and of Social Affairs, and the maintenance of appropriate administrative relationships between those Departments and the Economic and Social Council, on the one hand, and between those Departments and the specialized agencies on the other.

4. At the outset, the Departments and Services should, broadly speaking, conform to the description given in paragraphs 22-40 of Section 2, Chapter VIII of the Report of the Preparatory Commission, but the Secretary-General shall make such changes in the initial structure as may be required to the end that the most effective distribution of responsibilities and functions among the units of the Secretariat may be achieved.

(2). Information

The Technical Advisory Committee on Information of the Preparatory Commission submitted a report to the General Assembly containing the general principles on which the Department of Public Information of the United Nations Secretariat should be based and a broad outline of the Department's organization and functioning.

The report was referred to the Fifth Committee. On February 1, 1946, the representative of the Netherlands proposed the following resolution, which was adopted by the General Assembly:

II. INFORMATION

The United Nations cannot achieve its purposes unless the peoples of the world are fully informed of its aims and activities.

The recommendations of the Technical Advisory Committee on Information submitted by the Preparatory Commission to the General Assembly constitute a sound foundation for the public information policy and activities of the United Nations.

[1] See Chapter VIII of the Preparatory Commission's Report.

THEREFORE THE GENERAL ASSEMBLY:

5. APPROVES the recommendations of the Technical Advisory Committee on Information contained in Annex I and transmits them to the Secretary-General for his information and consideration.

ANNEX I

RECOMMENDATIONS OF THE TECHNICAL ADVISORY COMMITTEE ON INFORMATION CONCERNING THE POLICIES, FUNCTIONS AND ORGANIZATION OF THE DEPARTMENT OF PUBLIC INFORMATION

The United Nations cannot achieve the purposes for which it has been created unless the peoples of the world are fully informed of its aims and activities.

THEREFORE

The Technical Advisory Committee on Information makes the following recommendations:

1. A Department of Public Information should be established under an Assistant Secretary-General.

2. The activities of the Department of Public Information should be so organized and directed as to promote to the greatest possible extent an informed understanding of the work and purposes of the United Nations among the peoples of the world. To this end the Department should primarily assist and rely upon the co-operation of the established governmental and non-governmental agencies of information to provide the public with information about the United Nations. The Department of Public Information should not engage in "propaganda." It should on its own initiative engage in positive informational activities that will supplement the services of existing agencies of information to the extent that these are insufficient to realize the purpose set forth above.

3. The United Nations should establish as a general policy that the press and other existing agencies of information be given the fullest possible direct access to the activities and official documentation of the Organization. The rules of procedure of the various organs of the United Nations should be applied with this end in view.

4. Subject to the general authority of the principal organs of the United Nations, responsibility for the formulation and execution of information policy should be vested in the Secretary-General and under him in the Assistant Secretary-General in charge of the Department of Public Information.

5. When negotiating an agreement with a specialized agency the Economic and Social Council should be requested to take into consideration the matter of co-ordinated information services and of a common information policy, and to consult with the Secretary-General concerning each individual agreement.

6. In order to ensure that peoples in all parts of the world receive as full information as possible about the United Nations, the Department of Public Information should consider the establishment of branch offices at the earliest practicable date.

7. The functions of the Department of Public Information appear to fall naturally into the following categories: press, publications, radio, films, graphics and exhibitions, public liaison and reference.

8. The Department should provide all the services for the daily, weekly and periodical press, both at the headquarters of the United Nations and through its branch offices, that may be required to ensure that the press is supplied with full information about the activities of the United Nations.

9. The Department should prepare and publish pamphlets and other publications on the aims and activities of the United Nations, within the limits of the criteria set forth in recommendation 2.

10. The Department should actively assist and encourage the use of radio broadcasting for the dissemination of information about the United Nations. To this end it should, in the first instance, work in close co-operation with radio broadcasting organizations of the Members. The United Nations should also have its own radio broadcasting station or stations with the necessary wavelengths, both for communication with Members and with branch offices, and for the origination of United Nations programmes. The station might also be used as a center for national broadcasting systems which desire to co-operate in the international field. The scope of the radio broadcasting activities of the United Nations should be determined after consultation with national radio broadcasting organizations.

11. In addition to assisting the newsreel and photographic press agencies, the Department of Public Information should also promote and where necessary participate in the production and non-commercial distribution of documentary films, film strips, posters and other graphic exhibits on the work of the United Nations.

12. The Department and its branch offices should actively assist and encourage national information services, educational institutions and other governmental and non-governmental organizations of all kinds interested in spreading information about the United Nations. For this and other purposes it should operate a fully equipped reference service, brief or supply lecturers, and make available its publications, documentary films, film strips, posters and other exhibits for use by these agencies and organizations.

13. The Department and its branch offices should also be equipped to analyse trends of opinion throughout the world about the activities of the United Nations and the extent to which an informed understanding of the work of the United Nations is being secured.

14. Consideration should be given to the setting up of an Advisory Committee to meet

periodically at the seat of the United Nations to discuss and forward to the Secretary-General observations regarding the information policy and program of the United Nations. This Advisory Committee would be composed of experts appointed on the basis of broad geographical representation, personal qualifications and experience. They would be representative of the various media of information of the Members, and would be in a position to reflect to the Secretary-General the needs and desires of the general public of the Members in the matter of public information about the aims and activities of the United Nations.

15. In order that the Advisory Committee may be as widely representative as possible and receive the maximum support from the information organizations of all Members, the Secretary-General might, in consultation with the governments of the Members, communicate with the representative officers of the leading organizations of the press, radio, film and other media and government information services of the Members on the establishment of such an Advisory Committee.

16. If it is found possible to set up an Advisory Committee, then at a later stage consideration should be given to establishing similarly composed national or regional advisory committees working in touch with the branches of the Department of Public Information.

In the course of the discussion in the Committee it was pointed out that although it was essential that the fullest information on the United Nations' activities be available to the public, care must be taken that such information should not develop into propaganda. Furthermore, the experience of national agencies had been that unless they were administered with great caution and prudence, they could expand out of all proportion to their real responsibilities and run into enormous expenditure. To avoid such a development, it would be advisable for the United Nations information service to operate wherever possible through existing agencies instead of trying to establish rival instruments of public information, and to guard against the setting up of too many branch offices. On the other hand, it was pointed out that in so far as the United Nations used existing agencies, it would have no control over them. Branch offices were considered to be very necessary and it was suggested that there should be at least one on every continent. The Department itself would be situated at the headquarters of the organization, and would need to develop a close liaison with the Economic and Social Council so that the activities of the specialized agencies could be brought into harmony with the work of the United Nations in the field of public information and overlapping avoided.

It was decided to transmit a summary of the Committee's discussion to the Secretary-General, together with the report of the Technical Advisory Committee on Information, as it was felt that many useful points had been emphasized.

(3). Recruitment and Promotion

The General Assembly adopted the recommendations of the Preparatory Commission as contained in Chapter VIII, Section 2D of the Preparatory Commission's Report, as follows:

III. RECRUITMENT AND PROMOTION

In accordance with paragraph 3 of Article 101 of the Charter, appropriate methods of recruitment should be established in order that a staff may be assembled which is characterized by the highest standards of efficiency, competence and integrity, due regard being also paid to its recruitment on as wide a geographical basis as possible.

THEREFORE THE GENERAL ASSEMBLY RESOLVES THAT:

6. An International Civil Service Commission shall be established by the Secretary-General, after consultation with the heads of the specialized agencies brought into relationship with the United Nations, to advise on the methods of recruitment for the Secretariat and on the means by which common standards of recruitment in the Secretariat and the specialized agencies may be ensured.

7. In the selection of staff, the Secretary-General should follow in general the suggestions outlined in paragraphs 50-57 of Section 2, Chapter VIII of the Report of the Preparatory Commission.

8. A balanced age distribution should be achieved from the outset, in order to maintain regular inflow, promotion and outflow of staff.

9. Every member of the staff shall be eligible for such promotion within the United Nations as his or her services and abilities warrant, in accordance with paragraph 47, Section 2, Chapter VIII of the Report of the Preparatory Commission.

(4). Rights and Obligations of the Staff

The General Assembly adopted the provisional staff regulations submitted by the Preparatory Commission and transmitted the provisional staff rules drafted by the Commission to the Secretary-General for his consideration. Following is the text of the resolution and the provisional staff regulations:

IV. RIGHTS AND OBLIGATIONS OF THE STAFF

The degree in which the objects of the Charter can be realized will be largely determined by the manner in which the Secretariat performs its task. The Secretariat cannot successfully perform its task unless it enjoys the confidence of all the Members of the United Nations.

THEREFORE THE GENERAL ASSEMBLY:

10. ADOPTS the provisional staff regulations, embodying the fundamental rights and obligations of the staff, as contained in Annex II, and transmits to the Secretary-General, for his consideration, the draft provisional staff rules, as contained in Section 4 of Chapter VIII of the Report of the Preparatory Commission, together with the paper submitted by the Canadian delegation (document A/C.5/10).

11. AUTHORIZES the Secretary-General to appoint a small advisory committee, possibly including representatives of the staff, to draft, for submission to the second part of the first session of the General Assembly, a statute for an administrative tribunal.

ANNEX II.

PROVISIONAL STAFF REGULATIONS

1. DUTIES AND OBLIGATIONS OF THE SECRETARIAT

Regulation 1

The Secretary-General and all members of the staff of the Organization are international civil servants, and their responsibilities are not national but exclusively international. By accepting appointment, they pledge themselves to discharge their functions and to regulate their conduct with the interests of the United Nations only in view. In the performance of their duties they shall not seek nor receive instructions from any government or from any other authority external to the Organization. All members of the staff are subject to the authority of the Secretary-General, and are responsible to him in the exercise of their functions.

Regulation 2

Upon accepting their appointment, all members of the staff shall subscribe to the following oath or declaration:

"I solemnly swear (undertake, affirm, promise) to exercise in all loyalty, discretion and conscience the functions entrusted to me as a member of the international service of the United Nations, to discharge those functions and regulate my conduct with the interests of the United Nations only in view, and not to seek or accept instructions in regard to the performance of my duties from any government or other authority external to the Organization."

Regulation 3

The oath or declaration shall be made orally by the Secretary-General and Assistant Secretaries-General at a public meeting of the General Assembly, and by the other higher officers in public before the Secretary-General or his authorized deputy.

Regulation 4

The immunities and privileges attaching to the United Nations by virtue of Article 105 of the Charter are conferred in the interests of the Organization. These privileges and immunities furnish no excuse to the staff members who enjoy them for non-performance of their private obligations or failure to observe laws and police regulations. In any case where these privileges and immunities arise, the staff member concerned shall immediately report to the Secretary-General, with whom alone it rests to decide whether they shall be waived.

Regulation 5

Members of the staff shall exercise the utmost discretion in regard to all matters of official business. They shall not communicate to any person any unpublished information known to them by reason of their official position except in the course of their duties or by authorization of the Secretary-General.

Regulation 6

Members of the staff shall avoid any action, and in particular any kind of public pronouncement or activity which may adversely reflect on their position as international civil servants. They are not expected to give up their national sentiments or their political and religious convictions; but they shall at all times bear in mind the reserve and tact incumbent upon them by reason of their international status.

Reguation 7

No member of the staff shall accept, hold, or engage in any office or occupation which in the opinion of the Secretary-General is incompatible with the proper discharge of his duties with the United Nations.

Regulation 8

Any member of the staff who becomes a candidate for a public office of a political character shall resign from the Secretariat.

Regulation 9

No member of the staff shall accept any honor, decoration, favor, gift or fee from any Government or from any other source external to the Organization during the period of his appointment, except for war services.

2. APPOINTMENT, PROBATION AND PROMOTION

Regulation 10

Men and women are equally eligible for all posts in the Secretariat.

Regulation 11

So far as practicable, appointments to posts in the Secretariat shall be made on a competitive basis.

Regulation 12

Persons appointed to permanent posts in the Secretariat shall serve such probationary period as may be prescribed by the Secretary-General.

Regulation 13

The Secretary-General shall provide facilities to train members of the staff in subjects relating directly or indirectly to their duties. This training shall apply particularly to members on probation whose earlier educational opportunities have been inadequate or whose language qualifications are deficient.

Regulation 14

With due regard to the maintenance of the staff on as wide a geographical basis as possible and without prejudice to the inflow of fresh talent at the various levels, vacancies shall be filled by promotion of persons already in the service of the United Nations in preference to appointments from outside. This consideration shall also be applied, on a reciprocal basis, to the specialized agencies brought into relationship with the Organization.

Regulation 15

The Secretary-General shall provide machinery through which members of the staff may participate in the discussion of questions relating to appointment and promotion.

3. SALARIES

Regulation 16

Pending the adoption of a permanent classification plan, the salaries of the members of the staff other than Assistant Secretaries-General and Directors shall be determined by the Secretary-General within a range between the salary adopted by the General Assembly for the post of Director and the best salaries and wages paid for stenographic, clerical, and manual work at the seat of the United Nations.

4. HOURS OF WORK

Regulation 17

The whole time of members of the staff shall be at the disposal of the Secretary-General. The Secretary-General shall establish a normal working week.

5. LEAVE

Regulation 18

Members of the staff shall be allowed sick leave, maternity leave, special leave, annual local leave and home leave, as prescribed by the Secretary-General.

6. DISCIPLINARY MEASURES

Regulation 19

The Secretary-General may impose disciplinary measures on members of the staff whose conduct or work is unsatisfactory. He may discharge a member of the staff who persistently fails to give satisfactory service. He may summarily dismiss a member of the staff for serious misconduct.

7. TERMINATION OF APPOINTMENTS

Regulation 20

The normal age of retirement for members of the staff shall be 60 years. In exceptional circumstances the Secretary-General may, in the interest of the Organization, extend this age limit to 65 years if it would be in the interest of the United Nations to do so.

Regulation 21

The Secretary-General may terminate the appointment of a member of the staff if the necessities of the service require the abolition of the post or a reduction of the staff, or if the services of the individual concerned prove unsatisfactory.

Regulation 22

If the Secretary-General terminates an appointment under regulation 21 he shall give at least three months' notice and pay an indemnity equivalent to at least three months' salary. The amount of the indemnity shall be increased with length of service up to a maximum of nine months' salary. These provisions of notice and indemnity shall not apply to probationers, to persons holding short-term contracts, or to persons summarily dismissed.

Regulation 23

The Secretary-General shall establish administrative machinery for inquiry and appeal in disciplinary and termination cases. This machinery shall provide for staff participation.

8. TRAVELLING EXPENSES AND ALLOWANCES

Regulation 24

The travel expenses and travel allowances of members of the staff in respect of authorized journeys on the business of the United Nations shall be paid by the Organization subject to such conditions as may be prescribed by the Secretary-General.

Regulation 25

Subject to such conditions as may be prescribed by the Secretary-General, the United Nations shall pay the removal costs and the travel expenses and travel allowances of members of the staff, and, in appropriate cases, their wives and dependent children:

(*a*) upon appointment to the Secretariat and on subsequent change of official station;
(*b*) at appropriate interval for a journey to and from the place recognized as the staff member's home at the time of the initial appointment; and
(*c*) upon termination of appointment.

9. STAFF PROVIDENT FUND

Regulation 26

Pending the establishment of a permanent staff retirement scheme, a deduction shall be made from the salaries of members of the staff and paid into a staff provident fund to which the United Nations shall make an additional contribution.

10. SPECIAL INDEMNITIES

Regulation 27

A member of the staff who is injured as the result of an accident incurred in the course of his duty or who is compelled to discontinue his employment as a result of sickness directly attributable to his work in the service of the United Nations shall receive reasonable compensation. Should the staff member die in such circumstances, reasonable compensation shall be paid to his widow or such dependents as the Secretary-General may determine.

11. GENERAL PROVISIONS

Regulation 28

These regulations may be supplemented or amended by the General Assembly without prejudice to the acquired rights of members of the staff.

Regulation 29

The Secretary-General shall report annually to the General Assembly such staff rules and amendments thereto as he may make to implement these regulations.

(5). Taxation

The question of the taxation of the salaries of staff members of the United Nations was considered by the Fifth Committee at its fourth meeting on January 21, 1946. Three main questions had to be settled: (a) whether the salaries of the staff of the United Nations should be immune from income taxation by Member Governments; (b) whether some income tax should be levied by the United Nations organization; (c) how the net salaries of all staff members bearing similar responsibilities should be equalized pending agreement on tax exemption.

The United States delegation had submitted a paper to the Advisory Group of Experts appointed by the Preparatory Commission, recommending that salaries of staff members should be exempt from national taxation. Until such time as all Member Governments had made arrangements for tax exemption, all United Nations employees should contribute to a special fund. Any staff member subject to national taxation would be reimbursed from this fund. The United States delegation considered that governments of countries where United Nations employees resided would be reluctant to offer such employees tax exemption and that public opinion in any country where income tax was generally applied would be unsympathetic towards the existence of a tax-free group. If United Nations officials were granted tax exemption they would be embarrassed in their relationships with other citizens of the country in which the United Nations was located. For these reasons the United States delegation supported a staff contributions scheme. As it had been agreed that the United States should be the seat of the United Nations the position taken by the United States delegation was of particular significance in the discussion on this question.

Taking into consideration the paper submitted by the United States delegation, the Advisory Group made the following recommendations:

(a) Salaries of the United Nations staff should be exempt from national taxation.

(b) All personnel of the United Nations should be subject to a tax contributions scheme levied by the organization.

(c) Pending action of the national governments to extend tax immunity, the United States plan for reimbursing staff members subject to national income tax out of the staff contributions fund should be adopted.

(d) The budget contributions of Member Governments whose nationals were not exempt from income tax should be increased by an amount equivalent to the refund paid to the United Nations staff members who were nationals of that country.

The Fifth Committee of the General Assembly appointed a Sub-Committee to study these recommendations. On January 24, 1946, the Sub-Committee presented the following report:

The Committee believes there is no alternative to the proposition that national tax exemption for United Nations salaries and allowance is indispensable to equity among its Member nations and equality among its personnel.

It recommends that, pending this accomplishment, the budget should carry a contingent appropriation to equalize tax payments.

It recommends that all of its files respecting staff contributions plans be referred to the Secretary-General for his information; and that further consideration of the matter be postponed pending his subsequent report and recommendation.

There was general agreement on the first recommendation that salaries should be exempt from national taxation. Several representatives, however, opposed the recommendation that tax refunds to staff members subject to national income tax should be paid out of the United Nations budget. It was pointed out that this would lead to inequality among Member Governments. Countries which taxed their

nationals would benefit at the expense of those countries granting tax exemption to United Nations employees. No part of the sums paid as contributions to the United Nations should go into national treasuries. The proposed tax refund system would deter States from granting tax exemption. The representative of Belgium remarked that the main difficulty was the reluctance of the United States Government to exempt its nationals from taxation, and expressed his hope that the United States Government would make a concession on this point. The representative of Mexico, supported by several other representatives, proposed the amendment of the second recommendation of the sub-committee as follows:

The Committee recommends that, pending this accomplishment, the budget of the Organization should carry a contingent appropriation to refund tax payments and that an amount equivalent to such refunds to employees because of income tax, be added to the budget contributions of the Members, whose nationals in the service of the Organization were required to pay income tax on their salaries and allowances received from the Organization.

The Committee adopted this amendment at its sixth meeting on January 25.

Several representatives, although favoring complete exemption from national taxation, supported the recommendation of the Advisory Group of Experts that a staff contribution plan be adopted. The report of the Sub-Committee, it was said, left the question of a staff contribution plan completely unsettled. The representative of Australia, supported by the representative of Canada therefore, proposed that the Fifth Committee reject the report of the Sub-Committee and adopt the recommendations of the Advisory Group of Experts. The Australian proposal was rejected by the Committee.

Although the Sub-Committee's report, as amended at the suggestion of the representative of Mexico, had been adopted by the Fifth Committee, the question was reopened at the sixteenth meeting of the Committee on February 11, when the final draft of the Committee's report to the General Assembly was under consideration. After some discussion, the Committee adopted an amendment, proposed by the representative of the Netherlands, to delete the Mexican amendment previously adopted and to substitute the text as shown below. The resolution as approved by the General Assembly therefore read as follows:

V. TAXATION

Having regard particularly to the administrative and budgetary arrangements of the Organization, the General Assembly concurs in the conclusion reached by the Administrative and Budgetary Committee that there is no alternative to the proposition that exemption from national taxation for salaries and allowances paid by the Organization is indispensable to the achievement of equity among its Members and equality among its personnel.

THEREFORE THE GENERAL ASSEMBLY RESOLVES THAT:

12. Pending the necessary action being taken by Members to exempt from national taxation salaries and allowances paid out of the budget of the Organization, the Secretary-General is authorized to reimburse staff members who are required to pay taxation on salaries and wages received from the Organization.

13. In the case of any Member whose nationals in the service of the Organization are required to pay taxation on salaries and allowances received from the Organization, the Secretary-General should explore with the Member concerned methods of ensuring as soon as possible the application of the principle of equity amongst all Members.

14. The records and documents of the Administrative and Budgetary Committee and of the Advisory Group of Experts respecting staff contributions plans be referred to the Secretary-General for his information, and the Secretary-General be requested to submit recommendations thereon to the second part of the first session of the General Assembly.

(6). Classification, Salaries and Allowances

The Preparatory Commission had recommended that the General Assembly should decide what the salaries of Assistant-Secretaries-General and top-ranking Directors should be. This question was referred to the Sub-Committee of the Fifth Committee which had considered the salary of the Secretary-General. At its fourth meeting on January 22, 1946, the Fifth Committee received the Sub-Committee's draft resolution recommending that the salaries of Assistant-Secretaries-General and top ranking Directors be $13,500 (US) and $11,000 (US) respectively.

In the course of the discussion in the Committee several representatives expressed the view that the salaries proposed were too modest. It was maintained that they did not take sufficient account of the increased cost of living, and that they were, in fact, considerably less than the emoluments recommended for the judges of the Permanent Court and those paid to corresponding officials of UNRRA

or the League of Nations. The endorsement of such salaries for the principal higher officers would automatically depress those to be offered the lower grades, with the result that the organization might be unable to attract the highly qualified personnel which it was essential to secure.

In defence of the Sub-Committee's recommendations it was argued that to provide salaries high enough to counter a rise in cost of living which was world-wide would place the Secretariat in a privileged position, which would be undesirable from the point of view of public opinion. The figures proposed seemed reasonable and just if it were remembered that they were net, supplemented by tax-free allowances.

The representative of the United States objected to the provision of net salaries, as he considered that the question whether these salaries should in fact be net was exclusively within the jurisdiction of the taxing authority of the country of which the officials were nationals.[1]

As regards classification of posts in the Secretariat other than those of Assistant Secretaries-General and Directors, the General Assembly adopted the recommendations of the Preparatory Commission.

On the question of children's education and installation allowances the Advisory Group of Experts had submitted to the Fifth Committee a report which was discussed at some length. The General Assembly decided to instruct the Secretary-General to report to the second part of the first session of the General Assembly concerning a scheme for such allowances, and to transmit the Advisory Group's report to the Secretary-General for his consideration.

Following is the text of the resolutions adopted by the General Assembly:

VI. CLASSIFICATIONS, SALARIES AND ALLOWANCES

The conditions of employment in the Secretariat should be such as will attract qualified candidates from any part of the world.

THEREFORE THE GENERAL ASSEMBLY RESOLVES THAT:

15. An Assistant Secretary General shall receive a net salary of $13,500 (US) together with an allowance varying from $7,000 (US) to $11,500 (US) at the Secretary-General's discretion.

16. A top-ranking Director[2] shall receive a net salary of $11,000 (U.S.) together with an allowance varying from $3,000 (US) to $6,000 (US) at the Secretary-General's discretion.

17. The allowances for Assistant Secretaries-General and top-ranking Directors are deemed to include all representation (including hospitality), housing, education and children's allowances for these posts but not such reimbursable allowances as travel, subsistence and removal costs upon appointment, transfer or termination of appointment with the Organization; official travel and home leave travel.

18. Subject to the budgetary provisions voted by the General Assembly, and except in the case of posts of Secretary-General, Assistant Secretary-General and Director, the Secretary-General, after discussion with the Advisory Group of Experts which he is recommended to appoint, is authorized to make a tentative classification of posts and to assign salaries to these posts according to the general principles set forth in paragraphs 41 to 45 and 71 of Section 2 of Chapter VIII of the Report of the Preparatory Commission. The Secretary-General is also authorized to employ members of the staff on short-term contracts pending the establishment of a permanent classification plan as outlines in resolution 19 below.

19. Subject to the budgetary provisions voted by the General Assembly, the Secretary-General, after discussion with the Advisory Group of Experts referred to in resolution 18, shall arrange:

(*a*) for the development of a classification plan of all posts required by the Secretariat, based upon the duties, responsibilities and authority of each post;

(*b*) for the grouping of posts by main categories and within categories by grades;

(*c*) for the assignment of appropriate salaries to each main category and grades therein according to the salary standards which may be established by the General Assembly;

(*d*) for the assignment of each post in the Secretariat to its appropriate category and grade on the basis of its duties, responsibilities and authority.

The Secretary-General is authorized to employ temporary personnel on special limited term contracts outside of the permanent classification plan when he finds it necessary.

20. In determining the salaries for the several grades and for the various categories of posts, account should be taken of the special factors affecting service in the Secretariat, and, in particular, of the wide range of remuneration for comparable work prevailing in the government services of the Members of the United Nations; the more limited prospects of promotion to the highest posts in the

[1] Concerning taxation of salaries see pp. 88, 89.

[2] The phrase "top-ranking Director" is intended to cover only the senior grade in the classified service and more specifically would apply to persons serving as deputy to an Assistant Secretary-General or as Director of a major "staff service," *i.e.* Director of Personnel, Director of Budget, Comptroller, et cetera.

Secretariat compared with the prospects of promotion in some of the national services; the cost of living at the seat of the United Nations—a factor which may be affected, in the early years, by possible housing difficulties; and the additional expenses which a large proportion of the staff will incur by living away from their own country, such expenses varying with the number of dependents and other factors.

21. The General Assembly approves, in principle, the adoption of schemes to become effective 1 January 1947:

(*a*) for the payment of children's allowances as a supplement to the salaries of eligible members of the staff of the Organization;

(*b*) for the payment of an education grant to an eligible member of the staff who may wish to send his child, or children, from the country to which he is assigned for duty to that country recognized as his home at the time of his appointment, provided such country be not the country where he is permanently asigned for duty.

22. The Secretary-General shall submit to the second part of the first session of the General Assembly a scheme for children's allowances and education grants, and the memorandum of the Advisory Group of Experts on these subjects (document A/C.5/19/Rev.1) shall be transmitted to the Secretary-General for his consideration.

23. With regard to the installation of members of the staff at the interim site of the Organization, the Secretary-General is authorized to establish a scheme for installation allowances and the conditions under which such allowances shall be granted.

(7). Duration and Term of Appointments

The following resolution adopted by the General Assembly was based on the recommendations of the Preparatory Commission as contained in Chapter VIII, Section 2-E, of the Preparatory Commission's Report:

VII. DURATION AND TERMINATION OF APPOINTMENTS

THE GENERAL ASSEMBLY RESOLVES THAT:

24. Subject to the Secretary-General's full latitude, as suggested in resolution 18, to employ members of the staff on short-term contracts pending the establishment of a permanent classification plan, and subject to appropriate arrangements for the appointment of temporary staff at all times, members of the staff who have successfully passed the period of probation shall be offered some reasonable assurance that they will be able to make their careers in the Secretariat.

25. Members of the staff who have passed the period of probation shall be given contracts for an indeterminate period which shall be subject to review every five years on the basis of reports by their superior officers.

26. Notwithstanding the provisions above, Assistant Secretaries-General, Directors and such other principal higher officers as the Secretary-General may determine, shall be appointed under contracts not to exceed five years, subject to the possibility of renewal.

27. Any contract shall be terminable by the Secretary-General under the conditions set forth in regulation 22 of the staff regulations if the necessities of the service require the abolition of the post or a reduction of the staff, or if the services of the individual concerned proved satisfactory.

(8). Retirement and Compensation

The Advisory Group of Experts submitted a report on this question which the Fifth Committee considered. After some discussion the Committee decided that the General Assembly should transmit this report to the Secretary-General for his consideration, and should instruct the Secretary-General to establish immediately a provident fund for members of the staff as well as to report to the second part of the first session of the General Assembly on proposals for a permanent staff retirement scheme. On the recommendation of the Fifth Committee the General Assembly, therefore, resolved as follows:

VIII. RETIREMENT AND COMPENSATION

THE GENERAL ASSEMBLY RESOLVES THAT:

28. The Secretary-General shall establish immediately a provident fund for members of the staff, giving consideration to the scheme outlined in Part I of the suggestions of the Advisory Group of Experts on the establishment of a staff retirement scheme and related questions (document A/C.5/20).

29. The Secretary-General shall submit to the second part of the first session of the General Assembly a report on the operation of the provident fund, suggesting such changes in the scheme as he may consider desirable.

30. The Secretary-General shall submit to the second part of the first session of the General Assembly proposals for a permanent staff retirement scheme to become operative 1 January 1947, taking due account of the suggestions of the Advisory Group of Experts, the various points raised during the general discussion of these suggestions in the Administrative and Budgetary Committee and other relevant considerations.

31. In establishing a permanent staff retirement scheme the Secretary-General shall give consideration to the desirability of adopting a system for the provision of benefits to widows and orphans of members of the staff, either

by a separate scheme or by the grant of a lump sum benefit on the death of the member.

32. The Secretary-General appointed at the first session of the General Assembly shall be provided with an annual retirement allowance of one-half of his net salary (excluding allowances) on his retirement, provided that he has completed his term of service with the United Nations, as set out in Chapter VIII, section 2, paragraph 18 of the Report of the Preparatory Commission.

33. (*a*) The Secretary-General shall submit to the second part of the first session of the General Assembly proposals for permanent schemes for injury compensation and compassionate benefits.

(*b*) Pending the adoption of a permanent scheme, the Secretary-General is authorized to indemnify a member of the staff who is injured as the result of an accident incurred in the course of his duties or to pay an indemnity to the staff member's estate should he die in such circumstances.

(*c*) Pending the adoption of a permanent scheme, the Secretary-General is authorized to indemnify a member of the staff who is compelled to discontinue his employment as a result of sickness directly attributable to his work in the service of the Organization or to pay indemnity to the staff member's estate should he die in such circumstances.

(9). Transmittal of the Preparatory Commission's Report to the Secretary-General

The General Assembly adopted the following resolution to transmit the section of the Preparatory Commission's Report concerning the Organization of the Secretariat to the Secretary-General for his guidance:

IX. TRANSMITTAL OF SECTION 2 OF CHAPTER VIII OF THE REPORT OF THE PREPARATORY COMMISSION

THE GENERAL ASSEMBLY RESOLVES THAT:

34. Section 2, Chapter VIII of the Report of the Preparatory Commission be transmitted to the Secretary-General for his guidance.

d. Budgetary and Financial Arrangements

On the recommendation of the Fifth Committee the General Assembly at its 31st plenary meeting on February 13, 1946, adopted a series of fifteen resolutions, including one annex, on the following subjects pertaining to the budgetary and financial arrangements of the United Nations:

A. Permanent and Financial Arrangements (Resolutions 1-3)
B. Advisory Group of Experts (Resolution 4)
C. Provisional Financial Regulations (Resolution 5)
   Annex I. Provisional Financial Regulations
D. Travelling Expenses of Representatives (Resolution 6)
E. Recommendations of the Secretary-General Concerning Budgetary and Financial Questions (Resolution 7)
F. Formulation of the Budget and Management of Funds (Resolution 8)
G. Provisional Budget (Resolutions 9-10)
H. Working Capital Fund (Resolutions 11-15)

The Resolutions were based mainly upon the recommendations of the Preparatory Commission and its advisory Group of Experts.[1]

(1). Permanent Budgetary and Financial Arrangements

The General Asembly resolved that the permanent budgetary and financial arrangements of the United Nations should be based on the recommendations of the Preparatory Commission. To assist the General Assembly in the consideration of such matters, the following standing committees were to be established:

(a) an Advisory Committee on Administrative and Budgetary Questions, to be appointed at the beginning of the second part of the first session of the General Assembly.

(b) a Committee on Contributions, to be appointed during the first part of the first session of the General Assembly for the purpose of preparing a detailed scale of apportionment of expenses of the United Nations for consideration at the second part of the first session of the General Assembly.

Following is the text of the resolution as adopted by the General Assembly:

A.

The permanent budgetary and financial arrangements of the United Nations should be so designed as to promote efficient and economical adminstration and command the confidence of Members.

THEREFORE THE GENERAL ASSEMBLY RESOLVES THAT:

1. Arrangements be made on the basis of the general principles set out in Section 2 of Chapter IX of the Report of the Preparatory Commission and of the Provisional Financial Regulations, for budgetary procedures, the collection and custody of funds, the control of disbursements and the auditing of accounts.

[1] See Chapter IX of the Report of the Preparatory Commission.

2. To facilitate the consideration of administrative and budgetary questions by the General Assembly and its Administrative and Budgetary Committee, there be appointed at the beginning of the second part of the first session of the General Assembly, an Advisory Committee on Administrative and Budgetary Questions of nine members (instead of seven as laid down in Rule 37 of the Provisional Rules of Procedure) with the following functions:

(*a*) to examine and report on the budget submitted by the Secretary-General to the General Assembly;

(*b*) to advise the General Assembly concerning any administrative and budgetary matters referred to it;

(*c*) to examine on behalf of the General Assembly the administrative budgets of specialized agencies and proposals for financial arrangements with such agencies;

(*d*) to consider and report to the General Assembly on the auditors' reports on the accounts of the United Nations and of the specialized agencies.

The Committee shall deal with personnel matters only in their budgetary aspects, and representatives of the staff shall have the right to be heard by the Committee.

3. A standing expert Committee on Contributions of ten members (instead of seven as laid down in Rule 40 of the Provisional Rules of Procedure) be appointed with instructions to prepare a detailed scale of apportionment of expenses, based on the principles set out in paragraph 13 of section 2 of Chapter IX of the Report of the Preparatory Commission for consideration at the second part of the first session.

(2). Advisory Group of Experts

The General Assembly adopted the following resolution concerning the appointment of an Advisory Group of Experts to assist the Secretary-General in elaborating administrative, budgetary and personnel plans:

B.

With a view to the integration of the administrative and budgetary planning of the Organization,

THE GENERAL ASSEMBLY:

4. RECOMMENDS that the Secretary-General appoint at an early date a small advisory group of experts, as described in paragraphs 23-26 of section 2 of Chapter IX of the Report of the Preparatory Commission to perform the functions suggested by the Preparatory Commission in paragraphs 23-26 of section 2 of Chapter IX of its Report, including those specified in the provisional financial regulations.

(3). Provisional Financial Regulations

The General Assembly adopted the following resolution concerning financial regulations recommended by the Preparatory Commission:

C.

Having made a general examination of the draft provisional financial regulations submitted by the Preparatory Commission,

THE GENERAL ASSEMBLY:

5. ADOPTS the Provisional Financial Regulations, as amended, and reproduced in annex I to this report.

ANNEX I

PROVISIONAL FINANCIAL REGULATIONS

I. THE FINANCIAL YEAR

Regulation 1

The financial year shall be the calendar year, 1 January to 31 December.

II. THE PROVISIONAL BUDGET

Regulation 2

The Secretary-General shall submit to the first part of the first session of the General Assembly a provisional budget for the financial year 1946. The provisional budget as adopted by the General Assembly shall remain in force pending its substitution by the adoption of the first annual budget of the Organization by the General Assembly during the second part of the first session.

Regulation 3

Estimates of expenditure to be incurred under the provisional budget shall be divided into two separate parts: the Secretariat and the organs served by it; the International Court of Justice. The first part shall be divided into general broad headings of expenditure, such as Salaries, Wages, Travelling Expenses, Incidental Expenses, Rent of Buildings, Office Equipment, Library and Contingencies, and shall be presented in a form to be determined by the Secretary-General after consultation with the Advisory Group of Experts.

Regulation 4

The provisional budget shall cover expenditures for the calendar year 1946, the costs of the Preparatory Commission and the costs incidental to the convening of the first session of the General Assembly incurred prior to 31 December 1945.

III. WORKING CAPITAL FUND

Regulation 5

Expenditures under the provisional budget shall be financed by a working capital fund, to consist of advances made by Members in accordance with a scale of allocation determined by the General Assembly.

Regulation 6

After the General Assembly has adopted the provisional budget, and established the total of the working capital fund, the Secretary-General shall

(*a*) inform Members of their maximum commitments in respect of the working capital fund;

(*b*) request them to remit their advances in amounts and at times as may be determined;

(*c*) call upon Members thereafter, from time to time, as funds are required, to remit outstanding instalments of the advances agreed upon.

Regulation 7

All advances to the working capital fund shall be calculated and paid in the currency of the State in which the United Nations is situated.

IV. FIRST ANNUAL BUDGET

Regulation 8

The Secretary-General shall submit the first annual budget of the United Nations to the General Assembly during the second part of the first session. He shall arrange for this budget to be examined beforehand by the Advisory Group of Experts.

Regulation 9

Estimates of expenditure to be incurred under the first annual budget should be divided into separate parts and under broad headings of general expenditure as indicated in regulation 3. The exact form of estimates shall be determined by the Secretary-General after consultation with the Advisory Group of Experts.

Regulation 10

The budget shall be accompanied by:

(*a*) a summary of the estimated expenditure under the separate parts divided into the appropriate general headings;

(*b*) a statement of total income; and

(*c*) a statement showing the amount to be contributed by each Member in accordance with the approved scale of contributions.

Regulation 11

After the General Assembly has adopted the budget and the total amount voted has been apportioned among Members on the scale agreed upon, the Secretary-General shall transmit all relevant documents to Members and request them to remit their contributions as soon as possible.

V. CURRENCY OF THE CONTRIBUTION

Regulation 12

The contributions of Members shall be assessed and paid in the currency of the State in which the United Nations has its headquarters.

VI. APPROPRIATION OF FUNDS

Regulation 13

The adoption of the budget by the General Assembly shall constitute an authorization to the Secretary-General to incur expenditures for the purposes for which credits have been voted up to the amounts so voted. The Secretary-General shall allot in writing the appropriations voted by the General Assembly to the various headings of expenditures prior to the incurring of obligations, commitments or expenditures therefore. He shall keep a record of such allotments and all liabilities incurred showing at all times the amount available under each heading.

VII. INTERNATIONAL CONTROL

Regulation 14

The Secretary-General shall:

(*a*) establish detailed financial rules and budgetary procedure in order to ensure effective financial administration and the exercise of economy;

(*b*) cause an accurate record to be kept of all capital acquisitions and all supplies purchased and used;

(*c*) render to the auditors with the accounts a statement as at 31 December 1946, showing the supplies in hand and the assets and liabilities of the Organization;

(*d*) cause all payments to be made on the documents which ensure that the services or commodities have been received and that payment has not previously been made;

(*e*) designate the officials who may incur liabilities and make payments on behalf of the Organization;

(*f*) maintain an internal financial control which shall provide for an effective current examination or review of financial transactions in order to ascertain:

(i) the regularity of the receipt, disposal and custody of all funds and other financial resources of the Organization;

(ii) the conformity of all expenditure with the estimates voted by the General Assembly; and

(iii) any uneconomic use of the resources of the Organization.

Regulation 15

Where in the discretion of the Secretary-General it seems desirable, tenders for supplies shall be invited by advertisement.

VIII. THE ACCOUNTS

Regulation 16

The accounts of the Organization shall be kept in the currency of the State in which the United Nations has its headquarters.

Regulation 17

There shall be established one cash control record to which shall be credited all cash

receipts accruing to the benefit of the Organization. The cash control record shall be divided into such subsidiary receipts classifications as may be deemed necessary.

Regulation 18

Cash shall be deposited in one or more bank accounts as required; branch accounts, or special funds which involve a separation of cash assets, shall be established as charges to the cash control record under appropriate regulations as to objects, purposes and limitations of such accounts and funds.

Regulation 19

The accounts shall consist of:

(*a*) budget accounts showing within the appropriations:

(i) the original allotments;
(ii) the allotments after modification by any transfers;
(iii) the actual obligations or expenditures incurred; and
(iv) the unobligated balance of allotments.

(*b*) cash account showing all cash receipts and actual disbursements made;
(*c*) a working capital fund account;
(*d*) property records showing:

(i) capital acquisitions;
(ii) equipment and supplies purchased and on hand; and

(*e*) a record which will provide a statement of assets and liabilities at 31 December 1946.

IX. APPOINTMENT OF EXTERNAL AUDITORS

Regulation 20

Auditors, who shall be persons not in the service of the United Nations, shall be appointed in a manner to be determined by the General Assembly during the second part of its first session. The auditors shall be appointed for the purpose of auditing the accounts for the period ending 31 December 1946.

X. CUSTODY OF FUNDS

Regulation 21

The Secretary-General shall, in consultation with the Advisory Group of Experts designate the bank or banks in which the funds of the Organization shall be kept.

XI. TRANSFERS UNDER THE BUDGET DURING THE FINANCIAL YEAR 1946

Regulation 22

Transfers by the Secretary-General within the budget shall be permitted during the financial year 1946 and shall be effected only under his written authority.

(4). Travelling Expenses of Representatives to the General Assembly

The General Assembly adopted the following resolution in accordance with the recommendations of the Preparatory Commission:

D.

The opportunities of Members to participate in the activities of the United Nations should be equalized as far as possible.

THEREFORE THE GENERAL ASSEMBLY RESOLVES THAT:

6. The actual travelling expenses of representatives or their alternates to and from meetings of the General Assembly shall be borne by the United Nations budget provided that the number of persons whose expenses will be so paid is limited to five in all per Member. The maximum travelling allowances shall be restricted to the equivalent of first-class accommodation by recognized public transport *via* an approved route from the capital city of a Member to the place where the General Assembly is meeting, and shall not include the payment of subsistence, except where this is included as an integral part of the regular posted schedule for first-class accommodation for recognized public transport. Actual travelling expenses to and from the meetings of the General Assembly of representatives or their alternates shall be reimbursed to each Member by means of an adjustment in the Member's annual contribution.

(5). Recommendations of the Secretary-General concerning Budgetary and Financial Questions

The General Assembly adopted the following resolution suggesting that the Secretary-General recommend to the second part of the first session of the General Assembly any action required in regard to such administrative and budgetary questions as the form of the budget, provision of working capital, etc.

E.

THE GENERAL ASSEMBLY RESOLVES THAT:

7. The Secretary-General, after consultation with the Advisory Group referred to above, should be prepared to recommend to the General Assembly during the second part of the first session necessary action on administrative and budgetary questions, including the following:

(*a*) the form of the budget;
(*b*) procedure for the examination of the budget by the Advisory Committee on Administrative and Budgetary Questions, and for submission of the Committee's report to the General Assembly;
(*c*) machinery for the control of expenditure;

(*d*) means of meeting extraordinary expenditure;
(*e*) provision of working capital;
(*f*) character and scope of special funds; and
(*g*) scope and method of audit of accounts and the procedure for the submission of the auditor's report to the Advisory Committee and the General Assembly.

(6). Formulation of the Budget and Management of Funds

The General Assembly decided to transmit the Preparatory Commission's recommendations concerning these matters to the Secretary-General for his information and consideration. Following is the text of the resolution:

F.

THE GENERAL ASSEMBLY:

8. Notes the observations made in paragraphs 5, 10 and 11 of section 2 of Chapter IX of the Report of the Preparatory Commission dealing with the formulation, presentation and execution of the budget, the collection and management of funds and the currency of account, and transmits them to the Secretary-General for his information and consideration.

(7). Provisional Budget for 1946

The Executive Secretary of the Preparatory Commission in conjunction with the Advisory Group of Experts drafted the provisional budget of the United Nations for 1946. At the twelfth meeting of the Fifth Committee the Chairman of the Advisory Group explained that the figures presented, which totalled $24,975,000, constituted the minimum requirements. He also pointed out that the greatest care had been taken to allow the Secretary-General as full latitude as possible by permitting him to transfer credits within the major classifications of the budget.

In the course of the debate which ensued several representatives, including those of the Byelorussian S.S.R., China, Cuba, France, the Ukrainian S.S.R., the U.S.S.R., and Yugoslavia, considered that the budget was unduly high. It was true that the budget was small in comparison with war expenditures, but many countries had been rendered poor as a result of the war. To these the contributions to the proposed budget would add a tremendous burden, particularly if these contributions would have to be paid in dollar exchange. The budget of the League of Nations had been only $8,000,000. The voting of credits larger than were strictly necessary tended to encourage extravagance. A reduction of the proposed figures was deemed not only desirable but practicable. The proposed staff of the Secretariat of up to 2,470 was much too large. Economies could be effected in travel expenses, allowances, etc., and a proposed appropriation of $3,000,000 for unforeseen expenditures could well be reduced. As the Secretary-General was authorized to make transfers from one item to another, it was not necessary for the total amounts appropriated to be so large.

The representatives of Belgium, Czechoslovakia, Mexico, Netherlands, New Zealand, Poland, and the United States, among others, favored the adoption of the budget as presented. In defence of the Advisory Group's recommendations it was pointed out that the total budget constituted only a small fraction of wartime expenditures, being roughly equivalent to one hour's war expenditure of the United States Government. Approval of the budget would be an act of faith in the Secretary-General as well as in the United Nations. The success of the United Nations should not be jeopardized through a lack of funds. To vote a small budget which might subsequently have to be increased would be very undesirable. On the other hand, the money appropriated might not all be spent. The present budget was provisional and provided no precedent whatever for the future. A comparison with the budget of the League of Nations was not conclusive, as the Charter of the United Nations was of much wider scope than the covenant of the League of Nations and the United Nations was carrying on many activities not carried on by the League. The League had had no Security Council permanently in session, no Economic and Social Council with as wide and varied responsibilities, no trusteeship system as elaborate as that of the United Nations.

Several representatives agreed to vote for the budget drawn up by the Advisory Group of Experts, on the understanding that the Secretary-General would exercise the greatest possible economy.

In view of the discussion which took place in the Fifth Committee, the Advisory Group of Experts at the fourteenth meeting of the Committee on February 5 presented a revised budget. An appropriation of $200,000 for tax refunds to which several representatives had objected was eliminated. The appro-

priation for the United Nations Secretariat was reduced by more than $1,000,000 and the appropriation for the General Assembly and the Councils was reduced by $1,000,000. A further reduction of $1,000,000 in the appropriation for unforeseen expenditures proposed by the representative of the U.S.S.R., and of $82,750 in the appropriation for expenses of the International Court of Justice, which the Committee subsequently agreed to, brought the budget down to a total of $21,500,000.

The resolution adopted by the General Assembly therefore read as follows:

G.

THE GENERAL ASSEMBLY RESOLVES THAT:

9. An amount of $21,500,000 is hereby appropropriated for the following purposes:

		$ (US)
Section I	For expenses of the General Assembly and the Councils	1,500,000
Section II	For expenses of the Secretariat	16,510,750
Section III	For expenses of the International Court of Justice	617,250
Section IV	For unforeseen expenses	2,000,000
Section V	For the expenses of the Preparatory Commission and the cost of convening the General Assembly for the first part of the first session	872,000

10. The above amounts are to be available for the payment of obligations incurred prior to 1 January 1947. The Secretary-General may transfer by written order credits among or within the above listed classifications.

(8). The Working Capital Fund

The Secretary-General was instructed to submit the first annual budget of the United Nations to the second part of the first session of the General Assembly. At the same time the Committee on Contributions which was set up at the first part of the first session of the General Assembly[1] was to submit a detailed scale for the apportionment of expenses of the United Nations, taking into consideration the recommendations of the Preparatory Commission.

To cover the expenses of the organization during the first year as provided in the provisional budget, a Working Capital Fund was to be established to which the Member Governments would make advances. The Preparatory Commission had recommended that the scale adopted for contributions to the Food and Agriculture Organization be used as the basis for a scale of contributions to the Working Capital Fund. This scale, which was to be purely provisional, would be superseded by the scale of contributions to be submitted by the Committee on Contributions during the second part of the first session of the General Assembly.

The Fifth Committee, to which this question was referred, appointed a Sub-Committee of twelve members at its meeting of January 28, 1946, to decide whether the scale for the first or the second financial year of FAO should be used in determining advances to the Working Capital Fund, and what assessments should be made for advances by countries which were Members of the United Nations but not of FAO. After considerable discussion the Sub-Committee agreed that the average between the first and the second year scales of FAO should be adopted as the scale for the Working Capital Fund. On this basis the Advisory Committee of Experts drew up the detailed scale of contributions shown below.

Following is the text of the resolution which the General Assembly adopted on the recommendation of the Fifth Committee:

H.

THE GENERAL ASSEMBLY RESOLVES THAT:

11. A working capital fund is established at the amount of $25,000,000 (US).

12. Members shall make advances to the working capital fund in accordance with the attached provisional scale which is merely a matter of convenience and in no sense a precedent for the assessment of contributions.

13. These advances shall be readjusted at the time of the second part of the first session of the General Assembly in accordance with the scale to be adopted by the General Assembly for contributions of Members to the first annual budget.

14. Except for any readjustments which may result from a revision of the scale referred to in paragraph 3, advances to the working capital fund shall not be offset against contributions of Members to the first annual budget.

15. The General Assembly at the second part of its first session (September 1946) shall determine the amount at which the working capital fund should be maintained and the method and timing of consequential set-offs against contributions or other adjustments.

[1] pp. 58, 59

PROVISIONAL SCALE OF ADVANCES TO WORKING CAPITAL FUND

	Proposed scale adjusted	*Amount of advances (US dollars)*
Argentina	2.983	745,750
Australia	2.875	718,750
Belgium	1.329	332,250
Bolivia	0.256	64,000
Brazil	2.983	745,750
Byelorussian S.S.R.	0.738	184,500
Canada	4.362	1,090,500
Chile	0.994	248,500
China	6.400	1,600,000
Colombia	0.610	152,500
Costa Rica	0.049	12,250
Cuba	0.610	152,500
Czechoslovakia	1.447	361,750
Denmark	0.640	160,000
Dominican Republic	0.049	12,250
Ecuador	0.049	12,250
Egypt	1.497	374,250
El Salvador	0.049	12,250
Ethiopia	0.256	64,000
France	5.602	1,400,000
Greece	0.394	98,500
Guatemala	0.049	12,250
Haiti	0.049	12,250
Honduras	0.049	12,250
India	4.391	1,097,750
Iran	0.610	152,500
Iraq	0.384	96,000
Lebanon	0.049	12,250
Liberia	0.049	12,250
Luxembourg	0.049	12,250
Mexico	1.615	403,750
Netherlands	1.428	357,000
New Zealand	0.994	248,500
Nicaragua	0.049	12,250
Norway	0.640	160,000
Panama	0.049	12,250
Paraguay	0.049	12,250
Peru	0.610	152,500
Philippines	0.256	64,000
Poland	1.231	307,750
Saudi Arabia	0.295	73,750
Syria	0.197	49,250
South Africa	1.989	497,250
Turkey	1.497	374,250
Ukrainian S.S.R.	1.231	307,750
U.S.S.R.	6.892	1,723,000
United Kingdom	14.768	3,692,750
United States	24.614	6,153,500
Uruguay	0.502	125,500
Venezuela	0.502	125,500
Yugoslavia	0.738	184,500
	100.000	25,000,000

e. Applications from Nationals of Non-Member States for Permanent Employment with the Secretariat

Upon the proposal of the General Committee, the General Assembly, at its 26th plenary meeting on February 9, 1946, adopted a resolution concerning applications from nationals of non-Member States for employment with the United Nations Secretariat, the Executive Secretary of the Preparatory Commission having pointed out that in the absence of rules to the contrary the Secretary-General would enjoy full discretion concerning the employment of nationals of any country or of stateless persons. The text of the resolution was as follows:

The General Assembly instructs the Secretary-General:

1. To receive and file such applications for employment with the Secretariat as may be received from nationals of non-member States.

2. To inform the governments of non-member States making enquiry with regard to application for employment that such applications will be received and filed, but that employment can only take place in accordance with the regulations of the Secretariat.

6. LEGAL MATTERS

a. Emoluments of the Judges of the International Court of Justice

The Preparatory Commission had recommended that the General Assembly fix the emoluments of the judges of the International Court of Justice early in the first session of the Assembly. On January 30, 1946, a Joint Sub-Committee of the Fifth (Administrative and Budgetary) and Sixth (Legal) Committees was formed at the suggestion of the Sixth Committee to consider this matter. The Chairman of the Joint Sub-Committee presented the following report to the Sixth Committee on February 5, 1946:

(1) The Preparatory Commission had recommended that the value of the emoluments of the judges of the International Court of Justice should be not less than that of the judges of the Permanent Court of International Justice during the period 1936 to 1939. The Sub-Committee recommended that those salaries be increased by twenty per cent to allow for the higher cost of living in The Hague since 1939.

(2) The allowances would remain the same as the allowances paid to the President and Vice-President of the Permanent Court of International Justice.

(3) The allowances for judges *ad hoc* should be increased by twenty per cent, from 100 to 120 florins per diem.

On the basis of the Joint Sub-Committee's report the Sixth Committee recommended and the General Assembly, at its 23rd plenary meeting on February 6, 1946, adopted the following resolution:

THE GENERAL ASSEMBLY RESOLVES THAT:

the emoluments of the judges of the International Court of Justice shall be fixed according to the following scale:

	Netherland florins
President:	
Annual salary	54,000
Special allowance	15,000
Vice-President:	
Annual salary	54,000
Allowance of 100 florins for every day on which he acts as President, up to a maximum of	10,000
Members:	
Annual salary	54,000
Judges referred to in Article 31 of the Statute:	
Allowance of 120 florins for each day on which they exercise their functions, plus a daily subsistence allowance of 60 florins.	

b. Pensions of the Judges and Staff of the International Court of Justice

The Joint Sub-Committee considering emoluments of the judges of the International Court of Justice proposed a resolution directing the Secretary-General to develop, in consultation with the Registrar of the International Court, a pension plan for the judges and Registrar of the Court. On February 5, 1946, the Sixth Committee, at the suggestion of the representative of Iraq, adopted an amendment to the Joint Sub-Committee's draft resolution to include not only the judges and the Registrar, but also the staff of the International Court in any pension scheme to be set up. The resolution as submitted by the Sixth Committee and adopted by the General Assembly at its 23rd plenary meeting on February 6, 1946, read as follows:

THE GENERAL ASSEMBLY is desirous of assuring that adequate and reasonable pensions be assured to the judges and the Registrar and the staff of the International Court of Justice and therefore directs the Secretary-General, in consultation with the Registrar of the Court, to develop a pension plan for judges and Registrar and staff for submission to the second part of the first session of the General Assembly.

c. Steps Necessary for Convening the International Court of Justice

The Preparatory Commission deemed it desirable that the International Court of Justice should meet as soon as possible after the election of its members and that the use of premises in the Peace Palace at The Hague, the seat of the Court in accordance with Article 22 of the Statute of the Court, should be secured for the Court as soon as possible. The Preparatory Commission had instructed its Executive-Secretary to take the necessary steps to summon a first meeting of the Court at The Hague as soon as convenient and to make any arrangements necessary to ensure that premises would be available for the first meeting of the Court.

Pursuant to the recommendations of the Preparatory Commission, the General Assembly, on the basis of a report approved by the Sixth Committee, adopted at its 28th plenary meeting on February 10 the following resolution concerning the necessary steps for the convening of the International Court of Justice:

It is desirable that the International Court of Justice should meet as soon as possible after the election of its members by the General Assembly and the Security Council.

In correspondence with the Secretary of the Board of Directors of the Carnegie Foundation, the Executive Secretary has ascertained that the Board is willing to meet representatives of the United Nations at The Hague to begin preliminary negotiations in order to fix the conditions on which the premises in the Peace Palace at The Hague, which are required by the International Court of Justice, can be placed at the disposal of the Court.

THEREFORE THE GENERAL ASSEMBLY INSTRUCTS THE SECRETARY-GENERAL:

(1) To take the necessary steps to summon a first meeting of the Court at The Hague as soon as can be conveniently arranged after the election of the members;

(2) To appoint a Secretary and such other temporary officers as may be required to assist the Court and to act for so long as the Court desires during the period preceding the appointment of its Registrar and its officers;

(3) To conduct preliminary negotiations with the Board of Directors of the Carnegie Foundation, at The Hague or other convenient place, in order to fix the conditions on which the premises in the Peace Palace at The Hague, which are required by the International Court of Justice, can be placed at its disposal, the conditions being embodied in an agreement subject to the approval of the General Assembly.

d. Privileges and Immunities of the United Nations

Under Article 104 of the Charter, the United Nations is to enjoy in the territory of

each of its Members such legal capacity as may be necessary for the exercise of its functions and fulfilment of its purposes. Under Article 105 the General Assembly may make recommendations to the Member Governments concerning conventions on the privileges and immunities of representatives of Members and of officials of the United Nations.

Upon the recommendation of the Sixth Committee the General Assembly at its 31st plenary meeting on February 13, 1946, adopted six resolutions concerning the following subjects relating to the privileges and immunities of the United Nations:

A. General Convention on Privileges and Immunities of the United Nations
B. Draft Convention between the United Nations and the United States of America
C. Privileges and Immunities of the International Court of Justice
D. Co-ordination of the Privileges and Immunities of the United Nations and Specialized Agencies
E. Insurance against Third Party Risks of Motor-Cars
F. Pension Rights of Officials of Member Governments Transferred or Seconded for Service with the United Nations

(1) General Convention on Privileges and Immunities of the United Nations

The Preparatory Commission had submitted a draft general convention on privileges and immunities to be granted to the United Nations by all Member Governments. The Preparatory Commission's recommendations were referred to a Sub-Committee of the Sixth Committee, which on February 7, 1946, presented to the full Committee the following draft convention closely based on the recommendations of the Preparatory Commission:

A.

RESOLUTION RELATING TO THE ADOPTION OF THE GENERAL CONVENTION ON PRIVILEGES AND IMMUNITIES OF THE UNITED NATIONS, AND TEXT OF THE CONVENTION.

THE GENERAL ASSEMBLY approves the annexed convention on the privileges and immunities of the United Nations and proposes it for accession by each Member of the United Nations.

CONVENTION ON THE PRIVILEGES AND IMMUNITIES OF THE UNITED NATIONS

WHEREAS Article 104 of the Charter of the United Nations provides that the Organization shall enjoy in the territory of each of its Members such legal capacity as may be necessary for the exercise of its functions and the fulfilment of its purposes and

WHEREAS Article 105 of the Charter of the United Nations provides that the Organization shall enjoy in the territory of each of its Members such privileges and immunities as are necessary for the fulfilment of its purposes and that representatives of the Members of the United Nations and officials of the Organization shall similarly enjoy such privileges and immunities as are necessary for the independent exercise of their functions in connection with the Organization:

CONSEQUENTLY the General Assembly by a resolution adopted on 13 February 1946 approved the following convention and proposes it for accession by each Member of the United Nations.

ARTICLE I
Juridical Personality

Section 1. The United Nations shall possess juridical personality. It shall have the capacity:
(*a*) to contract;
(*b*) to acquire and dispose of immovable and movable property;
(*c*) institute legal proceedings.

ARTICLE II
Property, Funds and Assets

Section 2. The United Nations, its property and assets wherever located and by whomsoever held, shall enjoy immunity from every form of legal process except insofar as in any particular case it has expressly waived its immunity. It is, however, understood that no waiver of immunity shall extend to any measure of execution.

Section 3. The premises of the United Nations shall be inviolable. The property and assets of the United Nations, wherever located and by whomsoever held, shall be immune from search, requisition, confiscation, expropriation and any other form of interference, whether by executive, administrative, judicial or legislative action.

Section 4. The archives of the United Nations, and in general all documents belonging to it or held by it, shall be inviolable wherever located.

Section 5. Without being restricted by financial controls, regulations or moratoria of any kind,
(*a*) The United Nations may hold funds, gold or currency of any kind and operate accounts in any currency;
(*b*) The United Nations shall be free to transfer its funds, gold or currency from one country to another or within any country and to convert any currency held by it into any other currency.

Section 6. In exercising its rights under section 5 above, the United Nations shall pay due regard to any representations made by the Government of any Member insofar as it is considered that effect can be given to such representations without detriment to the interests of the United Nations.

Section 7. The United Nations, its assets, income and other property shall be:

(*a*) exempt from all direct taxes; it is understood, however, that the United Nations will not claim exemption from taxes which are, in fact, no more than charges for public utility services;

(*b*) exempt from customs duties and prohibitions and restrictions on imports and exports in respect of articles imported or exported by the United Nations for its official use. It is understood, however, that articles imported under such exemption will not be sold in the country into which they were imported except under conditions agreed with the Government of that country;

(*c*) exempt from customs duties and prohibitions and restrictions on imports and exports in respect of its publications.

Section 8. While the United Nations will not, as a general rule, claim exemption from excise duties and from taxes on the sale of movable and immovable property which form part of the price to be paid, nevertheless, when the United Nations is making important purchases for official use of property on which such duties and taxes have been charged or are chargeable, Members will, whenever possible, make appropriate administrative arrangements for the remission or return of the amount of duty or tax.

ARTICLE III

Facilities in respect of Communications

Section 9. The United Nations shall enjoy in the territory of each Member for its official communications treatment not less favorable than that accorded by the Government of that Member to any other Government, including its diplomatic mission, in the matter of priorities, rates and taxes on mails, cables, telegrams, radiograms, telephotos, telephone and other communications; and press rates for information to the press and radio. No censorship shall be applied to the official correspondence and other official communications of the United Nations.

Section 10. The United Nations shall have the right to use codes and to dispatch and receive its correspondence by courier or in bags, which shall have the same immunities and privileges as diplomatic couriers and bags.

ARTICLE IV

The Representatives of Members

Section 11. Representatives of Members to the principal and subsidiary organs of the United Nations and to conferences convened by the United Nations, shall, while exercising their functions and during their journey to and from the place of meeting, enjoy the following privileges and immunities:

(*a*) immunity from personal arrest or detention and from seizure of their personal baggage, and, in respect of words spoken or written and all acts done by them in their capacity as representatives, immunity from legal process of every kind;

(*b*) inviolability for all papers and documents;

(*c*) the right to use codes and to receive papers or correspondence by courier or in sealed bags;

(*d*) exemption in respect of themselves and their spouses from immigration restrictions, aliens registration or national service obligations in the State they are visiting or through which they are passing in the exercise of their functions;

(*e*) the same facilities in respect of currency or exchange restrictions as are accorded to representatives of foreign governments on temporary official missions;

(*f*) the same immunities and facilities in respect of their personal baggage as are accorded to diplomatic envoys, and also;

(*g*) such other privileges, immunities and facilities, not inconsistent with the foregoing, as diplomatic envoys enjoy, except that they shall have no right to claim exemption from customs duties on goods imported (otherwise than as part of their personal baggage) or from excise duties or sales taxes.

Section 12. In order to secure for the representatives of Members to the principal and subsidiary organs of the United Nations and to conferences convened by the United Nations, complete freedom of speech and independence in the discharge of their duties, the immunity from legal process in respect of words spoken or written and all acts done by them in discharging their duties shall continue to be accorded, notwithstanding that the persons concerned are no longer the representatives of Members.

Section 13. Where the incidence of any form of taxation depends upon residence, periods during which the representatives of Members to the principal and subsidiary organs of the United Nations and to conferences convened by the United Nations are present in a State for the discharge of their duties shall not be considered as periods of residence.

Section 14. Privileges and immunities are accorded to the representatives of Members not for the personal benefit of the individuals themselves, but in order to safeguard the independent exercise of their functions in connection with the United Nations. Consequently

a Member not only has the right but is under a duty to waive the immunity of its representative in any case where in the opinion of the Member the immunity would impede the course of justice, and it can be waived without prejudice to the purpose for which the immunity is accorded.

Section 15. The provisions of sections 11, 12 and 13 are not applicable as between a representative and the authorities of the State of which he is a national or of which he is or has been the representative.

Section 16. In this article the expression "representatives" shall be deemed to include all delegates, deputy delegates, advisers, technical experts and secretaries of delegations.

ARTICLE V
Officials

Section 17. The Secretary-General will specify the categories of officials to which the provisions of this article and article VII shall apply. He shall submit these categories to the General Assembly. Thereafter these categories shall be communicated to the Governments of all Members. The names of the officials included in these categories shall from time to time be made known to the Governments of Members.

Section 18. Officials of the United Nations shall:

(*a*) be immune from legal process in respect of words spoken or written and all acts performed by them in their official capacity;
(*b*) be exempt from taxation on the salaries and emoluments paid to them by the United Nations;
(*c*) be immune from national service obligations;
(*d*) be immune, together with their spouses and relatives dependent on them, from immigration restrictions and alien registration;
(*e*) be accorded the same privileges in respect of exchange facilities as are accorded to the officials of comparable ranks forming part of diplomatic missions to the government concerned;
(*f*) be given, together with their spouses and relatives dependent on them, the same repatriation facilities in time of international crisis as diplomatic envoys;
(*g*) have the right to import free of duty their furniture and effects at the time of first taking up their post in the country in question.

Section 19. In addition to the immunities and privileges specified in section 18, the Secretary-General and all Assistant Secretaries-General shall be accorded in respect of themselves, their spouses and minor children, the privileges and immunities, exemptions and facilities accorded to diplomatic envoys, in accordance with international law.

Section 20. Privileges and immunities are granted to officials in the interests of the United Nations and not for the personal benefit of the individuals themselves. The Secretary-General shall have the right and the duty to waive immunity of any official in any case where, in his opinion, the immunity would impede the course of justice and can be waived without prejudice to the interests of the United Nations. In the case of the Secretary-General, the Security Council shall have the right to waive immunity.

Section 21. The United Nations shall cooperate at all times with the appropriate authorities of Members to facilitate the proper administration of justice, secure the observance of police regulations, and prevent the occurrence of any abuse in connection with the privileges, immunities and facilities mentioned in this article.

ARTICLE VI
Experts on Missions for the United Nations

Section 22. Experts (other than officials coming within the scope of article V) performing missions for the United Nations shall be accorded such privileges and immunities as are necessary for the independent exercise of their functions during the period of their missions, including the time spent on journeys in connection with their missions. In particular they shall be accorded:

(*a*) immunity from personal arrest or detention and from seizure of their personal baggage;
(*b*) in respect of words spoken or written and acts done by them in the course of the performance of their mission, immunity from legal proccess of every kind. This immunity from legal process shall continue to be accorded notwithstanding that the persons concerned are no longer employed on missions for the United Nations;
(*c*) inviolability for all papers and documents;
(*d*) for the purpose of their communications with the United Nations, the right to use codes and to receive papers or correspondence by courier or in sealed bags;
(*e*) the same facilities in respect of currency or exchange restrictions as are accorded to representatives of foreign governments on temporary official missions;
(*f*) the same immunities and facilities in respect of their personal baggage as are accorded to diplomatic envoys.

Section 23. Privileges and immunities are granted to experts in the interests of the United Nations and not for the personal benefit of the individuals themselves. The Secretary-General shall have the right and the duty to waive the immunity of any expert in any case where, in his opinion, the immunity would impede the course of justice and it can be

waived without prejudice to the interests of the United Nations.

ARTICLE VII
United Nations Laissez-Passer

Section 24. The United Nations may issue United Nations *laissez-passer* to its officials. These *laissez-passer* shall be recognized and accepted as valid travel documents, by the authorities of Members, taking into account the provisions of section 25.

Section 25. Applications for visas (where required) from the holders of United Nations *laissez-passer*, when accompanied by a certificate that they are travelling on the business of the United Nations, shall be dealt with as speedily as possible. In addition, such persons shall be granted facilities for speedy travel.

Section 26. Similar facilities to those specified in section 25 shall be accorded to experts and other persons who, though not the holders of United Nations *laissez-passer*, have a certificate that they are travelling on the business of the United Nations.

Section 27. The Secretary-General, Assistant Secretaries-General and Directors travelling on United Nations *laissez-passer* on the business of the United Nations shall be granted the same facilities as are accorded to diplomatic envoys.

Section 28. The provisions of this article may be applied to the comparable officials of specialized agencies if the agreements for relationship made under Article 63 of the Charter so provide.

ARTICLE VIII
Settlement of Disputes

Section 29. The United Nations shall make provisions for appropriate modes of settlement of:

(*a*) disputes arising out of contracts or other disputes of a private law character, to which the United Nations is a party;

(*b*) disputes involving any official of the United Nations who by reason of his official position enjoys immunity, if immunity has not been waived by the Secretary-General.

Section 30. All differences arising out of the interpretation or application of the present convention shall be referred to the International Court of Justice, unless in any case it is agreed by the parties to have recourse to another mode of settlement. If a difference arises between the United Nations on the one hand and a Member on the other hand, a request shall be made for an advisory opinion on any legal question involved in accordance with Article 96 of the Charter and Article 65 of the Statute of the Court. The opinion given by the Court shall be accepted as decisive by the parties.

FINAL ARTICLE

Section 31. This convention is submitted to every Member of the United Nations for accession.

Section 32. Accession shall be effected by deposit of an instrument with the Secretary-General of the United Nations and the convention shall come into force as regards each Member on the date of deposit of each instrument of accession.

Section 33. The Secretary-General shall inform all Members of the United Nations of the deposit of each accession.

Section 34. It is understood that, when an instrument of accession is deposited on behalf of any Member, the Member will be in a position under its own law to give effect to the terms of this convention.

Section 35. This convention shall continue in force as between the United Nations and every Member which has deposited an instrument of accession for so long as that Member remains a Member of the United Nations, or until a revised general convention has been approved by the General Assembly and that Member has become a party to this revised convention.

Section 36. The Secretary-General may conclude with any Member or Members supplementary agreements adjusting the provisions of this convention so far as that Member or those Members are concerned. These supplementary agreements shall in each case be subject to the approval of the General Assembly.

Although the Sixth Committee unanimously adopted the Sub-Committee's proposals, the representatives of the United States and Australia reserved the position of their Governments in regard to exemption from taxation of their nationals in the employ of the United Nations, while the representatives of Argentina, the Byelorussian S.S.R., the U.S.S.R., the Ukrainian S.S.R. and the United States reserved their position regarding immunity of United Nations officials from national service obligations.[1]

(2). Draft Convention between the United Nations and the United States of America

The Interim Committee on Headquarters revised and submitted to the first part of the first session of the General Assembly a draft convention between the United Nations and the host State which had been prepared by the Juridical Sub-Committee of Committee 8

[1] See Article V, Section 18, a and b, of the draft convention as quoted above.

of the Preparatory Commission. On the basis of this draft the Sub-Committee of the Sixth Committee on privileges and immunities prepared a draft treaty between the United Nations and the United States to serve as a basis of negotiations between the Secretary-General and the United States Government. The Sixth Committee approved this draft treaty on February 7, 1946. A special committee to assist the Secretary-General in these negotiations was to be established. Upon the recommendation of the General Committee the Sixth Committee decided that representatives of the countries as listed in the resolution should serve as members of this committee. Following is the text of the resolution and the draft convention adopted by the General Assembly:

B.

RESOLUTION RELATING TO NEGOTIATIONS WITH THE COMPETENT AUTHORITIES OF THE UNITED STATES OF AMERICA CONCERNING THE ARRANGEMENTS REQUIRED AS A RESULT OF THE ESTABLISHMENT OF THE SEAT OF THE UNITED NATIONS IN THE UNITED STATES OF AMERICA, AND TEXT OF A DRAFT CONVENTION TO BE TRANSMITTED AS A BASIS OF DISCUSSION FOR THESE NEGOTIATIONS.

1. THE GENERAL ASSEMBLY authorizes the Secretary-General (with the assistance of a committee composed of persons appointed by the Governments of Australia, Belgium, Bolivia, China, Cuba, Egypt, France, Poland, United Kingdom, Union of Soviet Socialist Republics) to negotiate with the competent authorities of the United States of America the arrangements required as a result of the establishment of the seat of the United Nations in the United States of America.

2. The following draft convention is transmitted by the General Assembly to the Secretary-General for use in these negotiations as a basis of discussion.

3. The Secretary-General shall report to the General Assembly the results of these negotiations.

4. Any agreement apart from purely temporary agreements with the competent authorities of the United States resulting from these negotiations shall be subject to approval by the General Assembly before being signed on behalf of the United Nations.

CONVENTION BETWEEN THE UNITED NATIONS AND THE GOVERNMENT OF THE UNITED STATES OF AMERICA

(This draft has been prepared on the assumption that there will be no private persons living within the zone containing the seat of the United Nations.)

THE UNITED NATIONS AND THE GOVERNMENT OF THE UNITED STATES OF AMERICA:

Desiring to conclude a convention for the purpose of carrying out the resolution adopted by the General Assembly .... .., to establish the seat of the United Nations in .. .. and to regulate questions arising as a result thereof:

Have appointed as their plenipotentiaries for this purpose:

The United Nations .. ..
Secretary-General

The Government of the United States of America .....

who have agreed as follows:

ARTICLE I

Definitions

Section 1. In this convention:

(*a*) the expression "zone" means the area referred to in section 2, including any additions to it;

(*b*) the expression "law of the United States of America" includes federal, state, and local laws, however designated;

(*c*) the expression "Government of the United States of America" includes a State or a competent state authority wherever the context so requires;

(*d*) the expression "courts of the United States of America" includes federal and state courts;

(*e*) the expression "United Nations" means the International Organization established by the Charter of the United Nations.

ARTICLE II

The United Nations Zone

Section 2. The seat of the United Nations shall be the area situated .. ....and marked pink on the map which forms Annex I. Additions may be made later to this area in accordance with the provisions of section 8.

Section 3. The Government of the United States of America undertakes, on the entry into force of this convention, to cause to be vested in the United Nations possession immediately and full ownership as soon as possible of all land in the zone as shown in Annex I and of all buildings situated thereon at the time of transfer.

Section 4. The Government of the United States of America shall be responsible for expropriating and compensating so far as necessary and as soon as possible all interests in land and buildings conveyed to the United Nations.

Section 5. Having regard to section 4, the United Nations shall pay to the United States of America a fair price for any land and buildings conveyed to the United Nations. The amount so payable shall be credited to the United States of America in the accounts of

the United Nations and shall be set off, during such period as may be fixed, against contributions due from the United States of America. In default of agreement, this price and this period shall be determined by an expert selected by the President of the International Court of Justice.

Section 6. The United Nations shall have exclusive rights over the subsoil of land conveyed to it, and in particular the right to make constructions underground and to obtain therefrom supplies of water. It shall not, however, have the right to exploit minerals.

Section 7. The United Nations may establish in the zone any type of installation which it deems necessary for the purpose of its work, and in particular may establish its own radio telegraph sending and receiving stations, including broadcasting, teletype, and telephoto services. The United Nations shall make arrangements with the International Telecommunications Union with regard to wavelengths and other similar matters.

Section 8. The Government of the United States of America shall, at the request of the Secretary-General acting in pursuance of a resolution of the General Assembly, cause to be vested in the United Nations possession immediately and full ownership as soon as possible over such further land as may be required for the purpose of constructing an airport, railway station, or radio telegraphic station or for such other purposes as may be required by the United Nations. The provisions of sections 4, 5 and 6 shall apply to land so conveyed.

Section 9. In the event of the land conveyed in accordance with section 8 not being contiguous to the remainder of the zone, the Government of the United States of America shall guarantee unimpeded communication and transit between parts of the zone.

ARTICLE III
Law and Authority in the Zone

Section 10. The zone, including the air space above it and the subsoil below it, shall be inviolable.

Section 11. Save as otherwise provided in this convention, the zone shall be under the control and authority of the United Nations.

Section 12. Without prejudice to the generality of Section 11, the Government of the United States of America renounces jurisdiction over any matters relating to entry into the zone and to the conditions under which persons may remain or reside there, and over any matters relating to the construction or removal of buildings in the zone.

Section 13. Officers or officials of any authority in the territory of the United States of America, whether administrative, judicial, military or police, shall not enter the zone to perform any official duties therein except with the permission of and under conditions agreed by the Secretary-General. The service of legal process, including the seizure of private property, shall take place within the zone under conditions approved by the Secretary-General.

Section 14. Without prejudice to the provisions which are contained in Annex II and subsequently in the General Convention referred to in section 32, and which relate to the immunities of officials of the United Nations and of the representatives of Members, the United Nations shall not permit the zone to become a refuge either for persons who are avoiding arrest under the law of the United States of America or are required by the Government of the United States of America for extradition to another country, or for persons who are endeavoring to avoid service of legal process.

Section 15. Subject to section 16, the law of the United States of America shall apply within the zone, and in particular the ordinary civil and criminal law.

Section 16. The United Nations may enact regulations making provisions of an administrative character for the zone. Any such regulation shall prevail over any provisions in the law of the United States of America which are inconsistent with it. It is agreed that within the zone the protection afforded by the Constitution of the United States to personal liberty and to the basic human freedoms of expression and worship shall not be lessened, and no form of racial discrimination shall be permitted.

Section 17. The courts of the United States of America shall, without prejudice to any provisions of Annex II and subsequently of the General Convention referred to in section 32, have jurisdiction over acts done and transactions taking place in the zone, in the same manner as they have over similar acts and transactions taking place outside the zone.

Section 18. The courts of the United States of America, when dealing with cases arising out of or relating to acts done or transactions taking place in the zone, shall take cognizance of the regulations enacted by the United Nations under section 16, though they shall not be obliged to inflict penalties for infraction of such regulations unless the Government of the United States of America has agreed to these regulations before the infraction was committed.

ARTICLE IV
Communications and Transit to and from the Zone

Section 19. The Government of the United States of America shall guarantee at all times adequate means of communication to and from the zone through the territory of the

United States of America, for the passage of persons, the transmission of postal correspondence and telegrams, and the transport of goods required for use and consumption in the zone.

Section 20. Representatives of Members, irrespective of the relations existing between their Government and the Government of the United States of America, officials both of the United Nations and of the specialized agencies, and the families of these representatives and officials, shall at all times enjoy the right of unimpeded and safe transit through the territory of the United States of America to and from the zone.

Section 21. The accredited representatives of news agencies, whether press, radio, or films, and of non-governmental organizations recognized by the United Nations for the purpose of consultation, shall also enjoy the rights referred to in section 20.

Section 22. Immigration and other regulations in force in the United States of America, regarding the entry and residence of foreigners, shall not be applied in such a manner as to interfere with the rights referred to in sections 20 and 21. Visas required by the persons referred to in those sections shall be granted without charge, without delay and without requirement of personal attendance for the issue of the visa.

Section 23. The Government of the United States of America shall give or cause to be given facilities for the issue of visas to, and for the use of the available means of transport by, persons coming from abroad (other than those referred to in sections 20 and 21) who desire to visit the zone. The Secretary-General of the United Nations and the Government of the United States of America shall, at the request of either of them, enter into discussion with regard to the application of this section.

Section 24. The provisions of this article shall not prevent the Government of the United States of America from taking precautions in the interests of national security, provided that such precautions shall not have the effect of interfering with the rights referred to in sections 19, 20 and 21.

ARTICLE V
Resident Representatives to the United Nations

Section 25. Persons accredited to the United Nations by Members as resident representatives and their staffs, whether residing inside or outside the zone, shall be recognized by the Government of the United States of America as entitled on its territory to the same privileges and immunities as that Government accords to the diplomatic envoys accredited to it, and the staffs of these envoys.

ARTICLE VI
Police Protection of the Zone

Section 26. The Government of the United States of America shall cause to be provided on the boundaries of the zone such police protection for the zone as is required, and shall be responsible for ensuring that the tranquility of the zone is not disturbed by the unauthorized entry of bodies of persons from outside or by disturbances in its immediate vicinity.

Section 27. If so requested by the Secretary-General, the Government of the United States of America shall cause to be provided a sufficient number of police to perform duties inside the zone for the preservation of law and order therein, and for the removal of persons who have committed or are suspected of having committed or of being about to commit offences, including infractions to the administrative regulations of the United Nations.

ARTICLE VII
Public Services for and the Amenities of the Zone

Section 28. The Government of the United States of America will exercise all the powers which it possesses to ensure that the zone shall be supplied on equitable terms with the necessary public services (including electricity, water, gas, post, telephone, telegraph, drainage, collection of refuse) and that these services shall not be interrupted. In case of any interruption or threatened interruption of any of these services, the Government of the United States of America will consider the needs of the zone as being of equal importance with the essential services of the United States Government itself. Consequently, in that event it will take all those steps which it would take in case of interruption or threatened interruption of these services to the essential Departments of the United States Government to ensure that the work of the United Nations is not prejudiced.

Section 29. The Government of the United States of America shall be responsible for ensuring that the amenities of the zone are not prejudiced and the purposes for which the zone is required are not obstructed by any use made of the land in its vicinity.

ARTICLE VIII
Matters Relating to the Operation of this Convention

Section 30. The Secretary-General and the Government of the United States of America shall settle by agreement the channel or channels through which shall be conducted correspondence relating to the application of the provisions of this convention and to other questions affecting the zone. If the Secretary-General so requests, the Government of the United States of America shall appoint a

special representative for the purpose of liaison with the Secretary-General.

Section 31. In so far as the fulfillment of this convention requires co-operation and action by any state or other non-federal authority of the United States of America, the Government of the United States will conclude with that state or authority such agreements as are necessary for this purpose. The conclusion of these agreements, together with the enactment of any necessary legislation by the United States and by the state, shall be completed before the notice is given which is required under section 35 to be given by the Government of the United States of America before this convention enters into force.

ARTICLE IX

Relation between this Convention and the General Convention

Section 32. Until the Government of the United States of America becomes a party to the General Convention relating to the privileges and immunities of the United Nations, the provisions of Annex II shall apply between the United Nations and the Government of the United States of America. Thereafter, those provisions shall be replaced by the provisions of the General Convention, which shall continue in force so long as the present Convention remains in operation.

Section 33. The provisions of this Convention shall be complementary to the provisions of the General Convention and, until the Government of the United States of America becomes a party to the General Convention, to the provisions of Annex II.

Section 34. In so far as any provision of this Convention and any provision of the General Convention (or of Annex II as the case may be) relate to the same subject matter, the two provisions shall, wherever possible, be treated as complementary, so that both provisions shall be applicable and neither shall narrow the effect of the other; but in any case of absolute conflict, the provisions of this Convention shall prevail.

ARTICLE X

Final Provisions

Section 35. This Convention, having already been approved by a resolution of the General Assembly, shall enter into force as soon as the Government of the United States of America notifies the Secretary-General that it has all the powers necessary to fulfil the provisions of the Convention. The Government of the United States of America shall take every possible step to enable it to give this notification as soon as possible, and in any case not later than..... .. ..

Section 36. This Convention shall remain in force so long as the seat of the United Nations is maintained in the territory of the United States of America.

Section 37. The seat of the United Nations shall only be removed from the territory of the United States of America if the United Nations should so decide.

Section 38. If the seat of the United Nations is removed from the territory of the United States of America, the Government of the United States of America shall pay to the United Nations an equitable sum for the land in the zone and for all buildings and installations thereon. An expert nominated by the President of the International Court of Justice shall decide, in default of agreement between the parties, what sum is equitable, having regard to

(*a*) the then value to the United States of America of the land, buildings, and installations; and

(*b*) the cost incurred by the United Nations in acquiring the land and in erecting the buildings and installations.

Section 39. Any difference between the United Nations and the Government of the United States of America concerning the interpretation or application of this Convention or of any supplementary agreement or agreements which is not settled by negotiation shall be referred to the arbitration of an umpire appointed for the purpose by the President of the International Court of Justice.

Section 40. Either party may ask the General Assembly to request of the International Court of Justice an advisory opinion on any legal question arising in the course of the proceedings referred to in section 39. Pending the receipt of the opinion of the Court, an interim decision of the umpire shall be observed by both parties. Thereafter the umpire shall render a final decision, having regard to the opinion of the Court.

IN WITNESS THEREOF THE ABOVE-MENTIONED PLENIPOTENTIARIES HAVE SIGNED THIS CONVENTION:

DONE THIS.. ..DAY OF.....AT.... .. IN DUPLICATE.

ANNEX I

MAP

(Not reproduced here)

ANNEX II

(This Annex was identical with the Articles in Section A reproduced on pp. 100-104 except for slight modification to make the Convention applicable specifically to the United States).

(3). Privileges and Immunities of the International Court of Justice

In accordance with the recommendations of the Preparatory Commission the Sixth Committee of the General Assembly decided that

the members of the Court should be consulted before any detailed proposals concerning the privileges and immunities of the Court were adopted. In accordance with the Commission's recommendations the General Assembly adopted the following resolution:

C.

RESOLUTION ON THE PRIVILEGES AND IMMUNITIES OF THE INTERNATIONAL COURT OF JUSTICE.

1. THE GENERAL ASSEMBLY, with a view to ensuring that the International Court of Justice shall enjoy the privileges, immunities and facilities necessary for the exercise of its functions and the fulfilment of its purposes, in the country of its seat and elsewhere, invites the members of the Court at their first session to consider this question and to inform the Secretary-General of their recommendations.

2. THE GENERAL ASSEMBLY decides that the question of the privileges and immunities of the Court shall be considered as soon as possible after the receipt of the recommendations of the Court.

3. THE GENERAL ASSEMBLY recommends that, until further action has been taken, the rules which have been applied to the Permanent Court of International Justice should be observed by Members in relation to the International Court of Justice.

(4). Co-ordination of the Privileges and Immunities of the United Nations and the Specialized Agencies

Based on the recommendation of the Preparatory Commission, the General Assembly adopted the following resolution concerning co-ordination of the privileges and immunities of the United Nations and the specialized agencies:

D.

RESOLUTION ON THE CO-ORDINATION OF THE PRIVILEGES AND IMMUNITIES OF THE UNITED NATIONS AND THE SPECIALIZED AGENCIES.

THE GENERAL ASSEMBLY considers that there are many advantages in the unification as far as possible of the privileges and immunities enjoyed by the United Nations and the various specialized agencies.

While recognizing that not all specialized agencies require all the privileges and immunities which may be needed by others, and that certain of these may, by reason of their particular functions, require privileges of a special nature which are not required by the United Nations itself, the General Assembly considers that the privileges and immunities of the United Nations should be regarded, as a general rule, as a maximum within which the various specialized agencies should enjoy such privileges and immunities as the appropriate fulfilment of their respective functions may require, and that no privileges and immunities which are not really necessary should be asked for.

THEREFORE THE GENERAL ASSEMBLY INSTRUCTS THE SECRETARY-GENERAL to open negotiations with a view to the re-consideration, in the light both of the General Convention adopted by the United Nations and of the considerations above, of the provisions under which the specialized agencies at present enjoy privileges and immunities.

(5). Insurance against Third Party Risks of Motor Cars of the Organization and Members of the Staff

As a matter of practical convenience the General Assembly adopted the following resolution concerning insurance of United Nations motor cars:

E.

RESOLUTION RELATING TO THE INSURANCE AGAINST THIRD PARTY RISKS OF MOTOR-CARS OF THE ORGANIZATION AND OF THE MEMBERS OF THE STAFF.

It has been found that a frequent source of difficulty is road accidents in which motor-cars, owned or driven by persons possessing immunity from legal process, are involved.

It is the intention of the United Nations to prevent the occurrence of any abuse in connection with privileges and facilities granted to it under Articles 104 and 105 of the Charter and the general convention on privileges and immunities, which determines the details of the application of these articles.

THEREFORE THE GENERAL ASSEMBLY INSTRUCTS THE SECRETARY-GENERAL to ensure that the drivers of all official motor-cars of the United Nations and all members of the staff, who own or drive motor-cars, shall be properly insured against third party risks.

(6). Pension Rights of Officials and Members Transferred or Seconded for Service with the United Nations

To encourage the employment as United Nations staff members of officials of Member Governments, the General Assembly adopted the following resolution:

F.

RESOLUTION RELATING TO ARRANGEMENTS TO BE MADE SO THAT OFFICIALS OF MEMBERS WHO ARE TRANSFERRED OR SECONDED FOR SERVICE WITH THE UNITED NATIONS SHOULD NOT LOSE THEIR ACCRUED PENSION BY REASON OF SUCH TRANSFER OR SECONDMENT.

In order to facilitate the engagement, as members of the staff of the United Nations, of persons who have accrued pension rights as officials, either of the central government of Members, or of subordinate governmental or other administrative authorities within the territory of Members, it is desirable that arrangements should be made to secure that accrued pension rights are not lost when such persons accept posts on the staff of the United Nations, by way either of transfer or of secondment.

THEREFORE, THE GENERAL ASSEMBLY RECOMMENDS THAT:

after such discussion with the Secretary-General as may be necessary to settle details the governments of Members adopt such legislative or administrative measures as may be required to preserve such pension rights.

e. Registration of Treaties and International Agreements

Article 102 of the Charter provides that "every treaty and every international agreement entered into by any Member of the United Nations after the present Charter comes into force shall as soon as possible be registered with the Secretariat and published by it."

The Preparatory Commission had recommended that the General Assembly instruct the Secretary-General to submit to the second part of its first session a report on the implementation of Article 102, and invite the governments of States not Members of the United Nations to send treaties and agreements for filing, registration and publication by the Secretariat.

This matter was discussed by the Sixth Committee (Legal). The representative of Panama proposed an amendment to the draft resolution to exclude Spain from the provisions of the resolution. This amendment was included in the preamble to the resolution. At the suggestion of the representative of the United Kingdom the resolution was further amended so as to direct the Secretary-General to publish treaties and agreements received from non-Member States instead of requiring the Secretary General to invite non-Member States to transmit them.

The resolution as adopted by the General Assembly at its 28th plenary meeting on February 10, 1946, therefore read as follows:

The Executive Secretary sent a circular letter to the Members of the United Nations on 8 November 1945 informing them that from the date of the entry into force of the Charter treaties and international agreements would be received and filed on a provisional basis until the adoption of detailed regulations prescribing the procedure to be followed in the registration and publication of treaties and international agreements under the provisions of Article 102 of the Charter. The Executive Secretary also invited the Governments of Members to transmit to the Secretariat for filing and publication treaties and international agreements not included in the treaty series of the League of Nations and entered into in recent years before the date of the entry into force of the Charter.

It is desirable, as a matter of practical convenience, that arrangements should be made for the publication of any treaties or international agreements which non-member States may voluntarily transmit and which have not been included in the treaty series of the League of Nations. These arrangements should not, however, extend to treaties or international agreements transmitted by any non-member State such as Spain, the Government of which has been founded with the support of the Axis powers and does not, in view of its origin, its nature, its record and its close association with the aggressor States, possess qualifications necessary to justify membership in the United Nations under the provisions of the Charter.

THEREFORE, THE GENERAL ASSEMBLY INSTRUCTS THE SECRETARY-GENERAL:

1. To submit to the General Assembly proposals for detailed regulations and other measures designed to give effect to the provisions of Article 102 of the Charter;

2. To invite the governments of Members of the United Nations to transmit to the Secretary-General for filing and publication, treaties and international agreements entered into in recent years, but before the date of entry into force of the Charter, which had not been included in the League of Nations treaty series, and to transmit for registration and publication treaties and international agreements entered into after the date of entry into force of the Charter.

3. To receive, from the governments of non-member States, treaties and international agreements entered into both before and after the date of entry into force of the Charter, which have not been included in the League of Nations treaty series and which they may voluntarily transmit for filing and publication; and to dispose of them in accordance with the foregoing provisions, and subject to such detailed regulations and other measures as may hereafter be adopted.

(7). Transfer of Functions, Activities and Assets of the League of Nations

a. Resolutions of the General Assembly

The Preparatory Commission had submitted a draft resolution on the transfer of certain functions, activities and assets of the League of Nations which was referred to the *ad hoc* League of Nations Committee of the General Assembly. On the recommendation of this Committee the Assembly at its 29th plenary meeting on February 12, 1946, adopted the following resolution, closely based on the Preparatory Commission's draft:

I

FUNCTIONS AND POWERS BELONGING TO THE LEAGUE OF NATIONS UNDER INTERNATIONAL AGREEMENTS

Under various treaties and international conventions, agreements and other instruments, the League of Nations and its organs exercise, or may be requested to exercise, numerous functions or powers for the continuance of which, after the dissolution of the League, it is, or may be, desirable that the United Nations should provide.

Certain Members of the United Nations, which are parties to some of these instruments and are Members of the League of Nations, have informed the General Assembly that, at the forthcoming session of the Assembly of the League, they intend to move a resolution whereby the Members of the League would, so far as this is necessary, assent and give effect to the steps contemplated below.

THEREFORE:

1. THE GENERAL ASSEMBLY reserves the right to decide, after due examination, not to assume any particular function or power, and to determine which organ of the United Nations or which specialized agency brought into relationship with the United Nations should exercise each particular function or power assumed.

2. THE GENERAL ASSEMBLY records that those Members of the United Nations which are parties to the instruments referred to above assent by this resolution to the steps contemplated below and express their resolve to use their good offices to secure the co-operation of the other parties to the instruments so far as this may be necessary.

3. THE GENERAL ASSEMBLY declares that the United Nations is willing in principle, and subject to the provisions of this resolution and of the Charter of the United Nations, to assume the exercise of certain functions and powers previously entrusted to the League of Nations, and adopts the following decisions, set forth in A, B, and C below.

A. Functions pertaining to a Secretariat

Under certain of the instruments referred to at the beginning of this resolution, the League of Nations has, for the general convenience of the parties, undertaken to act as custodian of the original signed texts of the instruments, and to perform certain functions, pertaining to a secretariat, which do not affect the operation of the instruments and do not relate to the substantive rights and obligations of the parties. These functions include: The receipt of additional signatures and of instruments of ratification, accession and denunciation; receipt of notice of extension of the instruments to colonies or possessions of a party or to protectorates or territories for which it holds a mandate; notification of such acts to other parties and other interested States; the issue of certified copies; and the circulation of information or documents which the parties have undertaken to communicate to each other. Any interruption in the performance of these functions would be contrary to the interests of all the parties. It would be convenient for the United Nations to have the custody of those instruments which are connected with activities of the League of Nations and which the United Nations is likely to continue.

THEREFORE:

THE GENERAL ASSEMBLY declares that the United Nations is willing to accept the custody of the instruments and to charge the Secretariat of the United Nations with the task of performing for the parties the functions, pertaining to a secretariat, formerly entrusted to the League of Nations.

B. Functions and Powers of a Technical and Non-Political Character

Among the instruments referred to at the beginning of this resolution are some of a technical and non-political character which contain provisions, relating to the substance of the instruments, whose due execution is dependent on the exercise, by the League of Nations or particular organs of the League, of functions or powers conferred by the instruments. Certain of these instruments are intimately connected with activities which the United Nations will or may continue.

It is necessary, however, to examine carefully which of the organs of the United Nations or which of the specialized agencies brought into relationship with the United Nations should, in the future, exercise the functions and powers in question, in so far as they are maintained.

THEREFORE:

THE GENERAL ASSEMBLY is willing, subject to these reservations, to take the necessary measures to ensure the continued exercise of these functions and powers, and refers the matter to the Economic and Social Council.

C. Functions and Powers under Treaties, International Conventions, Agreements and Other Instruments Having a Political Character

THE GENERAL ASSEMBLY will itself examine, or will submit to the appropriate organ of the United Nations, any request from the parties that the United Nations should assume the exercise of functions or powers entrusted to the League of Nations by treaties, international conventions, agreements and other instruments having a political character.

II

NON-POLITICAL FUNCTIONS AND ACTIVITIES OF THE LEAGUE OF NATIONS OTHER THAN THOSE MENTIONED IN SECTION I

1. THE GENERAL ASSEMBLY requests the Economic and Social Council to survey the functions and activities of a non-political character which have hitherto been performed by the League of Nations in order to determine which of them should, with such modifications as are desirable, be assumed by organs of the United Nations or be entrusted to specialized agencies which have been brought into relationship with the United Nations. Pending the adoption of the measures decided upon as the result of this examination, the Council should, on or before the dissolution of the League, assume and continue provisionally the work hitherto done by the following League departments: the Economic, Financial and Transit Department, particularly the research and statistical work; the Health Section, particularly the epidemiological service; the Opium Section and the secretariats of the Permanent Central Opium Board and Supervisory Body.

2. THE GENERAL ASSEMBLY requests the Secretary-General to make provision for taking over and maintaining in operation the Library and Archives and for completing the League of Nations treaty series.

3. THE GENERAL ASSEMBLY considers that it would also be desirable for the Secretary-General to engage for the work referred to in paragraphs 1 and 2 above, on appropriate terms, such members of the experienced personnel by whom it is at present being performed as the Secretary-General may select.

III

TRANSFER OF THE ASSETS OF THE LEAGUE OF NATIONS TO THE UNITED NATIONS

THE GENERAL ASSEMBLY, having considered the report of the Committee set up by the Preparatory Commission to discuss and establish with the Supervisory Commission of the League of Nations a common plan for the transfer of the assets of the League of Nations, approves of both the report of the Committee set up by the Preparatory Commission and of the common plan submitted by it (document A/18 and Corr. 1, Add. 1 and 2.)

IV

APPOINTMENT OF A NEGOTIATING COMMITTEE

THE GENERAL ASSEMBLY approves of the setting up of a small negotiating committee to assist the Secretary-General in negotiating further agreements in connection with the transfer of certain assets in Geneva, and in connection with the premises in the Peace Palace in The Hague. This committee shall consist of one representative designated by the delegations, if they so desire, of each of the same eight Members as previously constituted the Committee created by the Preparatory Commission: Chile, China, France, Poland, Union of South Africa, Union of Soviet Socialist Republics, United Kingdom and United States of America.

b. The Common Plan

The common plan approved by the General Assembly in the third resolution above was agreed upon between a Committee appointed by the Preparatory Commission of the United Nations and the Supervisory Commission of the League of Nations. The text of the common plan was as follows:

1. The League of Nations agrees to transfer to the United Nations, and the United Nations agrees to receive on or about 1 August 1946, the precise date to be determined by the administrative authorities of the two Organizations, all material assets of the League of Nations shown in column I of the attached Schedule at the valuation shown in column II.[1]

The League of Nations agrees that the shares in the total credit thus established shall be distributed between States entitled to participate, in accordance with percentages to be laid down by the League at its next Assembly.

The United Nations agrees:

(a) that the shares, thus established, of such of these States as are Members of the United Nations shall be credited to them respectively in the books of the United Nations: and

(b) that the General Assembly shall decide on the purposes to which these credits shall be applied and on the dates on which they shall be so applied; and further that these credits shall in any event, begin to be available not later than 31 December 1948.

The United Nations further agrees:

(a) that the International Labour Organisation may use the Assembly Hall, together

[1] The Schedule is not published here. The assets in column I included the following items: Secretariat building, Assembly Hall, library building, 203,446 square meters of real estate, furniture, fittings, typewriters, office supplies, books, archives, etc. The total value as shown in column II was 47,631,518.61 Swiss francs.

with the necessary committee rooms, office accommodation and other facilities connected therewith at times and on financial terms to be agreed from time to time between the United Nations and the International Labour Organisation;
(b) that the International Labour Organisation may use the library under the same conditions as other official users thereof.

2. The League of Nations shall take steps to discharge all its obligations as soon as practicable.

3. The League of Nations shall take steps to settle the question of contributions of Member States in arrears.

4. The League of Nations shall take steps to separate the interests of the International Labour Organisation in the assets of the League before transfer to the United Nations. It is understood that the International Labour Organisation building at Geneva will be transferred to that Organisation.

5. Any ex-officials of the League of Nations subsequently engaged by the United Nations shall enter service under conditions of employment established by the United Nations, and it will be for the League of Nations to take the necessary steps to make this possible.

6. It is understood that the League of Nations shall make arrangements, independently of the United Nations, with regard to the continued administration of the Staff Pension Fund and with regard to the pensions of the Judges of the Permanent Court of International Justice.

7. When the League has discharged all its obligations and made the necessary dispositions concerning the Working Capital Fund and regarding outstanding contributions, the remaining liquid assets shall be credited or distributed to Members of the League under a scheme to be determined by it.

8. Both the United Nations and the League of Nations shall authorize competent authorities to make any necessary agreements with the Swiss Authorities on all matters connected with the transfer of assets of the League of Nations to the United Nations.

c. Work of the Negotiating Committee

The negotiating committee set up by the General Assembly in the fourth resolution quoted above completed by March 5, 1946, its work of negotiating a preliminary agreement with the Directors of the Carnegie Foundation for the use of the premises in the Peace Palace at The Hague. In accordance with the resolution passed by the General Assembly at its 28th plenary meeting on February 10, 1946, the conditions set out in this agreement were to be embodied in an agreement subject to the approval of the General Assembly.

On April 4 the committee held the first of a series of meetings with representatives of the Swiss Federal Council at Berne. As a result of these discussions an interim arrangement was concluded regarding the immunities and privileges of the United Nations in Switzerland.

The committee then proceeded to Geneva, where a draft agreement on the Ariana site (headquarters of the League of Nations) was prepared pending the adoption by the League of Nations Assembly of the common plan approved by the General Assembly of the United Nations on February 12, 1946. The common plan was approved by the League Assembly on April 18, 1946, and on the following day the final texts of the Agreement on the Ariana site and of the Interim Arrangement on privileges and immunities of the United Nations in Switzerland were approved by the Committee and by the Swiss delegation.

The Agreement and the Interim Arrangement were signed on behalf of the United Nations by the Secretary-General, and on behalf of the Swiss Government by the Chief of the Swiss Federal Department. Both of these arrangements were temporary; permanent arrangements were to be made at a later date.

d. Transfer of Certain Functions and Assets

After appropriate consultations with the League authorities, the Secretary-General approved the following arrangements for the transfer of the buildings, library and archives of the League of Nations in accordance with the common plan.

The date of transfer of the buildings was to be July 31, 1946. Until this date, the maintenance costs were to be borne by the League of Nations; after that date the United Nations was to assume full charge and, for its guidance, the Secretary-General of the League of Nations had prepared a budget of the costs involved.

An inventory of the contents of the buildings drawn up before the London negotiations was being checked; the total value of these contents at the date of transfer was to be agreed upon between the two Secretaries-General.

The League of Nations had offered hospitality to the United Nations in the buildings until July 31, and after that date the United

Nations was to offer such hospitality (lighting, heating, office space, cleaning, local telephone charges and office supplies) as the League might require. All other costs were to be borne by the respective administrations by arrangement.

It was decided that the Library of the League of Nations, which was playing an increasingly important role in view of the destruction of many of the European libraries, should continue to function in Geneva until the whole question could be considered in connection with the permanent headquarters of the United Nations.

Those archives directly relating to functions of the League of Nations which had been, or would be, taken over by the United Nations were to be transferred at the same time as the functions concerned. With regard to the remainder of the archives, the Secretary-General proposed that a joint committee of the League of Nations and the United Nations Secretariat should be appointed to study this problem after the second half of the first session of the General Assembly.

It was found impracticable for the United Nations to assume all transferable functions of the League of Nations *en bloc* and at the same time that the physical assets were transferred. The interested departments of the Secretariat were making arrangements for the transfer of the various functions falling within their respective competency. The actual transfer operation was to be centralized through the Secretary-General and the office in Geneva, which would maintain the necessary liaison with the Secretary-General of the League of Nations.[1]

The General Assembly, at its 29th plenary meeting on February 12, 1946, resolved that it would be desirable for the Secretary-General to engage for the work hitherto done by the Economic, Financial and Transit Departments, the Health Section, the Opium Section and the Permanent Central Opium Board and Drug Supervisory Body of the League of Nations, such members of the experienced League personnel as he might select. In agreement with the Secretary-General of the League, the negotiating committee undertook the task of interviewing members of the League Secretariat desirous of employment with the United Nations. The transfer of selected staff was to be effected either simultaneously with the transfer of the particular functions on which the staff were employed, or, in the case of those members not concerned with a transferable function, after July 31, 1946. Arrangements were made that certain members required urgently for work with the United Nations should be seconded, pending the transfer of the service to which they belonged; in such cases, the salary paid by the League of Nations during the period of secondment was to be reimbursed by the United Nations.

8. Headquarters of the United Nations

a. Resolution of the General Assembly

On the basis of the recommendations of the Preparatory Commission and its Interim Committee, the *ad hoc* Permanent Headquarters Committee recommended and the General Assembly, at its 33rd plenary meeting on February 14, 1946, adopted the following resolutions on the question of the headquarters of the United Nations:

THE GENERAL ASSEMBLY RESOLVES THAT:

I. PERMANENT HEADQUARTERS

(*a*) The permanent headquarters of the United Nations shall be established in Westchester (New York) and/or Fairfield (Conn.) counties, *i.e.* near to New York City.

(*b*) A Headquarters Commission shall proceed as soon as possible to the region mentioned in (*a*) above, with a view to carrying out an exhaustive study thereof and making recommendations to the General Assembly at the second part of its first session regarding the exact location to be selected within the aforementioned general region.

(*c*) The Headquarters Commission shall draw up plans based on the assumption that the United Nations will acquire approximately:

(i) 2 square miles
(ii) 5 square miles
(iii) 10 square miles
(iv) 20 square miles
(v) 40 square miles

with details in each case of the approximate cost of acquiring the land and buildings within these areas.

(*d*) The Headquarters Commission shall ascertain what measures the federal, state and county authorities in the United States of America are prepared to take in order to control development in the territory adjacent to the zone.

(*e*) On the basis of the information thus provided, the General Assembly at the second

[1] For the transfer to the United Nations of certain non-political functions and activities of the League, see p. 110 ff.

part of its first session shall make a final decision as to:

(i) The exact area required;
(ii) The exact location of the permanent headquarters within the aforementioned Westchester-Fairfield region.

(*f*) This resolution does not imply any financial commitments of the United Nations (other than the expenses of the Headquarters Commission) and does not impose any financial obligations on its Members, and the General Assembly remains free to decide these questions at the second part of its first session according to Article 17, paragraphs 1 and 2, and Article 18, paragraph 2, of the Charter.

II. INTERIM HEADQUARTERS

The interim headquarters of the United Nations shall be located in New York City.

III. HEADQUARTERS COMMISSION

(*a*) A Headquarters Commission composed of representatives of Australia, Uruguay, China, France, Iraq, Netherlands, United Kingdom, Union of Soviet Socialist Republics and Yugoslavia shall be set up to carry out the tasks entrusted to it under the first part of this resolution regarding the permanent headquarters.

(*b*) The Headquarters Commission may be assisted by experts including planning engineers, lawyers, real estate experts, financial advisers and other appropriate experts who, at the request of the Secretary-General, shall be designated by the Government of the United States of America.

(*c*) The Secretary-General shall consult with the Headquarters Commission or the experts assisting it, as he may deem necessary or appropriate, on problems which may arise in connection with the temporary installation of the various organs of the United Nations in the United States of America, the material arrangements for the holding of the second part of the first session of the General Assembly in September 1946, and the housing of the delegates, secretariat and other personnel who may be required to reside for longer or shorter periods near the temporary headquarters of the Organization.

(*d*) The Secretary-General is authorized to pay the expenses of the members of and to compensate the experts attached to the Headquarters Commission on such basis and in such form as may appear to him most appropriate.

(*e*) The Headquarters Commission shall submit its final report on all matters referred to it to the General Assembly at the second part of its first session.

(*f*) The General Assembly, during the course of the second part of its first session, shall give consideration to the appointment of a Planning Commission of experts as recommended, in Chapter X, section 3, in the Report of the Preparatory Commission.

b. The Interim Headquarters

The General Assembly having decided that the interim headquarters should be located in New York City, the Secretary-General sent representatives to that city at the end of February to find places for the meetings of the Security Council (beginning March 21), of the nuclear Commissions of the Economic and Social Council (April - May), of the Economic and Social Council itself (May-June) and to house several hundred members of the Secretariat coming from London.

The representatives of the Secretary-General were of the opinion that Hunter College was the best available site to meet the problems at hand. On February 25 they requested, on behalf of the Secretary-General, the use of three buildings in Hunter College until May 15, and the Mayor of New York City granted the request. The lease was signed on March 6. The Hunter College gymnasium was converted into a council chamber where the Security Council and the Economic and Social Council met.

On April 11 the Mayor of New York City offered to make available the City Building at Flushing Meadow for the use of the General Assembly, with suitable alterations and additions, if the Secretariat would move to the Sperry Plant at Lake Success. The Mayor announced that the City was ready to expend $1,200,000 on the Flushing Meadow site.

On the same day the Secretary-General informed the Mayor that the United Nations (1) had selected the Sperry Plant as the site for the Secretariat and Councils, (2) would like to have the use of the City Building for the General Assembly, (3) would like an extension of the lease of Hunter College from May 15 to August 15, 1946.

On April 15 the Secretary-General sent a letter to the War Assets Administration (owner of the Sperry Plant) offering to lease certain parts of the Sperry Plant for a period of three years from July 1, 1946, with an option to renew for two further years. The total space leased by the United Nations was approximately 572,000 square feet. The Secretariat and the Councils were moved to the Sperry Plant on August 15. Meanwhile the City Building at Flushing Meadow was being altered for the General Assembly, which was

to meet on October 23. New York City contributed $1,010,000 for the alterations to the City Building and $900,000 for the roads and grounds.

c. The Work of the Headquarters Commission

The Headquarters Commission held its first meeting on May 7, 1946. Its first task was to advise the Secretary-General on: (1) housing problems concerning the interim site; (2) conversion of the Sperry Plant. A report to the Secretary-General was submitted after a two weeks' study which included eight plenary meetings of the Commission, some special consultations, visits to the site and meetings with various people who could advise the Commission on the matters under consideration.

The Commission then began to plan its main task, an exhaustive study of the Westchester-Fairfield area, directed toward the exact location for the permanent headquarters for recommendation to the General Assembly. It appointed a number of committees to facilitate its work.

The Headquarters Commission had been instructed to draw up plans based on the assumption that the United Nations would require a site of approximately either two, five, ten, twenty or forty square miles for its headquarters. It was assumed that this site should be within one and a half hours traveling time from midtown Manhattan; that it should have easy access to adequate railways and roads; and that it should be close enough to other communities, including New York City, to utilize facilities not available at the site.

The Commission instituted a study of the actual requirements of the United Nations and translated them into terms of space, both for the official buildings and for a possible community area. A medium building height of six stories, including a basement, was adopted to give future planners maximum freedom in choosing between horizontal and vertical type of architectural planning.

All requirements for the official buildings area were estimated for 7,000 permanent representatives and international personnel. Requirements for a community building area, containing dwellings for permanent and transient personnel and community facilities to serve them, were estimated for about 50,000 people. In the event that nearby towns could supply the needed service personnel, this figure could be reduced to about 27,000. Space calculations were made on the basis of both assumptions. In converting these population figures into land requirements, a density factor of twenty persons per net acre, about 13,000 people per square mile, was taken.

The Commission first considered 25 potential sites and then selected fifteen for closer study —three of each size. Advantages and disadvantages were carefully weighed. Finally one site in each group was judged to be the best for its size. The final selections were all in Westchester County.

While the terms of reference establishing the Headquarters Commission restricted the Commission's choice to the Westchester-Fairfield area, it was recognized that it was within the competence of the General Assembly to choose any locality.

D. SECOND PART OF THE FIRST SESSION OF THE GENERAL ASSEMBLY

The second part of the first session of the General Assembly began on October 23, 1946, and concluded on December 15. The opening meeting was devoted to speeches by the President of the General Assembly, the Acting Mayor of New York City and the President of the United States. During the 54 days of its session, the General Assembly held 35 plenary meetings and its committees and sub-committees 357 meetings.

1. Organizational Matters

a. Adoption of the Agenda and Distribution of Agenda Items among the Committees of the General Assembly

In accordance with Rule 33 of the Provisional Rules of Procedure, the General Committee of the General Assembly at its nineteenth and twentieth meetings, held on October 24 and 25, 1946, considered the provisional agenda of the second part of the first session of the Assembly.

At its 46th plenary meeting on October 31, 1946, the Assembly adopted the draft agenda submitted by the General Committee.

At the same time the General Assembly considered the General Committee's recommendations for the allocation of agenda items among the various committees of the Assembly. The representative of Australia considered that immediate and automatic referral of agenda items to committees was not desirable and that the General Assembly in plenary session should first express its views on important issues. He therefore introduced the following resolution:

In order to maintain the prestige of the General Assembly as a world forum for the public discussion of matters within the scope of the Charter and in order to facilitate the work of the session,

The General Assembly resolves to set down for discussion in plenary meeting before referring to a committee of the General Assembly those items on the provisional agenda for the present session in respect of which a general policy directive is desirable, and requests the General Committee to recommend what items on the agenda should be so set down.

The President of the Assembly pointed out that Rule 109 of the Provisional Rules of Procedure provided that items should be referred to committee before a decision thereon was taken by the Assembly. Adoption of the Australian proposal would duplicate discussion in plenary session and in committee, and it might thus be weeks before the committees could start on their work. In response to an appeal by the United Kingdom representative, the Australian representative withdrew his proposal. The General Assembly then approved the General Committee's recommendations concerning the distribution of agenda items to committees.

b. Appointment of Committees

(1). Main Committees

The Chairman of the Second Committee (Economic and Financial), Waclaw Konderski (Poland), and the Chairman of the Third Committee (Social, Humanitarian and Cultural), Peter Fraser (New Zealand), were unable to attend the second part of the first session of the General Assembly. To fill the vacancies in these offices the Second Committee at its tenth meeting on November 7, 1946, unanimously elected Oscar Lange (Poland) as Chairman, and the Third Committee at its twelfth meeting on October 24, 1946, unanimously elected Sir Carl Berendsen (New Zealand).

(2). Standing Committees

i. Advisory Committee on Administrative and Budgetary Matters

In accordance with the General Assembly's resolution of February 13, 1946, an Advisory Committee on Administrative and Budgetary Matters of nine members was to be appointed during the second part of the first session of the General Assembly. At its 46th plenary meeting on October 31 the General Assembly referred the question of the election of the members of the Advisory Committee to the Fifth Committee (Administrative and Budgetary).

The Fifth Committee after some discussion decided to recommend the election of the members of the Advisory Committee not by countries but on the basis of their personal qualifications. Accordingly twenty names suggested by fifteen delegations were presented to the Fifth Committee at its 23rd meeting on November 12, 1946.

Before the Fifth Committee proceeded to a vote the representative of France proposed that the membership of the Advisory Committee be increased from nine to ten. The proposal was withdrawn after the Chairman of the Fifth Committee had pointed out that a recommendation to change the number of members of the Advisory Committee would unduly delay the election, as it would require approval by the General Assembly as a whole. A second French proposal, that members of the Advisory Committee should not be allowed to accept any remunerative employment with the United Nations or with a specialized agency during their term of office or for one or two years thereafter, was defeated by a vote of 17 to 13.

By secret ballot the Committee then selected the nine members to serve on the Advisory Committee and by further ballots chose three members to serve for a term of three years, and another three members to serve for a term of two years. The Fifth Committee further decided to recommend to the General Assembly that the Advisory Committee on Administrative and Budgetary Questions should be formed at once (although it would not formally begin to exercise its functions until January 1, 1947, the start of the financial year) so that during the current session of the Assembly it might give assistance and advice both to the Assembly and to the Secretary-General on all matters pertaining to administrative and budgetary questions.

At its 49th plenary meeting on November 19 the General Assembly unanimously adopted the

resolution proposed by the Committee as follows:

THE GENERAL ASSEMBLY

1. DECLARES the following persons to be elected as members of the Advisory Committee on Administrative and Budgetary Questions under the terms of reference laid down in Rule 40 of the Provisional Rules of Procedure.

Mr. Thanassis Aghnides	(Greece)
Mr. André Ganem	(France)
Mr. C. L. Hsia	(China)
Mr. Valentin I. Kabushko	(Union of Soviet Socialist Republics)
Mr. S. K. Kirpalani	(India)
Mr. Olyntho Machado	(Brazil)
Mr. G. Martinez-Cabanas	(Mexico)
Sir William Matthews	(United Kingdom)
Mr. Donald Stone	(United States)

2. DECLARES:

Mr. O. Machado
Sir William Matthews
Mr. Donald C. Stone

to be elected for a three-year term.

3. DECLARES:

Mr. Thanassis Aghnides
Mr. C. L. Hsia
Mr. Valentin I. Kabushko

to be elected for a two-year term.

ii. Committee on Contributions

By a resolution of February 13, 1946, the General Assembly appointed a Committee on Contributions of ten members, four members to serve for a three-year term and three members each to serve for two-year and one-year terms respectively. At its 49th plenary meeting on November 19, 1946, the General Assembly referred to the Fifth Committee the question of the election of three members of the Committee on Contributions to take the place of the three members elected for a one-year term, namely:

Paul Appleby — United States
Chi Chao-ting — China
Pavle Lukin — Czechoslovakia

The delegations of the United States, China and Czechoslovakia indicated that the above-mentioned representatives would be unable to continue their services, and that in the case of the re-election of the countries thus represented, the representatives should be replaced as follows:

James E. Webb — United States
K. V. Dzung — China
Jan Papanek — Czechoslovakia

At the 31st meeting of the Fifth Committee on November 27 the representative of Mexico suggested that the three members of the Committee of Contributions whose term of office had expired should be re-elected. Certain members opposed this suggestion on the ground that such a system tended to render appointments permanent. The members of the Committee on Contributions should be elected on the basis of rotation, with due regard to equitable geographic distribution. By secret ballot the Fifth Committee selected Mr. Webb (United States), Mr. Dzung (China) and Mr. Papanek (Czechoslovakia) as members of the Committee on Contributions.

As regards the term of office of the members of the Committee on Contributions, the Fifth Committee decided to recommend that it should date from January 1, 1947, and not from February 13, 1947, and that Rule 42 of the Provisional Rules of Procedure should be amended accordingly.

At its 50th plenary meeting on December 7, 1946, the General Assembly unanimously adopted the resolution drafted by the Committee as follows:

1. THE GENERAL ASSEMBLY RESOLVES to amend Rule 42 of the Provisional Rules of Procedure for the General Assembly to read as follows:

"Rule 42

"The members of the Committee on Contributions, no two of whom shall be nationals of the same State, shall be selected on the basis of broad geographical representation, personal qualifications and experience, and shall serve for a period of three years corresponding to three financial years, as defined in the Regulations for the Financial Administration of the United Nations. Members shall retire by rotation and shall be eligible for re-election. The General Assembly shall elect the members of the Committee on Contributions at the regular session at which the term of office of members expires, or, in case of vacancies, at the next session."

2. THE GENERAL ASSEMBLY DECLARES the following persons to be elected for a three-year term as members of the Committee on Contributions under the terms of reference laid down in Rule 42 (as amended) of the Provisional Rules of Procedure for the General Assembly.

K. V. Dzung (China)
Jan Papanek (Czechoslovakia)
James E. Webb (United States)

c. Election of Members of Councils

(1). Election of Non-Permanent Members of the Security Council

Of the six non-permanent members of the Security Council (Australia, Brazil, Egypt, Mexico, Netherlands, Poland) elected during the first part of the first session of the General

Assembly, Egypt, Mexico and the Netherlands were to serve for a one-year term. To take the place of these three countries on the Security Council upon the expiration of their term of office, the General Assembly at its 32nd plenary meeting on November 19, 1946, elected Belgium, Colombia and Syria on the first ballot.

(2). Election of Members of the Economic and Social Council

The General Assembly during the second part of its first session had to elect six members of the Economic and Social Council for three-year terms to take the place of the six members elected for one-year terms during the first part of the first session of the General Assembly, namely: Colombia, Greece, Lebanon, Ukrainian S.S.R., United States and Yugoslavia.

At its 48th plenary meeting on November 19, 1946, the General Assembly on the first ballot elected New Zealand, the United States and Venezuela to membership in the Economic and Social Council. Lebanon was elected on the second ballot. Two further ballots were taken, but no country obtained the absolute majority required for election. Further balloting was postponed until the 50th plenary meeting of the General Assembly on December 7, 1946. On the sixth ballot the Byelorussian S.S.R. was elected. The choice for the last seat on the Council remained between the Netherlands and Turkey. Two further ballots proved inconclusive. In view of the deadlock further balloting was postponed.

At the 59th plenary meeting of the General Assembly on December 12, 1946, the representative of Belgium announced that his country, which had been elected to the Economic and Social Council during the first part of the first session of the General Assembly for a three-year term, was ready to give up its place on the Economic and Social Council on the condition that the General Assembly accept this solution and elect both the Netherlands and Turkey to the Council.

The representative of Yugoslavia, supported by the representative of Argentina and the U.S.S.R., pointed out that Belgium was free to withdraw from the Economic and Social Council, but that it was not possible to make the election of the Netherlands and Turkey a condition of withdrawal. In filling the vacancy left by the resignation of Belgium the General Assembly would have to proceed in accordance with its Rules of Procedure, which forbade nominations. The Belgian proposal in effect contained a nomination and was, therefore, contrary to the Rules of Procedure, which could not be changed except in accordance with Rule 117.

Other representatives, including those of China, Greece and the United States, supported the contention of the Belgian representative that the Belgian offer could be either accepted or rejected as a whole. If the proposal were not accepted, the Belgian representative stated, Belgium would not withdraw from the Economic and Social Council. The election to fill the vacancy created by Belgium's withdrawal would have to proceed in accordance with the rules of procedure, but acceptance of the Belgian proposal would constitute a "gentlemen's agreement" binding upon the Assembly. Several representatives considered, moreover, that the General Assembly was master of its own procedure and could construct its own rules when confronted with unique situations.

The representative of the Netherlands announced that in case of acceptance of the Belgian proposal his Government would be willing to succeed Belgium and to remain a member of the Economic and Social Council for the unexpired term of office of that country, namely, two years instead of three, thus enabling the General Assembly to elect Turkey for the regular three-year term.

By a vote of 34 to 4, with 9 abstentions, the General Assembly accepted the Belgian proposal. Accordingly, the Netherlands delegation withdrew its candidature and Turkey was elected for a three-year term. By a separate vote the Netherlands was elected to fill the vacancy created by the withdrawal of Belgium from the Economic and Social Council.

(3). Election of Members of the Trusteeship Council

Following approval by the General Assembly, on December 13, 1946, of the eight trusteeship agreements, the General Assembly, in accordance with Article 86 of the Charter, had to elect two members of the Trusteeship Council.

At the 63rd plenary meeting of the General Assembly on December 14, 1946, the representative of the U.S.S.R. announced that he considered the Trusteeship Agreements approved by the Assembly to be in contradiction to the terms of the Charter. They could not, therefore, in his Government's view, be used as a basis for the establishment of the Trusteeship Council, and the U.S.S.R. delegation could not participate in the election of members of the Trusteeship

Council. The representatives of the Byelorussian S.S.R., the Ukrainian S.S.R. and Yugoslavia made similar declarations.

By 36 and 34 votes respectively, the Assembly elected Mexico and Iraq as members of the Trusteeship Council. By 40 votes without opposition the General Assembly then approved the following resolution proposed by the Fourth Committee (Trusteeship):

The General Assembly approved, on 13 December 1946, in accordance with Article 85 of the Charter, the terms of the Trusteeship Agreements for New Guinea, Ruanda-Urundi, Cameroons under French administration and Togoland under French administration, Western Samoa, Tanganyika, Cameroons under British administration and Togoland under British administration.

In these agreements, Australia, Belgium, France, New Zealand and the United Kingdom have been designated as Administering Authorities.

The conditions necessary for the constitution of the Trusteeship Council can thus be fulfilled.

In accordance with Article 86 a, Australia, Belgium, France, New Zealand, and the United Kingdom will be members of the Trusteeship Council.

By application of Article 86 b, China the United States of America and the Union of Soviet Socialist Republics, being such of the Members mentioned by name in Article 23 of the Charter as are not administering Trust Territories, will also be members of the Trusteeship Council.

In accordance with Article 86 c it is necessary, in order to ensure that the total number of members of the Trusteeship Council is equally divided between those Members of the United Nations which administer Trust Territories and those which do not, that two members should be elected by the General Assembly.

THEREFORE,

THE GENERAL ASSEMBLY

1. ELECTS Mexico and Iraq as members of the Trusteeship Council for a term of three years;

2. DIRECTS the Secretary-General to convoke the first session of the Trusteeship Council not later than 15 March 1947, and to draw up and communicate to each member of the Council the provisional agenda for that session at least thirty days in advance of the date of the session.

(4). Proposed Increase in the Membership of the Economic and Social Council

On November 2, 1946, the Argentine delegation submitted a request that the following proposal be included in the agenda of the General Assembly:

"That the number of members of the Economic and Social Council stipulated in Article 61, paragraph 1, be increased to twenty-four."

At the 24th meeting of the General Committee on November 5, 1946, several members expressed opposition to the inclusion, at such a late date, of an item involving an amendment to the Charter as it did not give Member Governments sufficient time for consideration. A suggestion by the representative of the United Kingdom that the proposal be submitted to the next regular session of the General Assembly was accepted by the Argentine delegation. By a vote of 11 to 2, therefore, the General Committee decided to include a statement in its report to the General Assembly, to the effect that the representative of Argentina had decided to submit his proposal for inclusion in the agenda of the second regular session of the General Assembly.

(5) Terms of Office of Members of the Councils

By a resolution of February 13, 1946, the General Assembly had decided that members of Councils elected in January 1946 should hold office for twelve months and that the Secretary-General should report to the second part of the first session of the General Assembly what changes in the Rules of Procedure might be necessary to implement the Assembly's decision.

This resolution was understood at the time to be limited to the single case of members elected in January 1946 for a term of one year. Accordingly the Secretary General in his report to the second part of the first session of the Assembly submitted amendments to the Rules of Procedure to give effect to this decision. If these amendments had been adopted, the terms of office of members of Councils would have been as follows:

(a) Members of Councils, elected in January 1946 for one year would hold office from January 1946 to January 1947.

(b) Members of Councils elected in January 1946 for two years would hold office from January 1946 to September 1947.

(c) Members of the Economic and Social Councils elected in January 1946 for three years would hold office from January 1946 to September 1948.

(d) Members of the Security Council elected at the second part of the first session would hold office from January 1947 to September 1948.

(e) Members of the Economic and Social Council elected at the second part of the first session would hold office from January 1947 to September 1949.

(f) Members of the Security Council elected at the second session would hold office from September 1947 to September 1949.

(g) Members of the Economic and Social Council elected at the second session would hold office from September 1947 to September 1950.

The Sixth Committee (Legal), to which the question was referred, considered that it was desirable to regularize the terms of office of all members of Councils and that the principles adopted for members elected for a one-year term applied equally to members elected for two-year or three-year terms. The Committee therefore adopted a proposal of the representative of the United States that the term of office of any member of a Council should begin on January 1 following his election by the General Assembly and should end on December 31 folfollowing the election of a member for the next term at the regular session of the General Assembly.

Several representatives considered that provision should be made to continue members of Councils in office in case the General Assembly failed to elect new members before January 1. Although recognizing that the terms of office of some members might expire before their successors had been elected if it were found impossible at any time to hold a regular session of the General Assembly, the Sixth Committee in its report to the General Assembly took the view that this difficulty arose directly from the Charter itself, and could not be rectified by any modification of the rules of procedure.

At its 47th plenary meeting on November 9, 1946, the General Assembly unanimously approved the report of the Sixth Committee and adopted the resolution drafted by the Committee as follows:

THE GENERAL ASSEMBLY,

1. APPROVES the report on the terms of office of Members elected to Councils presented by the Sixth Committee;

RESOLVES to replace Rule 87 of the amended provisional rules of procedure for the General Assembly and Rule J of the supplementary provisional rules of procedure for the first session of the General Assembly by the following Rules:

Rule 87

The term of office of Members shall begin on 1 January following their election by the General Assembly, and shall end on 31 December following the election of their successors.

Supplementary Rule J

Members of Councils elected for one, two and three years during the first part of the first regular session of the General Assembly shall hold office until 31 December 1946, 1947 and 1948 respectively. Their successors shall be elected during the second part of the first regular session and during the second and third regular sessions of the General Assembly respectively, and shall take and continue in office in accordance with Rule 87.

d. Procedural Matters

(1). Installation of Assistant Secretaries-General

In accordance with the provisional staff regulations adopted by the General Assembly on February 13, 1946, Assistant Secretaries-General are required to take the oath of office at a public meeting of the General Assembly.

At the 35th plenary meeting of the General Assembly on October 24, 1946, the Secretary-General, Mr. Trygve Lie, presented the eight Assistant Secretaries-General whom he had appointed between the first and the second parts of the first session of the General Assembly:

Department of Security Council Affairs: Arkady A. Sobolev (U.S.S.R.)
Department of Economic Affairs: David Owen (United Kingdom)
Department of Social Affairs: Henri Laugier (France)
Department of Trusteeship and Information from Non-Self-Governing Territories: Victor Chi-Tsai Hoo (China)
Department of Public Information: Benjamin Cohen (Chile)
Legal Department: Ivan Kerno (Czechoslovakia)
Department of Conference and General Services: Adrian Pelt (Netherlands)
Department of Administrative and Financial Services: John B. Hutson (United States)[1]

(2). Date of the Regular Session of the General Assembly

Rule 1 of the Provisional Rules of Procedure adopted by the General Assembly during the first part of its first session provided that "the General Assembly shall meet every year in regular session commencing on the first Tuesday after September 2." The Secretary-General submitted a proposal to the second part of the first session of the General Assembly to change the date of the Assembly's regular session from the first Tuesday after September 2 to the first Tuesday after October 2. The Secretary-General felt that this change would be in the interest of the efficiency of the whole organization. It would make it possible for the members of the Secretariat to take vacations during July and August, which for climatic reasons was very important. At the same time it would allow sufficient time to prepare adequately for the Assembly session.

[1] Mr. Hutson later resigned and was succeeded by Mr. Byron Price (United States) in March 1947.

The General Assembly referred the proposal to the Fifth Committee (Administrative and Budgetary) with instructions to consult the Sixth Committee (Legal) on the legal aspects of the question. In the Fifth Committee several members opposed the proposal on the ground that the General Assembly sessions, if held in October, would conflict with meetings of the national parliaments of certain States. Leading statesmen might thus be unable to attend the Assembly sessions. Moreover, in some countries the fiscal year started on January 1. If the General Assembly sessions, were held too close to the end of the year, these countries could not take the Assembly's decisions into consideration in drawing up their budgets.

The question was referred to a Joint Sub-Committee of the Fifth and Sixth Committees, which, as a compromise, suggested that the regular sessions of the General Assembly should commence on the third Tuesday in September. A French proposal that the General Assembly should convene on the Tuesday between September 12 and 18 was not accepted by the Fifth Committee, which approved the Sub-Committee's report by 34 votes to 6 at its 32nd meeting on November 29. At its 31st meeting on December 6 the Sixth Committee approved the report of the Sub-Committee by 22 votes to 2. The General Assembly at its 50th plenary meeting on December 7, 1947, unanimously adopted the following resolution:

THE GENERAL ASSEMBLY RESOLVES that Rule 1 of the Provisional Rules of procedure shall be amended to read:

"The General Assembly shall meet every year in regular session commencing on the third Tuesday in September."

(3). Proposal to Hold the Next Session of the General Assembly in Europe.

The representative of the Ukrainian S.S.R. submitted a proposal that the second session of the General Assembly be held in Europe. At its 26th meeting on November 19, 1946, the General Committee of the General Assembly unanimously recommended inclusion of the proposal in the agenda of the second part of the first session of the General Assembly.

At the 67th plenary meeting of the General Assembly the representative of the Ukrainian S.S.R. stated that the permanent headquarters of the United Nations would not be ready in time for the second session of the General Assembly. The temporary facilities at Lake Success and Flushing Meadow, N. Y., he considered, were very inconvenient and representatives spent too much time traveling back and forth between the two sites. Moreover, the continent of Europe, which had a particular interest in the organization, had not yet seen it functioning on its own territory. In view of these considerations and in view of the fact that the former League of Nations buildings in Geneva were readily available, the Ukrainian representative urged strongly that the second session of the General Assembly be held in Europe. He submitted the following draft resolution:

GENERAL ASSEMBLY OF THE UNITED NATIONS

1. RESOLVES to convene the second regular session of the General Assembly of the United Nations in Europe.

2. AUTHORIZES the Secretary-General to determine the place in Europe where the second session of the General Assembly shall be convened.

The Secretary-General urged that, for administrative and technical reasons, the second session of the General Assembly should be held at the temporary headquarters of the United Nations in the United States. To transport a large staff from the United States to Europe would entail considerable additional expense.

After some discussion the General Assembly by a vote of 35 to 14, with 4 abstentions, rejected the Ukrainian draft resolution.

(4). Measures to Economize the Time of the General Assembly

The Canadian Government requested that an item, "Measures to Economize the Time of the General Assembly," be included in the agenda of the second part of the first session of the General Assembly. The large number of international conferences which were being held, the Canadian Government considered, made it difficult for States to provide adequate representation at each conference. Moreover, unduly protracted conferences tended to diminish the prestige of the organizations which were responsible for calling them. The General Assembly, in particular, could not be successful in carrying out its important tasks if delegations did not include Ministers responsible for the formulation and carrying out of policy. The chances of these Ministers being able to be present during the whole period of the sessions of the General Assembly would be greater if the sessions were

not unduly prolonged. The Canadian Government therefore submitted a number of proposals designed to expedite the work of the General Assembly.

The General Committee, at its 25th meeting on November 6, 1946, created a sub-committee composed of Belgium, China, France, Panama, Syria, the Ukrainian S.S.R., the U.S.S.R., the United Kingdom and Canada (in an advisory capacity), to consider the question of measures to economize the time of the General Assembly which had been referred to the General Committee by the General Assembly. In the interest of better geographical distribution China was added to the Sub-Committee at the 26th meeting of the General Committee on November 19 in place of Uruguay.

The delegations of Canada and Norway and the Secretary-General submitted memoranda to the Sub-Committee suggesting means for improving the procedure of the General Assembly. After some discussion the Sub-Committee decided that the question before it was important and complicated and that it deserved a detailed study such as the Sub-Committee would be unable to make during the current session of the General Assembly. The Committee therefore suggested that the Secretary-General undertake such a study before the next session.

Some representatives thought that, in addition, a committee consisting of fifteen members should be constituted to consider between the first and second regular sessions the whole question of measures to economize the time of the General Assembly, together with the recommendations of the Secretary-General, and to report thereon to the second session of the General Assembly. The representative of the U.S.S.R., on the other hand, was of the opinion that the constitution of a committee was unnecessary and that the Secretary-General could appropriately submit his recommendations directly to the General Assembly at the opening of the second session.

The General Committee at its 27th meeting on December 13 approved the Sub-Committee's recommendations and decided to recommend to the General Assembly the adoption of the resolution drafted by the Sub-Committee. At its 67th plenary meeting on December 15, 1946, the General Assembly unanimously approved all but the last paragraph of the resolution. The last paragraph, which was voted on separately, was adopted by a vote of 34 to 5, with 6 abstentions. Following is the text of the resolution:

THE GENERAL ASSEMBLY,

RECOGNIZING that the agenda of future sessions will likely entail a heavy volume of work and that the experience acquired during the first session reveals that decisions could be reached more expeditiously through improvements in the Rules of Procedure and internal organization;

TAKING INTO CONSIDERATION the various proposals that have been submitted on measures to economize the time of the General Assembly and of the discussions pertaining thereto;

INVITES Members of the General Assembly to forward to the Secretary-General any suggestions they may wish to make regarding measures to economize the time of the General Assembly and proposed changes in the provisional rules of procedure;

DIRECTS the Secretary-General to make a study of measures to economize the time of the General Assembly, and of the Provisional Rules of Procedure, taking into account:

1. The memoranda submitted by the delegation of Canada;
2. Suggestions received from Members pursuant to the above invitation;
3. The views expressed in the Sub-Committee of the General Committee during its consideration of this question;
4. The experience acquired and the precedents established during the first session;

and to prepare a report for circulation three months before the opening of the Second Session;

APPOINTS a Committee on Procedures and Organization consisting of fifteen Members to be designated by the Governments of

Argentina, Belgium, Canada, China, Cuba, Denmark, France, Greece, Haiti, Peru, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Kingdom, United States of America, Yugoslavia,

which shall meet one week before the opening of the second regular session for the purpose of considering the report of the Secretary-General and of studying the provisional rules of procedure and internal organization of the General Assembly and to present a report thereon to the General Assembly at the beginning of the second regular session.

2. POLITICAL AND SECURITY MATTERS

a. Admission of Afghanistan, Iceland and Sweden to Membership in the United Nations

The General Assembly at its 46th plenary meeting on October 31, 1946, referred to the First Committee (Political and Security) the Special Report by the Security Council to the General Assembly on the Admission of New Members. At its twelfth meeting on November 2, 1946, the First Committee unanimously

agreed to recommend to the General Assembly the admission to the United Nations of Afghanistan, Iceland and Sweden.

At the next meeting of the First Committee on November 5 the Rapporteur presented the following draft resolution:

The General Assembly has taken note of the recommendations of the Security Council on the admission of Afghanistan, the Republic of Iceland and Sweden to membership in the United Nations and of the report submitted by the First Committee which unanimously approved the recommendations of the Security Council;

THEREFORE
THE GENERAL ASSEMBLY DECIDES:

That Afghanistan, the Republic of Iceland and Sweden be admitted to membership in the United Nations.

The representative of Argentina submitted an amendment to the resolution drafted by the Rapporteur as follows:

The General Assembly has taken note of the applications for membership submitted to the Organization of the United Nations by Afghanistan, the Republic of Iceland and Sweden and of the recommendations of the Security Council . . .

The purpose of this amendment, the Argentine representative explained, was merely to clarify the text by indicating precisely the steps followed in approving applications for admission to membership in the United Nations. The vote on the amendment was 19 in favor to 14 against, with 16 abstentions. The Chairman of the First Committee ruled that the Argentine amendment was not adopted. He stated that the amendment was not a mere drafting change but that it represented a major modification of the method of admitting new Members by implying that the General Assembly could take note of applications and not only of the recommendations of the Security Council. The view was expressed that it was an attempt to modify Article 4 of the Charter. A two-thirds majority vote in the Committee was therefore required. Even if it were held that only a simple majority vote was required, 26 votes would be necessary for adoption of the amendment.

The Chairman's ruling was debated at length. The members who opposed the Chairman's ruling pointed out that the Committees of the General Assembly, according to the rules of procedure, took their decisions by a simple majority vote and not by a two-thirds majority and that abstentions were not to be counted in determining majorities. When a vote was taken on the Chairman's ruling it was rejected by 4 votes in favor to 46 against, with 1 abstention. The representative of the U.S.S.R. protested the decision and announced that his Government would not consider itself bound by it.

At its fourteenth meeting on November 6, 1946, the First Committee rejected by 33 votes to 11 a Czechoslovakian proposal to revise the text of the draft resolution further for the sake of clarification and voted 10 in favor to 35 against, not to reconsider the decision on the Argentine amendment. The Committee then adopted the Rapporteur's draft as amended by the Argentine delegation, by 47 votes to 3, with 1 abstention.

At its 47th plenary meeting on November 9, 1946, the General Assembly accepted a Danish drafting change designed to meet the objections of certain delegations to the resolution submitted by the First Committee. The Assembly then unanimously adopted the resolution as follows:

The General Assembly has taken note of the applications for membership submitted to the Organization of the United Nations, in accordance with the provisions of Article 4 of the Charter and rules 113 and 114 of the rules of procedure, by Afghanistan, the Republic of Iceland and Sweden;

Of the recommendations of the Security Council on the admission of Afghanistan, the Republic of Iceland and Sweden to membership in the United Nations;

And of the report submitted by the First Committee which unanimously approved the recommendations of the Security Council.

THEREFORE
THE GENERAL ASSEMBLY DECIDES:

That Afghanistan, the Republic of Iceland and Sweden be admitted to membership in the United Nations.

At the 48th plenary meeting of the General Assembly on November 19, 1946, Afghanistan, Iceland and Sweden were officially welcomed as Members of the United Nations and the representatives of these countries took their seats in the General Assembly.

b. Admission of Siam to Membership in the United Nations

On December 12, 1946, the Security Council unanimously recommended to the General Assembly that Siam be admitted to membership in the United Nations. Upon the recommendation of the General Committee, the General Assembly at its 67th plenary meeting on December 15,

1946, unanimously adopted the following resolution:

THE GENERAL ASSEMBLY

Having taken note of the application for membership submitted to the Organization of the United Nations by Siam,

And of the recommendations of the Security Council on the admission of Siam to membership in the United Nations;

DECIDES, THEREFORE:

That Siam be admitted to membership in the United Nations.

On April 28, 1947, when the first special session of the General Assembly convened, Siam was formally admitted to membership in the United Nations.

c. Question of the Re-examination by the Security Council of Certain Applications for Admission to Membership in the United Nations

While recommending to the General Assembly that Afghanistan, Iceland and Sweden be admitted to membership in the United Nations, the Security Council did not make recommendations concerning the applications for membership which had been submitted by the People's Republic of Albania, the Mongolian People's Republic, the Hashemite Kingdom of Transjordan, Ireland and Portugal.

During the First Committee's consideration of the Security Council's report a number of representatives expressed the view that not only had the General Assembly the right to act on the Security Council's recommendation for the admission of Afghanistan, Iceland, and Sweden, but that it was within the General Assembly's competence to review the Security Council's entire proceedings regarding membership applications. In rejecting five of the eight applications submitted, the Security Council, these representatives considered, had based its decision on criteria not contained in the Charter. The aim of the United Nations was universality. The Security Council had exceeded its authority in setting up requirements for admission to membership other than those contained in Article 4 of the Charter: the peace-loving character of a State and its willingness and ability to fulfil the obligations of the Charter. Three similar proposals were submitted to the First Committee by the representatives of Egypt, Panama and the Philippine Republic recommending that the General Assembly return to the Security Council the applications of Albania, Mongolia, Trans-Jordan, Ireland and Portugal, and that the Security Council be asked to reconsider these applications on the sole basis of the relevant Charter provisions.

The representative of the U.S.S.R. and several other representatives opposed these proposals on the ground that the question before the Committe was the admission of three new Members to the United Nations and not the proceedings of the Security Council. The Security Council, these representatives considered, was entirely competent to decide whether to recommend the admission of a new Member, and the Council's proceedings were not subject to review by the General Assembly. Every organ of the United Nations had the right to interpret the Charter in its own way and one organ could not question the interpretation given by another. The determining element in accepting or rejecting membership applications, the U.S.S.R. representative argued, was the applicant's contribution to the cause of the United Nations in their fight against fascism. Albania and Mongolia had made considerable contributions to the United Nations cause and therefore had been unjustly treated by not being admitted to the United Nations. Portugal had maintained close relations with the Franco regime during the war and Ireland, to say the least, had done nothing to assist the United Nations during the war. Moreover, neither of these two countries maintained diplomatic relations with the U.S.S.R., and should not be admitted to membership in the United Nations. As to Transjordan, there was no proof whether it was really independent.

On the recommendation of the Chairman, the First Committee at its fourteenth meeting on November 6 appointed a Sub-Committee to draw up a resolution on the basis of the three draft resolutions submitted by the representatives for Panama, Egypt and the Philippine Republic. The Sub-Committee drafted a text which was acceptable to the representatives of the three countries mentioned. The operative part of the resolution stated:

THE GENERAL ASSEMBLY RECOMMENDS

That the Security Council reconsider, in accordance with Article 4 of the Charter, applications for membership in the United Nations of the People's Republic of Albania, the Mongolian People's Republic, the Hashemite Kingdom of Transjordan, Ireland and Portugal.

At the seventeenth meeting of the First Committee on November 11, 1946, the representative of Czechoslovakia introduced an amendment which the representative of the Ukrainian

S.S.R. had introduced in the Sub-Committee, but which the Sub-Committee had not considered as being within its terms of reference. The amendment was to the effect that the Security Council should reconsider the applications for membership "strictly on their respective merits, especially in regard to their conduct in the course of the second World War."

Several representatives urged that no mention should be made of the role played by various countries during the war. The importance of this factor would diminish, it was pointed out, with the lapse of time. It was hoped eventually to admit even the ex-enemy States to the United Nations. The representative of Panama submitted a compromise text stating that ". . . the Security Council should take into consideration, among other factors, the attitude of the candidate States during the Second World War." This text was rejected by a vote of 35 to 11.

After accepting several drafting changes the First Committee adopted the resolution presented by the sub-committee by 42 votes without opposition and with 7 abstentions. At its 49th plenary meeting on November 19, 1946, the General Assembly adopted the text of the resolution as follows:

Applications for membership in the United Nations were submitted by the People's Republic of Albania, the Mongolian People's Republic, the Hashemite Kingdom of Transjordan, Ireland and Portugal;

The Security Council, which examined these applications, has not made any recommendations;

Since membership in the United Nations is open to all peace-loving States which accept the obligations contained in the Charter and which in the judgment of the Organization are able and willing to carry out these obligations, as stated in Article 4;

THEREFORE THE GENERAL ASSEMBLY RECOMMENDS that the Security Council re-examine the applications for membership in the United Nations of the above-mentioned States on their respective merits as measured by the yardstick of the Charter, in accordance with Article 4.

d. Rules Governing the Admission of New Members to the United Nations

Considering that the existing rules for the admission of new Members to the United Nations were not satisfactory, the representative of Australia on November 2, 1946, submitted the following draft resolution to the First Committee:

The General Assembly, recognizing that the admission of new Members to the United Nations is a corporate act of the whole Organization, requests the Security Council to appoint a committee to confer with a committee on procedures of the General Assembly with a view to preparing rules governing the admission of new Members which will be acceptable both to the General Assembly and to the Security Council.

In the preparation of such rules regard should be paid to the following principles:

(a) The admission of new Members is a corporate act.
(b) The General Assembly has primary and final responsibility in the process of admission.
(c) The Security Council, not having been given any general power covering all matters within the scope of the Charter, its recommendation for the admission of an applicant to membership should be based solely on the judgment of the Council that the applicant State is able and willing to carry out its obligations under those sections of the Charter which come within the competence of the Security Council.

At the seventeenth meeting of the First Committee on November 11, 1946, the Australian representative explained that in his view applications for admission to membership should be submitted first to the General Assembly, because the Assembly could take into account all factors and act on behalf of the organization as a whole. The Security Council was to decide concerning the ability of the applicant to fulfil the conditions of the Charter with regard to security. After receiving the Security Council's report the General Assembly would decide to accept or reject the Security Council's recommendations.

Many representatives were willing to accept the proposal to establish a committee to study the procedure for the admission of new Members, but most of them disagreed with the principles expressed in the Australian resolution. Others opposed the Australian proposal altogether, considering it an effort to undermine the position of the Security Council. In the view of these representatives, no new rules were necessary and the establishment of a mixed committee to decide on the procedure for the admission of new Members was contrary to the Charter, which provided that the General Assembly and the Security Council were each to work out their own rules of procedure.

In view of the criticism of the principles contained in the Australian resolution, the Australian representative at the eighteenth meeting

of the First Committee on November 12, 1946, agreed to omit all but the first paragraph of the resolution and to amend that paragraph to read as follows:

The General Assembly requests the Security Council to appoint a Committee to confer with a Committee on procedures of the General Assembly, with a view to preparing rules governing the admission of new Members which will be acceptable both to the General Assembly and to the Security Council.

This text was adopted by the First Committee by 29 votes to 9, with 7 absentions. At its 49th plenary meeting on November 19, 1946, the General Assembly adopted the resolution by 32 votes to 9, with 1 abstention.

On November 29, 1946, the Security Council appointed Brazil, China (Chairman) and Poland to serve on its Committee on Procedure for the Admission of New Members. The Committee was to "listen to the proposals which the Committee appointed by the General Assembly may have to make and to report those proposals back to the Council for further instructions."

The General Assembly's Committee on Procedure, composed of representatives of Australia, Cuba, India (Chairman), Norway and the U.S.S.R., held its first meeting on May 26, 1947.

The General Assembly's and the Security Council's Committees held a series of four conferences between May 28 and June 11. Discussion at these conferences was based on draft rules submitted by the representative of Australia. According to the rules proposed by the Australian representative the initiative for the admission of new members would be transferred from the Security Council to the General Assembly. The Security Council would examine the ability of an applicant State to carry out those obligations which were within the jurisdiction of the Council. If the Security Council did not recommend the admission of an applicant, it would have to refer its negative recommendation to the General Assembly.

The General Assembly Committee then held several meetings and drafted its proposals, which it submitted on June 30, 1947, to the Security Council with an explanatory letter.

e. Annual Report of the Security Council

In accordance with Article 24, paragraph 3, of the Charter, the Security Council submitted its Annual Report to the General Assembly; at its 46th plenary meeting on October 31, 1946, the Assembly referred the report to the First Committee. On the recommendation of the First Committee the General Assembly at its 45th plenary meeting on December 11, 1946, unanimously adopted the following resolution, which was submitted by the representative of the Netherlands:

THE GENERAL ASSEMBLY HAVING received and discussed the report of the Security Council,

RESOLVES to pass to the next item on the agenda.

f. Relations of Members of the United Nations with Spain

The delegations of Belgium, Czechoslovakia, Denmark, Norway and Venezuela requested that the question of relations between Spain and the United Nations be placed on the agenda of the second part of the first session of the General Assembly. On the recommendation of the General Committee the General Assembly at its 46th plenary meeting on October 31, 1946, referred the item to the First Committee (Political and Security).

By a letter of November 4, 1946, addressed to the President of the General Assembly, the Secretary-General, pursuant to Article 12, paragraph 2, of the Charter, notified the General Assembly that the Security Council had dropped the Spanish question from the list of items of which it was seized. The General Assembly took note of the Secretary-General's communication at its 47th plenary meeting on November 9, 1946.

At the 35th meeting of the First Committee on December 2, 1946, the representative of Poland stated that while the United Nations organization had emerged as a result of the joint efforts of the United Nations in their struggle against the Axis Powers, there still existed in Spain a surviving partner of the Axis. The Franco regime had become a rallying point for those who had seen their aims defeated by the United Nations. The Spanish question was a painful thorn in the living flesh of the United Nations. The organization as well as world peace and security would be menaced unless definite and final action was taken. Moral condemnation of Fascism was not sufficient. There was no truth in the argument that positive action against the Franco regime would actually strengthen it. On the contrary, what strengthened Franco was the conviction that the United Nations did not intend to act, or was incapable of doing so.

The representative of Poland therefore introduced two draft resolutions. The first resolution stressed that the Franco government should be barred from membership and participation in any of the organizations and agencies established by, or brought into relationship with the United Nations. The second resolution recalled the General Assembly's resolution of February 9, 1946. It further cited the findings of the Security Council's Sub-Committee which had investigated the Spanish question in May and June, 1946. The resolution concluded by stating that since that time the situation in Spain had deteriorated and had continued increasingly to disturb international relations. Therefore the General Assembly should recommend that each Member of the United Nations terminate forthwith diplomatic relations with the Franco regime.

A considerable number of representatives, including those of Belgium, the Byelorussian S.S.R., Chile, Czechoslovakia, Ethiopia, France, Guatemala, Mexico, Norway, Panama, the U.S.S.R., Uruguay, Venezuela and Yugoslavia, expressed views similar to those of the Polish representative and favored a break in diplomatic relations with the Franco regime. Although opposing intervention in the internal affairs of other States, the representatives of several Latin American countries stressed the fact that in their view collective action on the part of the United Nations and the breaking off of diplomatic relations in particular could not be considered intervention in the domestic affairs of Spain. Some representatives thought that the General Assembly should go a step further and recommend that each Member of the United Nations terminate not only diplomatic relations with the Franco government, but economic relations as well. The representative of the Byelorussian S.S.R. submitted an amendment to the Polish resolution to this effect.

While one group of representatives thus favored definite action on the part of the United Nations against the Franco regime, many were opposed to such a course on the ground that any such step as the collective breaking off of diplomatic relations with the Franco Government would constitute interference in the internal affairs of Spain in violation of Article 2, paragraph 7, of the Charter. Spain, they considered, had not taken any aggressive action against any Member of the United Nations. The Franco regime was not a direct threat to the peace, and there was therefore no basis for action on the part of the United Nations. The overthrow of the Franco regime and its replacement by a democratic government could not be achieved by imposing external pressure. Breaking off diplomatic relations or imposing economic sanctions would result only in making worse the situation of the Spanish people and in creating in Spain a political and economic chaos conducive to civil war. Removal of foreign diplomatic representatives from Spain, moreover, would result in shutting off channels of information and of humanitarian intervention, while the imposition of economic sanctions would dislocate supplies and drastically interfere with world trade, thus retarding the recovery of the war-torn countries of Europe. The Spanish people would ultimately work out their own salvation, and external political or economic pressure could be of no help to them.

Representatives who expressed themselves in favor of a policy of non-intervention included those of Argentina, Canada, China, Costa Rica, Cuba, Denmark, Ecuador, El Salvador, Nicaragua, Paraguay, Peru, the Philippine Republic, Sweden, the United Kingdom and the United States. At the 35th meeting of the First Committee on December 2, 1946, the United States representative submitted a resolution designed, in his view, to bring about a change of regime in Spain without civil strife and without foreign intervention. The resolution recommended that Spain be excluded from membership in the United Nations or any international agency related to it. The resolution then went on to state that

> THE GENERAL ASSEMBLY,
> recognizing that it is for the Spanish people to settle the form of their government; places on record its profound conviction that in the interest of Spain and of world co-operation the people of Spain should give proof to the world that they have a government which derives its authority from the consent of the governed; and that to achieve that end General Franco should surrender the powers of government to a provisional government broadly representative of the Spanish people, committed to respect, freedom of speech, religion, and assembly and to the prompt holding of an election in which the Spanish people, free from force and intimidation and regardless of party, may express their will,
> And invites the Spanish people to establish the eligibility of Spain for admission to the United Nations.

A number of other proposals were submitted to the First Committee in the form of amendments either to the Polish or to the United States resolution. The representative of Colombia considered that it was not possible to remove Franco from office without his consent or without bringing about civil strife. He therefore submitted a resolution in which the Assembly expressed the hope that a change might be brought about in the existing social and political system of Spain through co-operation between the Spanish people and their present government. It also recommended to the Latin American Republics that they should offer their good offices to the Government of Spain, should the latter think them useful, in order to achieve the change in the social and political conditions of Spain necessary to enable it to become a Member of the United Nations. If such a course produced no results, the General Assembly at its second session could consider adopting the resolution submitted by the representative of Poland calling for a collective break in diplomatic relations with the Franco regime as well as the proposal of the Byelorussian S.S.R. for economic sanctions.

The representative of Norway expressed concern as to whether a resolution calling for a break in diplomatic relations with the Franco regime would be effectively implemented since recommendations of the General Assembly were not legally binding upon Members of the United Nations. It was important, he urged, that a recommendation to break off relations be adopted by the greatest possible majority and that this majority put it into effect. He therefore submitted an amendment to the Polish resolution proposing that Member States should notify the Secretary-General by January 5, 1947, if they were prepared to break off diplomatic relations with the Franco regime. If two-thirds of the Member States signified their willingness to sever relations, the Secretary-General should request these States to do so as of February 1, 1947. If less than two-thirds of the Member States declared themselves ready to break off diplomatic relations, the Secretary-General should inform the Member States that they were free to break off or not to break off relations with the Franco regime.

The representative of Yugoslavia favored adoption of the United States resolution, with the addition of a paragraph recommending to all Members of the United Nations that they sever diplomatic relations with the government of General Franco. The representative of Belgium proposed to add to the United States resolution a recommendation to the effect that if within a reasonable time the political conditions cited in the United States resolution had not been realized, the Security Council consider adequate measures to be taken in order to remedy the situation. In the meantime the General Assembly should recommend to all Members of the United Nations that they recall immediately from Madrid, by way of warning, their ambassadors and ministers plenipotentiary accredited there.

The delegations of Chile, Guatemala, Mexico, Panama and Venezuela submitted a joint amendment to the United States resolution to omit the last two paragraphs of that resolution as quoted above and to replace them by the following text:

THE GENERAL ASSEMBLY

inasmuch as the United Nations, by the action they took in San Francisco, in Potsdam, in London, and more recently in Lake Success, have in fact collectively refused to maintain relations with the Franco regime, does hereby recommend that the Members of the United Nations take individually the same attitude they have taken collectively and refuse to maintain diplomatic relations with the present Spanish regime.

The Assembly further recommends that the States Members of the Organization report to the Secretary-General and to the next Assembly what action they have taken in accordance with this recommendation.

The First Committee discussed the various proposals at length at the 35th, 36th, 38th and 39th meetings. At its 39th meeting on December 4, 1946, the Committee accepted by 38 votes in favor, with 2 abstentions, a Cuban proposal to appoint a sub-committee of 11 members to draft a resolution based on the proposals and amendments submitted to the Committee which might be unanimously acceptable.

The Committee approved by 28 votes to 8, with 9 abstentions, the composition of the Sub-Committee as follows, including the authors of resolutions or amendments to resolutions and the permanent members of the Security Council: Belgium, the Byelorussian S.S.R., Chile, China, Colombia, Cuba, France, Guatemala, Mexico, the Netherlands, Norway, Panama, Poland, the U.S.S.R., the United Kingdom, the United States, Venezuela and Yugoslavia.

At its 43rd meeting on December 9, 1946, the First Committee considered the Sub-Committees's report. The Sub-Committee had used the resolution submitted by the representative of the United States as a basis for discussion. The preamble of the resolution adopted by the Sub-Committee included paragraphs from both the

United States and the Polish resolutions and an amendment submitted by the representative of Belgium. The Sub-Committee further approved the first recommendation contained in the United States resolution, that the Franco government be debarred from membership in any international agency set up by, or brought into relationship with the United Nations. In place of the second recommendation of the United States resolution as quoted above, however, the Sub-Committee adopted the amendment submitted jointly by the delegations of Mexico, Venezuela, Guatemala, Panama and Chile recommending that the Members of the United Nations refuse to maintain diplomatic relations with the present Spanish regime.

In the First Committee the representative of the United States reintroduced, as an amendment to the Sub-Committee's text, the text of his recommendation which had been rejected by the Sub-Committee. The United States text was rejected by a vote of 22 in favor, 22 opposed, with 6 abstentions. The text adopted by the Sub-Committee was likewise rejected by a vote of 20 in favor and 20 opposed, with 10 abstentions.

As the Committee had rejected the two alternative texts before it, the representative of Belgium reintroduced his proposal that the Security Council should consider measures to be taken if a change in regime was not brought about in Spain within a reasonable time, and that in the meantime all Members of the United Nations should recall their ambassadors and ministers plenipotentiary. This proposal was adopted by a vote of 27 to 7, with 16 abstentions. The entire resolution was then adopted by 23 votes to 4, with 20 abstentions.

The report and draft resolution adopted by the First Committee were discussed at the 57th, 58th and 59th plenary meetings of the General Assembly. After many of the representatives had reiterated their points of view as previously expressed in the First Committee, the General Assembly at its 59th plenary meeting on December 12, 1946, adopted the resolution proposed by the First Committee as follows:

The peoples of the United Nations, at San Francisco, Potsdam and London condemned the Franco regime in Spain and decided that as long as that regime remains, Spain may not be admitted to the United Nations.

The General Assembly, in its resolution of 9 February 1946, recommended that the Members of the United Nations should act in accordance with the letter and the spirit of the declarations of San Francisco and Potsdam.

The peoples of the United Nations assure the Spanish people of their enduring sympathy and of the cordial welcome awaiting them when circumstances enable them to be admitted to the United Nations.

The General Assembly recalls that in May and June 1946, the Security Council conducted an investigation of the possible further action to be taken by the United Nations. The Sub-Committee of the Security Council charged with the investigation found unanimously:

"(a) In origin, nature, structure and general conduct, the Franco regime is a Fascist regime patterned on, and established largely as a result of aid from Hitler's Nazi Germany and Mussolini's Fascist Italy.
(b) During the long struggle of the United Nations against Hitler and Mussolini, Franco, despite continued Allied protests, gave very substantial aid to the enemy Powers. First, for example, from 1941 to 1945, the Blue Infantry Division, the Spanish Legion of Volunteers and the Salvador Air Squadron fought against Soviet Russia on the Eastern front. Second, in the summer of 1940, Spain seized Tangier in breach of international statute, and as a result of Spain maintaining a large army in Spanish Morocco large numbers of Allied troops were immobilized in North Africa.
(c) Incontrovertible documentary evidence establishes that Franco was a guilty party with Hitler and Mussolini in the conspiracy to wage war against those countries which eventually in the course of the world war became banded together as the United Nations. It was part of the conspiracy that Franco's full belligerency should be postponed until a time to be mutually agreed upon."

THE GENERAL ASSEMBLY

CONVINCED that the Franco Fascist Government of Spain, which was imposed by force upon the Spanish people with the aid of the Axis Powers and which gave material assistance to the Axis Powers in the war, does not represent the Spanish people, and by its continued control of Spain is making impossible the participation of the Spanish people with the peoples of the United Nations in international affairs;

RECOMMENDS that the Franco Government of Spain be debarred from membership in international agencies established by or brought into relationship with the United Nations, and from participation in conferences or other activities which may be arranged by the United Nations or by these agencies, until a new and acceptable government is formed in Spain.

THE GENERAL ASSEMBLY

FURTHER DESIRING to secure the participation of all peace-loving peoples, including the people of Spain, in the community of nations,

RECOMMENDS that, if within a reasonable time, there is not established a government which derives its authority from the consent of the governed, committed to respect freedom of speech, religion and assembly and to the prompt holding of an election in which Spanish people, free from force and intimidation and regardless of party, may express their will, the Security Council consider the adequate measures to be taken in order to remedy the situation;

RECOMMENDS that all Members of the United Nations immediately recall from Madrid their ambassadors and ministers plenipotentiary accredited there.

THE GENERAL ASSEMBLY FURTHER RECOMMENDS that the States Members of the Organization report to the Secretary-General and to the next session of the Assembly what action they have taken in accordance with this recommendation.

(1). Action by Member Governments

On December 20, 1946, the Secretary-General sent a circular telegram to Member Governments requesting that he be informed, as soon as possible, of action taken by them in accordance with the above resolution. Fifty-five replies were received which revealed the following:

(a) Three States had recalled ambassadors or ministers following the adoption of the General Assembly's resolution: the Netherlands, the United Kingdom and El Salvador.

(b) Nineteen States had no ambassador or minister plenipotentiary accredited to Spain at the time of the adoption of the resolution: Brazil, Belgium, Chile, Colombia, Costa Rica, Cuba, Denmark, Ecuador, Egypt, France, Greece, Nicaragua, Norway, Paraguay, Peru, Sweden, Turkey, the United States and Uruguay.

(c) Thirty States had no diplomatic relations with the Franco Government at the time of the adoption of the resolution: Afghanistan, Australia, Bolivia, the Byelorussian S.S.R., Canada, China, Czechoslovakia, Ethiopia, Guatemala, Haiti, Honduras, Iceland, India, Iran, Iraq, Lebanon, Luxembourg, Mexico, New Zealand, Panama, Philippine Republic, Poland, Saudi Arabia, Siam, Syria, the Union of South Africa, the Ukrainian S.S.R., the U.S.S.R., Venzuela and Yugoslavia.

(d) One State declared that it would adhere to the General Assembly resolution and had so advised its representative in Madrid: Liberia.

(e) One State replied that proper consideration would be given to the resolution and that the Secretary-General would be informed in due course: Dominican Republic.

(f) One State simply acknowledged receipt of the communication: Argentina.

(2) Resolution in Aid of the Spanish People Submitted by the Representative of France

The representative of France submitted the following resolution to the Sub-Committee charged with the task of drawing up a generally acceptable resolution on the relations of Members of the United Nations with Spain:

THE GENERAL ASSEMBLY RECOGNIZES

1. That the majority of the Spanish people are in a situation of hardship because they are seriously deprived of food necessary to their existence.
2. That the Franco Regime exports considerable quantities of foodstuffs which are essential for the feeding of the impoverished Spanish people.
3. That the Franco Regime uses foreign exchange obtained from such exports to reinforce the political organization that has been repeatedly condemned by the United Nations.

THEREFORE
THE GENERAL ASSEMBLY RECOMMENDS

That the Members of the United Nations should forthwith put an end to all imports from Spain of foodstuffs and their products until the United Nations is assured that these products are no longer an immediate necessity for the food requirements of the Spanish people.

The Sub-Committee adopted the French proposal by 11 votes to 5, with 2 abstentions. At the 43rd meeting of the First Committee the representative of France stated that the impoverished condition of the Spanish people was known and that in his view a gesture saying that the United Nations would not allow Franco to export the people's necessities would be greatly appreciated. The representative of the United Kingdom opposed the French resolution on the ground that the measures proposed constituted partial economic sanctions, that such measures would interrupt channels of trade and would deprive Great Britain, for example, of its only source of fresh fruits and other products, thus lowering the food standards of the British people.

The First Committee rejected the French proposal by a vote of 32 to 10, with 4 abstentions.

g. Voting Procedure in the Security Council

Two items dealing with the voting procedure in the Security Council were submitted to the second part of the first session of the General

Assembly. The delegation of Australia requested the inclusion of the following item in the agenda:

The application of Article 27 of the Charter (dealing with the method of voting in the Security Council) in the proceedings of the Security Council during 1946, and including the exercise and the purported exercise of the right of veto upon Security Council decisions conferred by Article 27 and the circumstances connected therewith.

The representative of Cuba submitted a proposal for "the calling of a general conference of the Members of the United Nations in accordance with Article 109 of the Charter in order to modify Article 27 of the Charter in order to eliminate the so-called veto privilege." He submitted a second proposal for the calling of a general conference of the Members of the United Nations for the purpose of reviewing the Charter.

At the twentieth meeting of the General Committee on October 25, 1946, the representative of the U.S.S.R. moved that the Committee recommend that these items be not included in the agenda of the General Assembly. He considered that the principle of unanimity among the great powers constituted one of the most solid foundations of the United Nations and should not be subject to discussion or revision. The representative of the U.S.S.R. withdrew his motion after several members had expressed the view that the General Committee was not competent to decide on the merits of the question, and that the three items in question could not be excluded from the agenda.

The General Assembly at its 46th plenary meeting on October 31, 1946, decided that the item submitted by the representative of Australia and the two Cuban proposals be considered together and that they be referred to the First Committee. A proposal by the representative of Cuba to refer the matter jointly to the First and Sixth Committees was defeated by a vote of 14 to 11.

Five draft resolutions were submitted to the First Committee. The representative of Australia submitted the following resolution:

THE GENERAL ASSEMBLY,

MINDFUL of the Purposes and Principles of the Charter of the United Nations and having taken notice of the manner in which the power of veto conferred by Article 27 (3) of the Charter has been employed in the proceedings of the Security Council in relation to matters outside Chapter VII of the Charter

CONSIDERS that in some instances the use and the threatened use of such power of veto have not been in keeping either with the general purposes and principles of the Charter or with the understanding of the United Nations Conference on International Organization held at San Francisco, and therefore

EARNESTLY REQUESTS that the permanent members of the Security Council shall refrain from exercising this power of veto except in cases under Chapter VII of the Charter.

The representative of Cuba combined his two proposals for the calling of a general conference to eliminate the veto and the calling of a general conference to review the Charter. Accordingly he proposed that the General Assembly resolve (1) to convene a general conference for the purpose of reviewing the Charter, the conference to be held immediately after the conclusion of the Assembly, and (2) to appoint a special committee composed of all those Members of the United Nations which should suggest alterations in the Charter before February 1, 1947, this committee to carry out all of the necessary preparatory studies in connection with the general conference.

The representative of the Philippines submitted a resolution to amend Article 27, paragraph 3, of the Charter in such a way as to require the affirmative vote of three instead of all five permanent members of the Security Council for decisions on any matter of substance.

According to a fourth resolution, submitted by the representative of Peru, the General Assembly was to recommend the great powers "to make a more restricted use of the unanimity rule laid down in Article 27, paragraph 3, of the Charter, limiting it to cases in which they are able to state publicly in what way the solution proposed for an international problem affects their security." In addition the General Assembly was to recommend the great powers "to support juridical or pacific solutions based on concepts of international justice and morality and on the protection and defense of human rights advocated in the San Francisco Charter as a means of securing peace."

Finally, the Argentine delegation proposed that the General Assembly recommend to the Security Council that it should include in its rules of procedure a comprehensive definition of what are procedural matters, and an enumeration of such matters. By an affirmative vote of any seven members, the Council was to decide whether a case not foreseen in such an enumeration was procedural or not. Members of the

Security Council were to abstain from voting, moreover, if they were parties to a dispute which the Council tried to settle by peaceful means, and such an abstention would in no manner alter a decision by the voting members.

The First Committee discussed these proposals at its 19th, 20th, 21st, 22nd and 23rd meetings on November 14, 15, 16, and 18, 1946. Some members opposed the rule of unanimity on grounds of principle. The so-called veto, they considered, had been accepted by the small powers at San Francisco only because they were told that the great powers would not accept the Charter otherwise. It was contrary to the principle of the sovereign equality of all nations. The veto, far from promoting the unanimity of the great powers, was undermining it, for any power which knew that it could not suffer legal defeat was unlikely to compromise and go half-way to meet the opposing view. Experience had shown that the frequent exercise of the veto had hampered the work of the Security Council. The Charter, therefore, should be amended, and the veto eliminated altogether.

A large number of representatives criticized the way in which the veto power had been exercised in the Security Council, but considered any attempt to amend the Charter premature and ill-advised. The veto, certain of these representatives charged, had been made an instrument of national policy. It had not been exercised in exceptional cases only in the interests of the United Nations as a whole, as had been anticipated. The great powers had not lived up to the principles of the "Statement by the Delegations of the Four Sponsoring Governments on voting Procedure in the Security Council" issued by the delegations of China, the U.S.S.R., the United Kingdom and the United States during the San Francisco Conference.[1] Though not in favor of amending the Charter, many representatives submitted suggestions designed to limit the use of the veto and to improve the Security Council's procedure.

Of the five permanent members of the Security Council, the delegations of China, France, the United Kingdom and the United States maintained that the rule of unanimity was essential to the functioning of the United Nations. In accepting the veto the framers of the Charter had taken into account the existing political realities. The purpose of the veto was to obviate a divorce between the decisions of the Council and the enforcement of these decisions. What difficulties the Security Council had encountered arose not from the voting procedure, but from differences of opinion on world problems. Nevertheless, the representatives of China, France, the United Kingdom and the United States expressed the hope that agreement among the great powers themselves would make it possible to modify and limit the use of the veto so as to promote the efficient conduct of the proceedings of the Security Council.

The suggested modifications in the application of the rule of unanimity brought forward by the representatives of China, France, the United Kingdom and the United States as well as by others, included the following:

(1) The permanent members of the Security Council should be requested to refrain from exercising the power of veto except in cases under Chapter VII of the Charter.

(2) The Security Council should be asked to reconsider its own rules of procedure. In particular, the Council should agree upon as complete a list as possible of types of decisions which were procedural and to which the veto therefore did not apply.

(3) The permanent members should be asked to reconsider their Statement on Voting Procedure made at San Francisco and to agree among themselves to extend its scope in the light of the experience of the last ten months.

(4) The veto should be made optional. A negative vote or an abstention by a permanent member should not automatically constitute a veto. This could be accomplished in three possible ways:

(a) a permanent member which wished to refrain from supporting a proposal should be given the right to state, before a vote was taken, whether it wished its negative vote or abstention to constitute a veto or not;

(b) the minority vote of a permanent member or its abstention should be considered as a veto only upon its express demand;

(c) the minority vote of a permanent member should be characterized as a veto unless it made a statement to the contrary.

(5) Abstention by a permanent member should not generally be regarded as a veto.

(6) The absence of a permanent member should not constitute a veto.

(7) If, in a given instance, a permanent member felt compelled to exercise the right of veto

[1] See pp. 23 ff.

it should state the grounds on which it based its conclusion that the interests of the organization as a whole required the exercise of the veto.

(8) A permanent member should not veto a proposal on the ground that it did not go far enough.

(9) States parties to a dispute should be encouraged to settle their differences by negotiation or other means before submitting the dispute to the Security Council.

(10) The Security Council, and the Great Powers in particular, should seek solutions to important questions by a procedure of conciliation, thus avoiding frequent recourse to a vote. Every effort should be made to reach agreement without the necessity of a vote.

The representative of the U.S.S.R., supported by several other representatives, opposed any modification of the rule of unanimity. The proposals advanced in the Committee, he considered, represented an attempt to abrogate the Charter. Without unanimity of the great powers peace could not be maintained. The small powers attacking the veto were trying to undermine that unanimity. The accusations of certain delegations alleging the wilful or unjust use of the unanimity rule lacked foundation. Such criticism was aimed at destroying the basic principles of the Charter. No delegation was obliged to vote contrary to its convictions. The principle of unanimity was realistic, functional and conducive to world peace, and it fulfilled the aims of a true international organization.

At its 23rd meeting on November 18, 1946, the First Committee by a vote of 38 to 6, with 5 abstentions, accepted a French proposal to adjourn discussion of the voting procedure in the Security Council for several days so as to give the five great powers a chance to consult with each other with a view to agreeing on a statement concerning the application of Article 27 which would be satisfactory to the other members of the General Assembly. The Committee resumed consideration of the veto question at its 33rd meeting on December 1, 1946, after discussions among the five great powers had failed to result in agreement.

The representative of Australia submitted a redraft of his resolution which he considered expressed the views of the First Committee. The first two paragraphs of the resolution remained the same as quoted above. The proposal that the General Assembly recommend to the permanent members of the Security Council that they should refrain from exercising the veto power except in cases under Chapter VII (enforcement action) was omitted. Instead, the Australian representative proposed that the General Assembly should request the permanent members of the Security Council "to make every effort . . . to ensure that the use of the special voting privilege . . . does not hinder or obstruct the Security Council in carrying out its solemn obligations in respect to the peaceful settlement of disputes." The General Assembly should recommend to the Security Council the early adoption of practices and procedures to assist in reducing the difficulties in the application of Article 27. In developing such procedures and practices the Security Council should take into consideration the views expressed by Members of the United Nations during the second part of the first session of the General Assembly.

The representative of the U.S.S.R. submitted the following resolution:

1. Whereas the United Nations organization is still at the initial stage of its activity, The General Assembly Deems it Essential for all states Members of the United Nations to seek further strengthening of the United Nations organization and improvement of the work of its bodies in every way, in accordance with the lofty principles and purposes of its Charter which have been recognized by all peace-loving nations.

2. Attaching particular importance to the joining of effort on the part of nations, large and small, in the development of friendly relations between them and in the establishment of a stable peace and security, The General Assembly Calls Upon The United Nations to extend international co-operation on the above basis while avoiding excessive reglementation and formalism in the activity of their bodies and contributing to the development of practical achievements in the field of political, economic and cultural co-operation between nations.

3. At the same time The General Assembly Expresses the Confidence that in the future the Security Council shall duly take into account the experience of its work during the preceding period with a view to secure conditions which would be as favourable as possible to the adoption of agreed decisions.

After further discussion the First Committee voted 33 to 8 to establish a sub-committee of fourteen members to reconcile the draft resolutions submitted by the delgations of Argentina, Australia, Cuba, Peru, the Philippine Republic and the U.S.S.R.

In the Sub-Committee the representative of the Philippine Republic withdrew his proposal in favor of the Cuban resolution. As the representatives of Cuba, Peru and Argentina felt that their proposals dealt with points of a special character, it was agreed, at their request, to return them to the plenary Committee. The representative of Peru subsequently withdrew his resolution.

Consequently it remained for the Sub-Committee to reconcile the draft resolutions of Australia and the U.S.S.R. The representatives of China, France, India, Poland and Venezuela submitted alternative texts in an effort to reconcile the opposing points of view. The representative of Australia incorporated certain elements of the Chinese and Venezuelan texts in the first and third paragraphs of his resolution. The representatives of the U.S.S.R., France, Poproposals in favor of the Chinese text, which land and India agreed to withdraw their included certain parts of the U.S.S.R., Australian and Polish texts.

As the Sub-Committee was unable to reconcile all of the resolutions referred to it, the First Committee at its 42nd meeting on December 8, 1946, proceeded to vote on the resolutions of Cuba, Argentina, Australia and China. The Chinese resolution was rejected by 24 votes to 13, with 5 abstentions. The Argentine and Cuban proposals were likewise rejected. The Australian resolution, which was voted upon paragraph by paragraph, was adopted with the exception of the second paragraph, which stated that the General Assembly considered that the use of the veto power in the Security Council had not been in keeping either with the general purposes and principles of the Charter or with the understanding of the United Nations Conference on International Organization. The representatives of France, the United Kingdom and the United States had previously stated that they could not support any resolution which included any criticism of the past work of the Security Council.

The representatives of the United Kingdom and the United States announced their support of the resolution as adopted by the First Committee. The representative of China considered that the most important consideration was to adopt a resolution which all the members of the Security Council could accept, because only the Security Council could implement the resolution, and that as several delegations had objected to the Australian resolution it would not achieve the purpose it was intended to accomplish.

At its 60th plenary meeting on December 13, 1946, the General Assembly by a vote of 36 to 6, with 9 abstentions, approved the resolution as adopted by the First Committee. Of the five permanent members of the Security Council the United Kingdom and the United States voted in favor of the resolution, China and France abstained, and the U.S.S.R. voted in the negative. The text of the resolution was as follows:

THE GENERAL ASSEMBLY

MINDFUL of the purposes and principles of the Charter of the United Nations, and having taken notice of the divergencies which have arisen in regard to the application and interpretation of Article 27 of the Charter;

EARNESTLY REQUESTS the permanent members of the Security Council to make every effort, in consultation with one another and with fellow members of the Security Council, to ensure that the use of the special voting privilege of its permanent members does not impede the Security Council in reaching decisions promptly;

RECOMMENDS to the Security Council the early adoption of practices and procedures, consistent with the Charter, to assist in reducing the difficulties in the application of Article 27 and to ensure the prompt and effective exercise by the Security Council of its functions; and

FURTHER RECOMMENDS that, in developing such practices and procedures, the Security Council take into consideration the views expressed by Members of the United Nations during the second part of the first session of the General Assembly.

The Secretary-General, on January 2, 1947, transmitted the above resolution to the President of the Security Council.

h. Information on Armed Forces to be supplied by Members of the United Nations

By a letter of October 3, 1946, the representative of the U.S.S.R. requested that the question of the presence of troops of the United Nations in non-enemy territories be included in the agenda of the second part of the first session of the General Assembly. The Assembly referred the matter to the First Committee (Political and Security), which discussed it at its 25th, 26th, 27th, 28th, 29th and 30th meetings on November 21, 22, 25, 26, 27 and 28 respectively.

At the 25th meeting of the First Committee on November 21, 1946, the representative of the U.S.S.R. stated that during the war the maintenance of Allied troops on the territory of

friendly States was both necessary and inevitable to help in freeing peoples from the fascist yoke or to protect them from enemy invasion. Although the war was over, however, Allied troops in some instances remained in friendly countries in a position to interfere in their internal affairs, thus arousing uneasiness in the countries concerned.

In August 1946, the representative of the U.S.S.R. pointed out, he had suggested in the Security Council that all Member States submit information on their armed forces and air and naval bases located on the territory of non-enemy States. The Security Council had failed to include this proposal in its agenda. More recently, in the General Assembly, the United States had proposed widening the project to include information on Allied troops in former enemy States as well. The representative of the U.S.S.R. was ready to accept this proposal. Hence he submitted the following draft resolution to the First Committee:

THE GENERAL ASSEMBLY RECOMMENDS to the Security Council to take a decision to the effect that States Members of the United Nations should submit the following information to the Secretary-General and to the Security Council within a month:

1. At what points in the territory of Members of the United Nations or other States with the exception of former enemy territories and in what number, there are armed forces of other Members of the United Nations.
2. At what points in the former enemy States and in what number, there are armed forces of the Allied Powers and other Members of the United Nations.
3. At what points in the abovementioned territories there are air and naval bases and what is the size of their garrisons belonging to the armed forces of States Members of the United Nations.
4. The information to be provided under paragraphs 1, 2, and 3 should refer to the situation as it existed on 1 November 1946.

Adoption of this resolution, the U.S.S.R. representative considered, would enable the United Nations to obtain complete information on armed forces abroad. Such information was essential to the Security Council and the Military Staff Committee, which were studying the question of armed forces to be made available to the Security Council in implementation of Article 43 of the Charter.

The representative of the United States considered that the reports called for in the U.S.S.R. resolution should be extended to cover all troops in active service throughout the world. The representatives of China and France supported the U.S.S.R. proposal, as well as the suggestion of the United States representative.

The representative of the United Kingdom considered that the question of the presence of troops of the United Nations in non-enemy and ex-enemy territories was closely linked with the question of a general regulation and reduction of armaments, which latter question had likewise been included in the agenda of the second part of the first session of the General Assembly at the request of the U.S.S.R. The United Kingdom representative therefore proposed that these two questions be considered together.

This proposal encountered the opposition of a number of representatives, including those of France and the U.S.S.R. The representative of France remarked that the problem of general disarmament should not deter the Committee from affirming first its intention to study the question of troops abroad, a problem distinct in itself and a first step in the solution of the disarmament problem. In the view of the representative of the U.S.S.R., combining the problem of a troop census with the question of general disarmament would prejudice the solution of both.

At the 27th meeting of the First Committee on November 25, 1946, the representative of the United Kingdom withdrew his proposal for a combined discussion of general disarmament and information on armed forces. Instead, he submitted the following proposals as an amendment to the U.S.S.R. resolution:

(1) The preamble of the U.S.S.R. resolution was to be reworded so as to indicate that the General Assembly considered the submission of information on armed forces as one aspect of the larger problem of the regulation and reduction of armaments, such information being of assistance in the implementation of Article 43 of the Charter.

(2) The information to be submitted in accordance with the U.S.S.R. resolution was to include not only armed forces but also "military type formations."

(3) In addition to the information called for in the U.S.S.R. resolution all States Members of the United Nations were to submit information as to the total number of their uniformed personnel on the active list, wherever stationed,

at home as well as abroad, including military type formations.

(4) All information was to be submitted by January 1, 1947, and should be immediately subjected to an effective United Nations system of verification on the spot by a committee to be established by the Security Council before January 1, 1947.

The representative of the United Kingdom expressed the view that information on troops abroad as called for in the U.S.S.R. resolution was entirely inadequate to enable the Military Staff Committee to implement Article 43, and he therefore questioned the U.S.S.R. delegation's purpose in requesting this information. The U.S.S.R. resolution, the United Kingdom representative stated, would bring returns from only three countries, whereas Article 43 provided that all Members of the United Nations were to make agreements with the Security Council. Hence it would be necessary to obtain information from all 54 Member States. Moreover, the troops maintained abroad by the governments concerned were to be withdrawn shortly, and information as to their numbers would be of little value to the Military Staff Committee in making agreements under Article 43. For these reasons the representative of the United Kingdom had proposed that all Members of the United Nations submit information as to the total of their uniformed personnel stationed at home as well as abroad.

Concerning his proposal for an immediate on-the-spot verification of the information to be submitted, the United Kingdom representative stated that such verification was necessary not only to give the peoples of the world confidence in the information submitted, but also to reconcile the figures furnished by Member Governments so as to put them on a comparable basis.

The representative of the United States supported the United Kingdom amendment to the U.S.S.R. resolution, with the exception of the proposed verification scheme, which he feared would cause delay. He therefore submitted the following text as a substitute for the United Kingdom proposal.

This information [on air and naval bases in foreign territories and on armed forces at home and abroad] should be descriptive of the situation existing on 15 December 1947 and should be supplied to the Secretary-General by 1 January 1947.

The representative of the U.S.S.R. considered that if troops remained in friendly States this was a serious matter and the reasons for it should be explained. Otherwise the uneasiness reflected in world public opinion might damage morally the States involved and might also impair the moral authority of the United Nations. The Government of the U.S.S.R. was prepared to provide full information on its troops at home when the wider problem of the reduction of armaments was examined. He reiterated his view, however, that the question of troops abroad should not be combined with the question of general disarmament. If the U.S.S.R. proposal for a census of troops abroad were broadened to include information on forces on home territory, the U.S.S.R. representative asserted, it would be necessary to obtain at the same time full information on all types of armaments, including jet-propelled weapons, atomic arms and certain war materials. Information on armed forces at home without full information on armaments would be useless in considering the problem of general disarmament. The representative of the U.S.S.R. therefore submitted the following additional proposal.

THE GENERAL ASSEMBLY deems it necessary that all States Members of the United Nations should submit information regarding armed forces and armaments in their own territory, this information to be submitted when the Security Council will consider the proposals for general reduction of armaments.

The representative of the United Kingdom stated that his Government was not prepared to give information on atomic bombs, jet-propelled aircraft and other armaments except as a part of a combined collective security agreement when his Government was convinced that such an agreement was a reality and not a sham.

Two further proposals were submitted to the First Committee. The representative of Argentina submitted a draft resolution the operative part of which read as follows:

THE GENERAL ASSEMBLY RESOLVES,

1. TO RECOMMEND to the Security Council to begin the study of a system for the regulation and general reduction of armaments;

2. TO RECOMMEND to the Security Council to begin as soon as possible the study of the agreements referred to in Article 43 of the United Nations Charter, with a view to determining the number, type, and location of the armed forces which will have to be made available to it by Member States;

3. TO RECOMMEND to the Security Council, for the purposes stated in the two preceding paragraphs and with a view to maintaining international peace and security, to invite all Member States to furnish information regarding the number and type of armed forces at their disposal within their respective frontiers and outside them.

The representative of Egypt submitted the following amendment to the U.S.S.R. resolution:

THE GENERAL ASSEMBLY CONSIDERS

that according to the letter and spirit of the Charter of the United Nations and to the principle of sovereign equality no State Member can station its armed forces on the territory of another Member except in the cases specified in the Charter.

THE GENERAL ASSEMBLY RECOMMENDS, THEREFORE, to States Members having such armed forces stationed on the territory of other Members to withdraw them without delay.

At its 29th meeting on November 27, 1946, the First Committee, voting paragraph by paragraph, adopted the proposed text submitted by the United Kingdom delegation as an amendment to the U.S.S.R. resolution, with the exception of the recommendation that information on armed forces submitted by Member States be verified by a committee to be established by the Security Council before January 1, 1947. In place of this latter recommendation the Committee adopted the text proposed by the representative of the United States. The resolution as a whole, which the First Committee adopted by a vote of 34 to 7, with 4 abstentions, therefore read as follows:

THE GENERAL ASSEMBLY

CONSIDERING that the items on its Agenda regarding "The presence of troops of the United Nations on non-enemy territories" and "The proposal on the general reduction of armaments" are concerned with two aspects of the same question, namely, the reduction and regulation of armaments;

RECOMMENDS, as a first step in a study of this question and to assist in the implementation of Article 43;

That all Members of the United Nations furnish the following information to the Secretary-General for communication to the Security Council and to other Members of the United Nations, and for publication:

1. At what points in the territory of Members of the United Nations or other States, with the exception of former enemy territories, and in what number, there are armed forces of other Members of the United Nations, including military type organizations.
2. At what points in the former enemy States and in what number, there are armed forces of the Allied Powers and other Members of the United Nations, including military type organizations.
3. At what points in the abovementioned territories there are air and naval bases, and what is the size of their garrisons, belonging to the armed forces of States Members of the United Nations.
4. What is the total number of their uniformed personnel on the active list, wherever stationed, at home as well as abroad, including military type organizations.

This information should be descriptive of the situation existing on 15 December 1946 and should be supplied to the Secretary-General by 1 January 1947.

Before the Committee had proceeded to vote on the United Kingdom recommendation as contained in paragraph 4 above, the representative of the U.S.S.R. had asked that this recommendation be amended to require Member States to submit at the same time information on their armaments. The Committee decided by 24 votes to 18, with 10 abstentions, not to vote on this amendment. The representative of the U.S.S.R. then asked for a vote on his previous proposal that Member States submit information on their armed forces and armaments in their own territory, this information to be submitted when the Security Council considered proposals for the general reduction of armaments.

The representative of the United Kingdom objected to a vote on this proposal on the ground that the Committee had not discussed its substance. The representative of the U.S.S.R. pointed out that the amendment had been submitted to the Committee two days previously and that the Committee had had ample time to consider it. The First Committee by a vote of 24 to 18, with 10 abstentions, decided not to vote on the U.S.S.R. proposal.

The representative of the United Kingdom likewise objected to a vote on the proposal submitted by the representative of Egypt, on the ground that it was not correctly an amendment but a new proposal, as it bore no relation to agreements to be concluded under Article 43 of the Charter. By 29 votes to 13, with 9 abstentions, the First Committee decided not to vote on the Egyptian proposal.

As the United Kingdom text as amended by the United States had been adopted by the First Committee, no vote was taken on the Argentine proposal.

The representatives of the U.S.S.R., Egypt and Argentina resubmitted their respective proposals to the First Committee when the Committee discussed the question of the general regulation and reduction of armaments. A Sub-Committee appointed by the First Committee to draft a commonly acceptable resolution on the question of general disarmament took these proposals into consideration in preparing its text.

When the General Assembly considered the report of the First Committee at its 52nd plenary meeting on December 8, 1946, the representative of the United Kingdom reintroduced in a somewhat revised form his proposal for a verification of the information to be submitted in accordance with the resolution adopted by the First Committee.

The representative of the U.S.S.R. stated that the First Committee's decision to include forces in home territory in the troop census originally proposed by the U.S.S.R. delegation was unacceptable. He therefore moved that the relevant paragraph of the resolution adopted by the First Committee be deleted. This proposal was supported by the representative of France, who considered that the submission of information on troops in non-enemy and ex-enemy territories would be useful in promoting the progressive and balanced reduction of these forces. It was therefore desirable to exclude the question of troops in home territory from the resolution and to consider it in connection with the question of general disarmament.

After further discussion at the 53rd plenary meeting of the General Assembly on December 10, 1946, the representative of the U.S.S.R. at the 54th plenary meeting asked the representatives of the United Kingdom and the United States whether they would be willing to report on their armed forces and armaments at home as well as abroad, the First Committee having previously decided not to vote on this proposal. The representative of the United Kingdom stated that, accepting the challenge of the representative of the U.S.S.R., his Government was prepared to give such a report if the U.S.S.R. would agree to the immediate establishment of international machinery of control and inspection operating not through national but through international agencies without "veto."

The representative of the U.S.S.R. in turn accepted this latter proposal on condition that information on armaments as well as troops be subject to verification. Accepting this further suggestion, the representative of the United Kingdom submitted the following amendment to the resolution adopted by the First Committee:

THE GENERAL ASSEMBLY RECOMMENDS

1. The immediate establishment of an international supervisory commission operating within the framework of the Security Council, but in its operations not subject to the veto of any Power on the Security Council, which shall be entitled by agents of any nationality acting on its behalf, to verify and confirm on the spot in the territory of any Member State, any or all of the information submitted in accordance with any request of the General Assembly or of the Security Council as to armed forces or armaments.

2. When the said supervisory commission has been established, the Member States shall be required to submit full particulars of their armaments of different categories as well as of their forces under each of the paragraphs one to four above.

The representative of the U.S.S.R. stated that he accepted the amendment proposed by the United Kingdom in principle, but that the wording was not entirely satisfactory. He therefore suggested that the above text be referred for redrafting to the Sub-Committee of the First Committee on Disarmament. The representatives of China and France stated that they had not had sufficient time to study the new United Kingdom proposal. They therefore favored referring the matter to the Sub-Committee on Disarmament. The representative of the United States opposed any modification of the resolution adopted by the First Committee. His Government was not prepared to submit information on armaments except as a part of a program of general disarmament.

The President of the General Assembly cautioned Members not to act too hastily. If the Assembly should adopt the resolution of the First Committee, the U.S.S.R. proposal for submission of information on armaments as well as armed forces and the United Kingdom amendment as quoted above, it would mean that before January 1, 1947, all governments would have to send to the Security Council all the information on their armed forces and armaments. It would also mean, the President stated, that before January 15, 1947, the system of international control and verification would have to be established.

In view of the fact that the representatives of the U.S.S.R. and the United Kingdom did not

agree on the text of the United Kingdom amendment, the General Assembly decided to refer the matter to the Sub-Committee of the First Committee on Disarmament.

After long discussion the Sub-Committee concluded that there was no practical possibility of arriving at a balanced text incorporating the amendments submitted by the U.S.S.R. and the United Kingdom. Moreover, the Sub-Committee found that in dealing with the problem of disarmament it had at the same time dealt with the presence of troops on foreign territory. In the circumstances the Sub-Committee considered it logical to propose that the resolution adopted by the First Committee be dropped and that instead the following resolution be adopted:

THE GENERAL ASSEMBLY

DESIROUS of implementing, as soon as possible, the resolution of 14 December 1946 on the Principles governing the Regulation and Reduction of Armaments;[1]

CALLS UPON the Security Council to determine, as soon as possible, the information which the States Members should be called upon to furnish, in order to give effect to this resolution.

The First Committee considered the report of the Sub-Committee at its 44th meeting on December 13, 1946. The representative of the U.S.S.R. objected that the First Committee was not competent to examine the new proposal and to drop the resolution previously adopted by the First Committee. The latter resolution therefore remained before the General Assembly to adopt or reject. A resolution to this effect submitted by the representative of Czechoslovakia was rejected by 26 votes to 6, with 7 abstentions. By 29 votes to 4, with 6 abstentions, the First Committee then voted to recommend to the General Assembly the adoption of the new resolution in place of the resolution previously adopted by the First Committee.

The General Assembly at its 63rd plenary meeting on December 14, 1946, adopted the substitute resolution as quoted by 36 votes to 6, with 4 abstentions.

i. Principles Governing the General Regulation and Reduction of Armaments

By a letter of October 29, 1946, the delegation of the U.S.S.R. submitted a "Proposal Concerning the General Reduction of Armaments" for inclusion in the agenda of the General Assembly. At its 46th plenary meeting on October 31, 1946, the Assembly referred the matter to the First Committee.

On November 26, 1946, the U.S.S.R. delegation submitted a supplementary proposal concerning the establishment of a system of international control and inspection. The U.S.S.R. delegation subsequently submitted the following resolution combining the abovementioned proposals:

1. With a view to strengthening peace and international security in conformity with the aims and principles of the United Nations, the General Assembly recognizes the necessity of a general reduction of armaments.

2. The implementing of the decision concerning the reduction of armaments should include as the primary object the prohibition to produce and use atomic energy for military purposes.

3. To ensure the adoption of measures for the reduction of armaments and prohibition of the use of atomic energy for military purposes, there shall be established within the framework of the Security Council, which has the primary responsibility for international peace and security, international control operating on the basis of a special provision which should provide for the establishment of special organs of inspection for which purpose there shall be formed:

(a) A Commission for the control of the execution of the decision regarding the reduction of armaments;

(b) A Commission for the control of the execution of the decision regarding the prohibition of the use of atomic energy for military purposes.

4. The General Assembly deems it necessary that all States Members of the United Nations Organization should submit information regarding all their armed forces and armaments, this information to be submitted when the Security Council will consider the proposals for general reduction of armaments.

5. The General Assembly recommends that the Security Council should ensure the effective implementing of the principles laid down in Paragraphs 1, 2, and 3 above.

6. The General Assembly appeals to the Governments of all the States to give to the Security Council all the assistance necessary to enable it to discharge its responsibilities arising out of this task, the achievement of which lies within the scope of its mission to establish an enduring peace and maintain international security. This task is also in the interest of the peoples who would be released from the heavy economic burden caused by the excessive expenditure on armaments which do not correspond to peaceful post-war conditions.

The First Committee discussed the question of a general regulation and reduction of armaments at its 30th, 31st, 32nd, 34th, 38th and 44th meetings held on November 28, 29, 30 and December 2, 4 and 13 respectively. Commenting

[1] See pp. 142, 143.

on the U.S.S.R. delegation's proposal, the Soviet representative stressed the necessity for taking serious measures to put an end to the armament race. Not only armed personnel, but military technique and technical means of war must be considered in the problem of disarmament. The Soviet delegation attached particular importance in this connection to the problem of atomic energy. The conclusion of a convention prohibiting both the production and use of atomic weapons was the first step the United Nations must take if a program of general disarmament was to be successful. The U.S.S.R. resolution therefore included a specific recommendation to this effect.

Many representatives commended the U.S.S.R. delegation for taking the initiative in submitting a proposal for the general reduction of armaments, and expressed agreement with the aims of the U.S.S.R. resolution. A number of representatives, however, felt that the wording of the U.S.S.R. resolution was too vague and that it was desirable to formulate more precisely the principles which would have to guide a general program of disarmament. Among the specific points raised by these representatives were the following:

(1) No general reduction of armaments could be undertaken without a corresponding development of a system of collective security which would afford all nations security from aggression. Those countries particularly which had fallen easy prey to nazi aggression in 1940, due to their military unpreparedness, insisted on an adequate degree of collective defense as a corollary to any program of general disarmament. To promote such a system of collective security the General Assembly should recommend that the Security Council expedite the conclusion of agreements with Member nations concerning the use of their armed forces on behalf of the United Nations in accordance with Article 43 of the Charter.

(2) No general reduction of armaments could be put into effect without an adequate system of international control and inspection to protect complying States against the hazards of violation or evasion. An international control commission should be established by a treaty or convention accepted by virtually all States, this international control commission to have access to the territory of all Member States and to enjoy full freedom to verify on the spot information submitted by Member Governments on the state of their armed forces and armaments.

(3) An international agency of control and inspection, although operating within the general framework of the Security Council, must be free in its operations from the application of the rule of unanimity. No power must have the right to veto the activities of an international disarmament body.

(4) Any program of general disarmament to be undertaken in the future must not interfere with or duplicate the work already undertaken by the United Nations Atomic Energy Commission. The most practical way to implement the U.S.S.R. delegation's proposal for atomic energy control was to urge the expeditious fulfillment of the Atomic Energy Commission's task.

(5) An effective system of safeguards and controls in the field of atomic energy must accompany any convention prohibiting the production and use of atomic weapons in the same way that safeguards must be applied in the field of conventional armaments.

Contrary to the view of the U.S.S.R. delegation, which considered the prohibition of atomic weapons as the problem of foremost importance to be solved first, most representatives felt that the various aspects of disarmament were interrelated and that the problems of general disarmament, atomic energy control, collective security and the development of adequate control measures must be studied simultaneously.

Embodying certain of the points outlined above, the delegations of Australia and Canada each submitted amendments to the U.S.S.R. proposal. Accepting in substance most of the suggestions of the Australian delegation, the representative of Canada submitted a revised text of his own amendment which read as follows:

1. With a view to strengthening international peace and security, in conformity with the Purposes and Principles of the United Nations, the General Assembly recognizes the necessity of an early and general regulation and reduction of armaments.

2. The General Assembly recommends to the Security Council that, as the first step towards a general regulation and reduction of armaments, the Security Council, without further delay, proceed to negotiate with Members of the United Nations under Article 43 of the Charter the special agreements making available to the Security Council on its call the armed forces and other assistance and facilities necessary for the purpose of maintaining international peace and security.

3. In order that atomic weapons and all other major weapons adaptable to mass destruction

shall be eliminated from national armaments at the earliest possible date, the General Assembly urges the expeditious fulfilment by the Atomic Energy Commission of its task under the terms of reference set forth in Section 5 of the General Assembly Resolution of 24 January 1946, by which the Commission is required to proceed with the utmost despatch and to make the following specific proposals:

"(a) for extending between all nations the exchange of basic scientific information for peaceful ends;

"(b) for control of atomic energy to the extent necessary to ensure its use only for peaceful purposes;

"(c) for the elimination from national armaments of atomic weapons and all other major weapons adaptable to mass destruction;

"(d) for effective safeguards by way of inspection and other means to protect complying states against the hazards of violation and evasions."

4. The General Assembly considers that, since the activities in the domain of atomic energy leading to peaceful and destructive ends are so intimately inter-related as to be almost inseparable, the control of atomic energy to ensure its use only for peaceful purposes, the elimination of atomic weapons from national armaments, and the provision of effective safeguards to protect complying states against the hazards of violations and evasions must be accomplished through a single international instrument or treaty designed to carry out these related purposes concurrently.

5. The General Assembly recommends a system for the general regulation and reduction of armaments based on a treaty or convention accepted by virtually all states and providing for effective international safeguards by way of inspection and other means to protect complying states against the hazards of violations and evasions. It further recommends that there be set up, under the treaty or convention, a Permanent International Commission of Control with power to make such investigations, including the appointment of permanent inspectors and special commissions of enquiry, as it may deem necessary to detect a breach or threatened breach of the treaty or convention and of subsequent supplementary agreements on the regulation and reduction of armaments.

6. To the end that an international treaty or convention on disarmament may be concluded as soon as possible, the General Assembly recommends to the Security Council that, with the assistance of the Military Staff Committee, it submit plans at the earliest practicable date to the Members of the United Nations for the establishment of a system for the regulation of armaments as is provided for in Article 26 of the Charter.

7. The General Assembly, being confident that the attainment of these objectives would contribute greatly to the establishment of enduring peace and the maintenance of international security, and being convinced that it would make possible a rise in the standards of living of all the peoples of the United Nations by lightening the heavy economic burden imposed on them by excessive expenditures for national armaments which do not correspond to peaceful postwar conditions, calls upon the governments of all states to render every possible assistance to the Security Council, the Military Staff Committee and the Atomic Energy Commission to enable them to attain speedily the objectives set forth in this Resolution.

At the 31st meeting of the Security Council on November 29, 1946, the representative of the U.S.S.R. indicated that the Australian and Canadian amendments were not acceptable to the U.S.S.R. delegation. In answer to a question by the representative of the United Kingdom concerning the application of the veto to the work of the control commissions to be established in accordance with the U.S.S.R. resolution, the Soviet representative stated that the control system contemplated by the U.S.S.R. delegation was to be established within the framework of the Security Council. As a consequence "the conclusion must be drawn that this system would be subject to all the Charter provisions affecting the consideration by the Security Council of the questions within its competence." In answer to further questioning the U.S.S.R. representative stated that if renunciation of the "veto" were regarded as a basis for acceptance of the proposal for reduction of armaments, unanimity would hardly be possible. The representatives of the United Kingdom and the United States, on the other hand, stressed the fact that they would not accept any system of disarmament which would not eliminate the veto from the operation of an international system of control and inspection.

After further discussion the representative of France submitted a number of recommendations as amendments to the U.S.S.R. resolution. At the 34th meeting of the First Committee the representative of the United States submitted the following draft resolution:

1. With a view to strengthening international peace and security in conformity with the purposes and principles of the United Nations, the General Assembly recognizes the necessity of an early general regulation and reduction of armaments. Accordingly, the General Assembly recommends that the Security Council give prompt consideration to working out the practical measures, according to their priority, which are essential to provide for the general regulation and reduction of armaments pursuant to international treaties and agreements and to assure that such regulation and reduction will be generally observed by all partici-

pants and not unilaterally by only some of the participants.

2. The General Assembly recognizes that essential to the general regulation and reduction of armaments is the early establishment of international control of atomic energy and other modern technological discoveries to ensure their use only for peaceful purposes. Accordingly, in order to ensure that the general regulation and reduction of armaments are directed towards the major weapons of modern warfare and not merely towards the minor weapons the General Assembly recommends that the Security Council give first consideration to the report which the Atomic Energy Commission will make to the Security Council before 31 December 1946, and facilitate the progress of the work of that Commission.

3. The General Assembly further recognizes that essential to the general regulation and reduction of armaments is the provision of practical and effective safeguards by way of inspection and other means to protect complying states against the hazards of violations and evasions. Accordingly, the General Assembly recommends to the Security Council that it give prompt consideration to the working out of proposals to provide such practical and effective safeguards in connection with the control of atomic energy and other limitation or regulation of armaments.

4. The General Assembly calls upon the Governments of all States to render every possible assistance to the Security Council and the Atomic Energy Commission in order to promote the establishment of international peace and collective security with the least diversion for armaments of the world's human and economic resources.

At the 38th meeting of the First Committee the representative of the U.S.S.R. announced his willingness to accept the United States resolution as a basis of discussion and submitted a number of amendments to that resolution which would render it acceptable to the U.S.S.R. delegation. On the subject of the "veto" in relation to arms control, which appeared to be the major obstacle to agreement among the members of the Committee, the representative of the U.S.S.R. stated that "the rule of unanimity in the Security Council has nothing to do with the work of the control commissions. Therefore, it is incorrect to say that a permanent member with its 'veto' could prevent the implementation of a control system."

In view of this statement modifying the Soviet delegation's position as previously expressed, the Committee felt that a sub-committee would be able to reach agreement on a commonly acceptable draft. The First Committee therefore decided to establish a Sub-Committee of twenty members, consisting of Argentina, Australia, Belgium, Brazil, Canada, China, Colombia, Czechoslovakia, Egypt, France, India, Mexico, the Netherlands, Norway, Poland, Syria, the Ukrainian S.S.R., the U.S.S.R., the United Kingdom and the United States.

When the First Committee had discussed the question of the presence of armed forces of Members of the United Nations in foreign territories and the question of information to be submitted by Member Governments on their armed forces and armaments, the representatives of the U.S.S.R., Argentina and Egypt had introduced proposals which the First Committee had not voted on. The representatives of the U.S.S.R. and Argentina therefore resubmitted their proposals in identical form to the First Committee in connection with the discussion of general disarmament. The Egyptian representative submitted a draft resolution similar to his original proposal.

These proposals were referred to the Sub-Committee, together with the proposals on the general regulation and reduction of armaments submitted by the representatives of Australia, Canada, France, the U.S.S.R. and the United States. The Sub-Committee adopted the United States resolution as the basis of its work. In addition to the proposals just mentioned, the Sub-Committee considered further amendments submitted by the delegations of India, the United Kingdom, and Canada. After a full discussion a drafting group consisting of the Chairman and the Rapporteur of the Sub-Committee and the representatives of Canada, China, Egypt, France, the U.S.S.R., the United Kingdom and the United States, was appointed. The draft proposal submitted by this group was, with some additions and changes, adopted by the Sub-Committee on December 12, 1946.

At its 44th meeting on December 13, 1946, the First Committee, after making some further drafting changes, unanimously and by acclamation adopted the resolution recommended by the Sub-Committee. Likewise by unanimous vote, the General Assembly at its 63rd plenary meeting on December 14, 1946, adopted the resolution, which read as follows:

1. In pursuance of Article 11 of the Charter and with a view to strengthening international peace and security in conformity with the Purposes and Principles of the United Nations,

THE GENERAL ASSEMBLY,

RECOGNIZES the necessity of an early general regulation and reduction of armaments and armed forces.

2. ACCORDINGLY,

THE GENERAL ASSEMBLY,

RECOMMENDS that the Security Council give prompt consideration to formulating the practical measures, according to their priority, which are essential to provide for the general regulation and reduction of armaments and armed forces and to assure that such regulation and reduction of armaments and armed forces will be generally observed by all participants and not unilaterally by only some of the participants. The plans formulated by the Security Council shall be submitted by the Secretary-General to the Members of the United Nations for consideration at a special session of the General Assembly. The treaties or conventions approved by the General Assembly shall be submitted to the signatory States for ratification in accordance with Article 26 of the Charter.

3. As an essential step towards the urgent objective of prohibiting and eliminating from national armaments atomic and all other major weapons adaptable now and in the future to mass destruction, and the early establishment of international control of atomic energy and other modern scientific discoveries and technical developments to ensure their use only for peaceful purposes,

THE GENERAL ASSEMBLY,

URGES the expeditious fulfilment by the Atomic Energy Commission of its terms of reference as set forth in Section 5 of the General Assembly Resolution of 24 January 1946.

4. In order to ensure that the general prohibition, regulation and reduction of armaments are directed towards the major weapons of modern warfare and not merely towards the minor weapons,

THE GENERAL ASSEMBLY,

RECOMMENDS that the Security Council expedite consideration of the reports which the Atomic Energy Commission will make to the Security Council and that it facilitate the work of that Commission, and also that the Security Council expedite consideration of a draft convention or conventions for the creation of an international system of control and inspection, these conventions to include the prohibition of atomic and all other major weapons adaptable now and in the future to mass destruction and the control of atomic energy to the extent necessary to ensure its use only for peaceful purposes.

5. THE GENERAL ASSEMBLY,

FURTHER RECOGNIZES that essential to the general regulation and reduction of armaments and armed forces is the provision of practical and effective safeguards by way of inspection and other means to protect complying States against the hazards of violations and evasions.

Accordingly,

THE GENERAL ASSEMBLY,

RECOMMENDS to the Security Council that it give prompt consideration to the working out of proposals to provide such practical and effective safeguards in connection with the control of atomic energy and the general regulation and reduction of armaments.

6. To ensure the adoption of measures for the early general regulation and reduction of armaments and armed forces, for the prohibition of the use of atomic energy for military purposes and the elimination from national armaments of atomic and all other major weapons adaptable now or in the future to mass destruction, and for the control of atomic energy to the extent necessary to ensure its use only for peaceful purposes,

THERE SHALL BE ESTABLISHED,

within the framework of the Security Council, which bears the primary responsibility for the maintenance of international peace and security, an international system, as mentioned in paragraph 4, operating through special organs, which organs shall derive their powers and status from the convention or conventions under which they are established.

7. THE GENERAL ASSEMBLY,

regarding the problem of security as closely connected with that of disarmament,

RECOMMENDS the Security Council to accelerate as much as possible the placing at its disposal of the armed forces mentioned in Article 43 of the Charter;

RECOMMENDS the Members to undertake the progressive and balanced withdrawal, taking account of the needs of occupation, of their armed forces stationed in ex-enemy territories, and the withdrawal without delay of their armed forces stationed in the territories of Members without their consent freely and publicly expressed in treaties or agreements consistent with the Charter and not contradicting international agreements.

FURTHER RECOMMENDS a corresponding reduction of national armed forces, and a general progressive and balanced reduction of national armed forces.

8. Nothing herein contained shall alter or limit the resolution of the General Assembly passed on 24 January 1946, creating the Atomic Energy Commission.

9. THE GENERAL ASSEMBLY,

CALLS upon all Members of the United Nations to render every possible assistance to the Security Council and the Atomic Energy Commission in order to promote the establishment and maintenance of international peace and collective security with the least diversion for armaments of the world's human and economic resources.

j. Treatment of Indians in the Union of South Africa

By a letter of June 22, 1946, the Government of India requested that the question of the treatment of Indians in the Union of South Africa be included in the provisional agenda for the second part of the first session of the General Assembly.

At the nineteenth meeting of the General Committee on October 24, 1946, the representative of the Union of South Africa maintained that the question concerned not Indian nationals, but Indians nationals of the Union of South Africa. Therefore the question, according to Article 2, paragraph 7, of the Charter, was essentially within the domestic jurisdiction of the Union of South Africa and should be removed from the agenda.

The General Committee failed to support the request of the representative of the Union of South Africa. The representative of the United Kingdom moved that the General Committee recommend that the question be referred to the Sixth Committee (Legal). The representatives of the U.S.S.R., India, and the Ukrainian S.S.R. considered the question to be primarily political and thought that it should be referred to the First Committee (Political and Security). The representative of the United States proposed that the question be referred both to the First and Sixth Committees. This proposal was amended by the representative of the U.S.S.R. to the effect that the matter be discussed by a joint meeting of the First and Sixth Committee. The proposals were referred to the General Assembly, which at its 46th plenary meeting on October 31, 1946, decided that the question should be considered jointly by the First and Sixth Committees.

The Joint First and Sixth Committee held six meetings on November 21, 25, 26, 27, 28 and 30, 1946, at which it discussed the question of the treatment of the Indians in South Africa.

Presenting his Government's case, the representative of India stated that the first Indians had come to the British colony of Natal as indentured laborers in 1860 in response to an appeal by the European settlers and by virtue of an agreement between the Government of India and the British Government which provided that Indians emigrating to South Africa were not to be subjected to any special laws different from those in force for Europeans. Although the Natal Government had continued to encourage the immigration of indentured Indian laborers, increasing agitation against free Indian settlers had led to the enactment of discriminatory measures from 1855 on. When Mr. Gandhi was in South Africa he organized a campaign of passive resistance in 1907, and again in 1913, against various restrictive measures. This resulted in the Smuts-Gandhi agreement and the enactment of an Indian Relief Bill, which remedied the Indians' grievances and stopped immigration.

After the First World War, anti-Asiatic abitation reappeared. The Smuts-Gandhi agreement was then abandoned by the Union of South Africa and an agreement known as the Capetown Agreement was concluded between the Government of South Africa and the Government of India, which was renewed in 1932. This agreement had not been abrogated. Nevertheless, anti-Indian agitation continued and reached a climax in 1943 when the province of Natal passed the "Pegging Act," which imposed statutory restrictions in respect of the right of Asiatics to acquire land. In 1946 the Union Government passed the Asiatic Land Tenure and Indian Representation Act, the result of which was the complete segregation of Indians as regards both trade and residence.

Passage of this bill, the Indian Government considered, constituted a unilateral repudiation of the Capetown Agreement. It constituted a violation of the provisions of the United Nations Charter in regard to human rights and freedoms. Finally, the Indian Government contended that a situation had arisen which was likely to impair friendly relations between India and South Africa, for the Indian Government, in response to the measures adopted by the Union Government, had given notice of the termination of the trade agreement between the two countries and had recalled its High Commissioner from South Africa. In accordance with Articles 10 and 14 of the Charter the Indian Government was therefore submitting this situation for consideration by the General Assembly.

On November 20, 1946, the representative for India submitted the following resolution to the Joint First and Sixth Committee:

THE GENERAL ASSEMBLY, having taken note of the application made by the Government of India regarding the treatment of Indians in the Union of South Africa and having considered the matter,

IS OF THE OPINION THAT:
(a) the Union Government's discriminatory treatment of Asiatics in general and Indians in particular on the grounds of their race constitutes a denial of human rights and fundamental freedom and is contrary to the Charter,
(b) the Union Government's policy in general and the enactment of the Asiatic Land Tenure and Indian Representation Act of 1946, in particular, have impaired friendly relations between the two Member States, and unless a satisfactory settlement is arrived at immediately, these relations are likely to be further impaired.

THE GENERAL ASSEMBLY, THEREFORE, CONSIDERS that the Union Government should revise their general policy and their legislative and administrative measures affecting Asiatics in South Africa, so as to bring them into conformity with the principles and purposes of the Charter and requests the Union Government to report at the next session of the General Assembly the action taken by them in this behalf.

In reply to the arguments presented by the Indian delegation, the Government of the Union of South Africa submitted that the Governments of Natal and of South Africa had entered into agreements with the Government of India for the immigration of Indian laborers on the understanding that the Indians would be repatriated at the end of their term of indenture. Although Indians, for a time, were allotted land in South Africa in lieu of the agreed free passage home to India, the principle of ultimate repatriation had never been abandoned. But while the responsible Governments of South Africa had insisted on the temporary character of the Indians' stay in South Africa, the British and the Indian Governments had pressed South Africa to grant citizen rights to the Indians.

The Smuts-Gandhi Agreement and the Act of Parliament of 1914 were hailed by the Indians as a triumph for their cause of permanent domicile. In the subsequent years the Indians flourished and entered many of the urban avocations. The urban Indian influx and the growing commercial success of Indian traders had caused the deepest misgivings among the Europeans, who saw their whole future menaced by an alien civilization: hence certain restrictive measures enacted by the South African Government after the First World War.

The Capetown Agreement of 1927 was an attempt to obviate the necessity for such measures. In that agreement the Government of India formally recognized the right of South Africa "to use all just and legitimate means for the maintenance of Western standards of life." The object of the agreement was twofold: (1) The Indian population in South Africa was to be reduced through a scheme of assisted emigration to India, to which end the Indian Government pledged its co-operation; (2) the "irreducible minimum" of Indians who would remain in South Africa and who would as far as practicable be assimilated to Western standards of life were to benefit by the application of "uplift" measures on the part of the South African Government.

But while, as a result of the Capetown Agreement, Indians in South Africa made great advances in education, social legislation, etc., the Indian Government, through adverse publicity and intimidation of prospective emigrants, the South African Government charged, brought about the failure of the assisted emigration scheme, with the result that the Indian population of South Africa increased rather than decreased.

As a result of the failure of repatriation, the Union Government was faced with the problem of adjusting race relations in Natal. The increasing penetration of European residential areas in the city of Durban during the war aroused the fears of the white inhabitants. Finally, the pressure of public opinion compelled the Government to pass the "Pegging Act" (1943), and still later the Asiatic Land Tenure and Indian Representation Act (1946).

The latter Act prevented Indians from acquiring land in certain areas reserved for white occupation, and vice versa. There was no discrimination, the representative of South Africa stated, as the law applied equally to Europeans and Indians. The Act, which was condemned by the Government of India as discriminatory, actually should be welcomed, for it formally recognized the South African Indian population for the first time as members of the South African community by giving the Indians two seats in the Provincial Council of Natal.

The representative of South Africa maintained that in the domain of its domestic affairs a State was not subject to control or interference and its actions could not be called into question by any other States. The Acts which had caused the Indian Government to break off trade relations with South Africa and to appeal to the United Nations were matters within the domestic jurisdiction of the Union. The Charter

did not permit a State to impair friendly relations with another State or to endanger the maintenance of peace and security because it disapproved of the manner in which the domestice affairs of any other State were conducted.

The South African representative further maintained that the Capetown Agreement of 1927 and the Joint Communique of 1932 were not instruments giving rise to treaty obligations.

Finally, the South African delegation contended that the Union Government had not violated any fundamental human rights within the terms of the Charter of the United Nations. Up to the present, the South African representative stated, there did not exist any internationally recognized formulation of such rights, and the Charter itself did not define them. Member States, therefore, did not have any specific obligations under the Charter. Moreover, political rights and freedoms, in the view of the South African representative, were not fundamental. Such an argument was tantamount to saying that the most progressive races should be retarded by the less progressive if the latter were in the majority. Equality in fundamental rights and freedom could be assured in a multi-racial State only by a measure of discrimination in respect of non-fundamental rights.

In view of the fact that the present case would form a precedent for the future, the representative of South Africa submitted a resolution proposing that the Joint First and Sixth Committee recommend to the General Assembly that an advisory opinion be sought from the International Court of Justice upon the question whether the matter before the Assembly was, under Article 2, paragraph 7, of the Charter essentially within the domestic jurisdiction of the Union of South Africa.

Many representatives opposed the South African proposal on the ground that the political aspects of the question far outweighed its legal aspects. The Assembly, these representatives considered, was fully competent to consider the matter. Contrary to the contention of the South African representative in regard to the Capetown Agreement, it was maintained that any solemn agreement between States constituted a treaty. As to the question of fundamental human rights and freedoms, it was agreed that by adopting the Charter, Member States had made a certain renunciation of their sovereignty. The Charter imposed upon each Member an obligation to refrain from policies based upon race discrimination. To treat the Indian question as a legal matter would weaken the prestige of the United Nations, one of whose noblest tasks it was to promote respect for human rights and fundamental freedoms.

Representatives who supported the proposal of the South African delegation stressed the importance of the preliminary legal question of the General Assembly's competence. As one of the parties had denied the Assembly's competence, it was important to obtain a proper determination of the facts, an authoritative exposition of the law and a judicial application of the law to the facts so determined. Moreover, it was desirable to follow a course which was agreeable to the Government of South Africa. At the same time such a course could only be of benefit to the Indians, if the Court decided that the question was one of international jurisdiction.

The representatives of France and Mexico supported the contentions of the Indian delegation. They jointly submitted a draft resolution as an amendment to the resolution of the representative of India, embodying the same point of view, but phrased in more conciliatory language.

The representatives of Sweden and the United Kingdom submitted different draft resolutions with a view to referring the question to the International Court of Justice. These resolutions were later withdrawn in favor of the following text submitted jointly by the delegations of Sweden, the United Kingdom and the United States:

THE GENERAL ASSEMBLY,

HAVING taken note of the application made by the Government of India regarding the treatment of Indians in the Union of South Africa and having considered the matter, is of opinion that, since the jurisdiction of the General Assembly to deal with the matter is denied and since the questions involved are consequently of a legal as well as of a factual nature, a decision based on authoritatively declared juridical foundations is the one most likely to promote realization of those purposes of the Charter to the fulfillment of which all Members of the United Nations are pledged as well as to secure a lasting and mutually acceptable solution of the complaints which have been made.

THE ASSEMBLY THEREFORE RESOLVES THAT

The International Court of Justice is requested to give an advisory opinion on the question whether the matters referred to in the

Indian application are, under Aricle 2, paragraph 7 of the Charter, essentially within the domestic jurisdiction of the Union.

The Polish delegation submitted an amendment to the joint resolution of Sweden, the United Kingdom and the United States containing the following points: (1) the authority of the General Assembly to deal with the matter was undeniable; (2) the treatment of Indians in the Union of South Africa impaired friendly relations between two Member States of the United Nations; (3) the legislation now in force in the Union should be abolished or amended, so as to remove discrimination; (4) the two Governments should report to the second session of the General Assembly on the measures taken to this end.

The following further draft resolution was submitted by the delegation of Colombia:

1. WHEREAS the following proposal was unanimously approved by the General Assembly at its session of 19 November 1946:

"The General Assembly of the United Nations declares that it is in the higher interests of Humanity to put an immediate end to religious and so-called racial persecutions and discrimination, and calls on the Governments and responsible authorities to conform both to the letter and to the spirit of the Charter of the United Nations, and to take the most prompt and energetic steps to that end."

2. WHEREAS the Indian delegation to this Assembly has requested the Assembly to take action with a view to the modification of the laws of the Union of South Africa which establish racial discrimination against the Indians.

RESOLVES

1. To request the International Court of Justice to give an advisory opinion on the following legal questions:

(a) Whether the Members of the United Nations, in accordance with the Preamble and Article 1, paragraph 3 of the Charter, are under obligation to amend immediately their internal legislation when it establishes racial discrimination incompatible with the text of the Charter.

(b) Whether the Members of the United Nations are entitled in the future to enact internal legislation embodying racial discrimination.

(c) Whether laws of racial discrimination constitute, or may be alleged by States to constitute matters of internal jurisdiction on which the General Assembly is debarred from making recommendations to the State or States concerned, to the Security Council or to the Economic and Social Council.

2. To request the Members of the United Nations to inform the Secretary-General before 31 March 1947 of such of their internal laws as may establish racial discrimination, and to furnish him with the text of such laws. This information and the respective laws shall be published and made known by the Secretary-General to all Members of the Organization.

At the fifth meeting of the Joint First and Sixth Committee on November 28, 1946, the representative of China proposed the establishment of a small sub-committee, including the representatives of India and the Union of South Africa, to study the various proposals before the Committee and to submit a draft resolution suggesting a basis for resumption of negotiations by the two parties concerned for a satisfactory settlement of the case. The representative of Columbia submitted a similar proposal as an amendment to the Chinese resolution.

The representative of India opposed the appointment of a sub-committee as he did not think that there was any sound basis for a continuation of negotiations. Moreover, both the representatives of India and South Africa refused to sit on a sub-committee, but insisted on a vote in the plenary Committee on the principles involved. The Chinese and Colombian delegations therefore withdrew their proposals.

At the sixth meeting of the Joint First and Sixth Committee on November 30, 1946, the representative of India stated that his delegation was satisfied that it had obtained a full discussion of the vital issues at stake. So as not to seem vindicative and in order to facilitate the voting, the Indian representative withdrew his resolution in favor of the more conciliatory text submitted jointly by the representatives of France and Mexico. The representative of South Africa withdrew his resolution in favor of the joint resolution of Sweden, the United Kingdom and the United States. A vote was then taken on the French-Mexican text, which the Committee adopted by 24 votes to 19, with 6 abstentions.

At the 50th plenary meeting of the General Assembly on December 7, 1946, the representative of South Africa stated that the vote in the Committee had been indecisive. The resolution had been adopted by only 24 votes, less than an absolute majority of all of the Members of the United Nations. Moreover, under the voting procedure, the Committee had not really dealt with the South African suggestion to refer the matter to the International Court of Justice.

To condemn a Member State of the United Nations on very grave charges by such a vote would be monstrous and a course which the General Assembly could not countenance. He urged that in all justice and fairness the General Assembly was bound to pass its own judgment on the matter. Therefore the representative of South Africa resubmitted the text of the resolution of Sweden, the United Kingdom and the United States with a slight drafting change, as an amendment to the resolution adopted by the Joint First and Sixth Committee.

During the lengthy discussion which ensued at the 50th, 51st and 52nd plenary meetings of the General Assembly, many of the representatives restated their points of view as previously expressed in Committee.

Before the Assembly proceeded to a vote the question of whether a two-thirds majority was required was debated. In favor of a two-thirds majority vote the representative of South Africa, supported by a number of other delegations, maintained that all speakers had stressed the importance of the matter, and that it had been contended that the question impaired friendly relations between India and South Africa. It was therefore a question affecting the maintenance of peace and security in the sense of Article 18 of the Charter. Other representatives, including the representative of India, expressed the view that the enumeration in Article 18, paragraph 3, of categories of questions requiring a two-thirds majority was exhaustive and should be added to only in very exceptional cases. A decision to refer the matter to the Court would be a question of procedure, and the operative part of the resolution adopted by the Joint First and Sixth Committee merely called on the two Governments concerned to report to the next session of the General Assembly. By a vote of 29 to 24, with 1 abstention, the Assembly decided that a two-thirds majority was required.

The General Assembly then rejected the South African amendment to the resolution of the Joint First and Sixth Committee by a vote of 31 to 21, with 2 abstentions. By 32 votes to 15, with 7 abstentions, the General Assembly adopted the resolution recommended by the Joint First and Sixth Committee:

THE GENERAL ASSEMBLY,

HAVING taken note of the application made by the Government of India regarding the treatment of Indians in the Union of South Africa, and having considered the matter:

1. STATES that, because of that treatment, friendly relations between the two Member States have been impaired, and unless a satisfactory settlement is reached, these relations are likely to be further impaired;

2. IS OF THE OPINION that the treatment of Indians in the Union should be in conformity with the international obligations under the agreements concluded between the two Governments, and the relevant provisions of the Charter;

3. THEREFORE REQUESTS the two Governments to report at the next session of the General Assembly the measures adopted to this effect.

The Secretary-General transmitted the above resolution to the Governments of India and the Union of South Africa in a letter dated January 21, 1947. In his reply, dated April 24, 1947, the Minister of External Affairs of India expressed his desire to act in full accordance with the terms and spirit of the resolution, and offered to the Government of the Union of South Africa his co-operation in any steps to implement it. On April 30, 1947, the Secretary-General transmitted this information to the representative of the Union of South Africa and requested to be informed of any steps being considered by his Government under the Assembly resolution.

During the months of May and June, the Governments of India and the Union of South Africa sent to the Secretary-General, for his information, copies of correspondence exchanged between them on the subject of implementing the Assembly's resolution on the treatment of Indians in the Union of South Africa.

3. ECONOMIC AND SOCIAL MATTERS

a. Activities of the Economic and Social Council

(1) Report of the Economic and Social Council

The General Assembly at its 46th plenary meeting on October 31, 1946, referred to the Joint Second and Third Committee the report of the Economic and Social Council, which the Council had submitted to the General Assembly in accordance with Article 15, paragraph 2, of the Charter and Rule 12 of the Provisional Rules of Procedure. Most of the questions dealt with in the report were covered by other items on the General Assembly's agenda.

In the course of the general discussion on the report a number of representatives expressed appreciation of the progress made in the organization of the Council, as well as of the effort

which the Council had made towards the solution of various important economic and social problems.

Certain representatives, on the other hand, expressed apprehension concerning the rising cost of projects which the Economic and Social Council might embark upon and recommended that wherever possible the Council should request financial reports before making decisions. Some representatives felt that the Council had failed to make substantial progress and deplored a tendency to use the Council as a forum for political questions. The view was further expressed that the Council had paid too much attention to long-term problems at the expense of urgent immediate tasks. A number of Latin-American representatives considered that representatives of Latin-American countries had been elected to fewer posts on the commissions of the Economic and Social Council than their voting strength in the General Assembly would seem to have entitled them to. The General Assembly should therefore recommend to the Council that it strive for a better geographical distribution.

At the first meeting of the Joint Second and Third Committee the New Zealand representative submitted a draft resolution noting with satisfaction the work accomplished by the Council and drawing its attention to the remarks made in the Joint Second and Third Committee and during the general debate in the General Assembly.

Certain delegations expressed the opinion that there was no need for such a general resolution, since most questions considered by the Economic and Social Council had been referred to the General Assembly and were being dealt with in separate resolutions. The Joint Committee, however, at its third meeting on November 23, 1946, adopted the resolution submitted by the representative of New Zealand.

At its 66th plenary meeting on December 15, 1946, the General Assembly adopted the resolution recommended by the Joint Second and Third Committee by 43 votes, with no opposition and 3 abstentions. The resolution read as follows:

THE GENERAL ASSEMBLY,

HAVING CONSIDERED the report of the Economic and Social Council submitted to it under Article 15, paragraph 2, of the Charter, and rule 12 of the provisional rules of procedure of the General Assembly;

NOTES with satisfaction that the Economic and Social Council has made substantial progress toward its organization for the effective fulfilment of its functions and responsibilities;

NOTES also with satisfaction, the efforts which the Economic and Social Council is making to solve the many difficult economic and social problems with which the world is confronted as a consequence of the recent world war;

DRAWS the attention of the Economic and Social Council to the remarks made in the Joint Second and Third Committee and during the general debate in the General Assembly.

(2) Request of the World Federation of Trade Unions for a closer connection with the Economic and Social Council

In connection with the general discussion on the report of the Economic and Social Council, the question of the consultative status of the World Federation of Trade Unions with respect to the Council was raised.

In a letter from the WFTU dated November 12, 1946, which was sponsored by the delegation of France and circulated among the members of the Joint Second and Third Committee, the WFTU expressed its desire to establish closer relations with the Economic and Social Council. On the basis of the Economic and Social Council's decision of June 21, 1946, the letter stated, co-operation between the WFTU and the Council could be achieved only by indirect contacts, with the prior approval of the Council's Standing Committee on Arrangements for Consultation with Non-Governmental Organizations. The WFTU, however, whose membership was greater than that of any other non-governmental organization and whose essential purpose was the improvement of social and economic conditions, the letter stated further, was closely bound up with all the fields of the Council's activities. Its proposals, therefore, should be exempted from preliminary screening. Hence the WFTU requested (1) the right to submit to the Council questions for insertion in the provisional agenda, and (2) the right to present written and verbal statements to the Council on all matters of concern to the WFTU.

Supporting the request of the WFTU, the representative of the U.S.S.R. submitted the following draft resolution:

HAVING CONSIDERED the application of the World Federation of Trade Unions to establish close connection with the Economic and Social Council and taking into consideration the Economic and Social Council's resolution of 21 June 1946, that "most close consultative connection should be established with the World Federation of Trade Unions,"

THE GENERAL ASSEMBLY RECOMMENDS that the Economic and Social Council grant to the World Federation of Trade Unions:

1. The right to submit for consideration by the Economic and Social Council questions intended for inclusion in the provisional agenda in accordnace with the procedure applicable at the present time to specialized agencies;
2. the right to submit to the Council written and oral communications on all matters of interest to the Federation.

The representative of the U.S.S.R. subsequently accepted certain drafting changes proposed by the representative of Belgium.

A number of delegations opposed the U.S.S.R. resolution on the ground that the arrangements which the Economic and Social Council had made for consultation with the WFTU were entirely adequate. According to Article 71 of the Charter, moreover, it was the duty of the Economic and Social Council to arrange for consultation with non-governmental organizations. Therefore it was not appropriate that the General Assembly should give instructions to the Council regarding arrangements which the Council had already established after careful consideration of all the factors involved.

As to the specific requests of the WFTU, it was contended that to give the WFTU the right to submit items for inclusion in the Council's agenda would place the WFTU in the same position as the specialized agencies. This was contrary to Articles 70 and 71 of the Charter, which required the Economic and Social Council to make a distinction between specialized agencies and non-governmental organizations. To grant the WFTU the right to submit written and verbal statements to the Council would place the WFTU in a position superior to that of specialized agencies and governments not represented on the Council, which was contrary to the principles of the Charter. Finally, it was maintained that if the WFTU were given the right to deal directly with the Economic and Social Council, the same right would have to be exended to all non-governmental organizations in category (a)[1], with the result that the Council would no longer have control of its own agenda and its work might be hampered by numerous conflicting items submitted by different organizations.

In support of the U.S.S.R. resolution it was maintained that the request of the WFTU was in full accord with Article 71 of the Charter, for "consultation" in the sense of this Article not only did not exclude participation at meetings, but on the contrary presupposed such participation.

A number of delegations supported the proposal that the WFTU be granted the right to submit items for inclusion in the Council's provisional agenda, but considered that the recommendation that the WFTU be given the right to participate in the Council's meetings went too far.

At its third meeting on November 23, 1946, the Joint Second and Third Committee adopted the preamble and the first part of the U.S.S.R. resolution by 22 votes to 15, with 2 abstentions. The second part, containing the recommendation that the WFTU be granted the right to present written and verbal statements to the Economic and Social Council on all matters of concern to the WFTU, was rejected by 24 votes to 14, with 3 abstentions.

When the General Assembly considered the report of the Joint Second and Third Committee at its 66th plenary meeting on December 15, 1946, the representative of the U.S.S.R. stated that he considered the Committee's decision wrong, as it restricted the justified rights of such an authoritative international organization of workers as the WFTU. Participation by the WFTU in the tasks of the Economic and Social Council would only facilitate the work of the Council and thereby assist in bettering the work of the organization as a whole. The representative of the U.S.S.R. therefore resubmitted his proposal, previously rejected by the Joint Second and Third Committee, as an amendment to the resolution as adopted by the Committee.

The General Assembly defeated the U.S.S.R. amendment by 28 votes to 15, with 10 abstentions, and adopted the following resolution recommended by the Joint Second and Third Committee by 25 votes to 22, with 6 abstentions.

THE GENERAL ASSEMBLY

HAVING CONSIDERED the request of the World Federation of Trade Unions, dated 12 November 1946, for the establishment of a closer connection with the Economic and Social Council and taking into account the decision of the Council of 21 June 1946 "that most close consultative connection should be established with the World Federation of Trade Unions,"

RECOMMENDS to the Economic and Social Council that it give to the World Federation of Trade Unions the right to submit to the Economic and Social Council questions for insertion in the provisional agenda, in accordance with the procedure now applicable to specialized agencies.

[1] i.e., "organizations which have a basic interest in most of the activities of the Economic and Social Council, and are closely linked with the economic or social life of the areas which they represent."

(3) Consultative Arrangements with Non-Governmental Organizations

After the Joint Second and Third Committee had voted in favor of the proposal that the General Assembly recommend to the Economic and Social Council that it give to the WFTU the right to submit to the Council questions for insertion in the provisional agenda, the representative of the United States declared that the principle of the equality of treatment of non-governmental organizations in the same category had to be adhered to. He therefore submitted a draft resolution to the effect that the General Assembly recommend to the Economic and Social Council that it grant to all non-governmental organizations in category (a) all the rights which had been granted to the WFTU.

In opposing this resolution several representatives remarked that the United States representative was contradicting himself, as he had previously, on grounds of principle, opposed the WFTU's request for closer collaboration with the Economic and Social Council. Methods of consultation with each organization, it was contended, had to be examined in each case according to its individual merits. There could be no general approach as envisaged in the United States resolution. Non-governmental organizations in category (a) included some national organizations, and it was not desirable to extend to such organizations the same privileges as were granted to such international organizations as the WFTU.

Other representatives considered that the Committee's decision to grant the WFTU the right to submit agenda items had been wrong. Although it was just in principle that similar rights should be accorded to organizations with a similar status, these representatives opposed the United States resolution because in their view it would extend the effect of a wrong decision already made.

At its fourth meeting on November 26, 1946, the Joint Second and Third Committee adopted the resolution submitted by the representative of the United States by 19 votes to 13, with 11 abstentions.

The representative of Greece considered that the resolution adopted by the Committee placed non-governmental organizations on the same footing as specialized agencies. The Committee's recommendation therefore went beyond the powers conferred upon the Economic and Social Council by Article 71 of the Charter. Hence the representative of Greece submitted a draft resolution requesting an advisory opinion on the matter from the Sixth Committee (Legal). He withdrew his proposal after the Chairman of the Committee and several representatives had expressed the view that the resolution was out of order in view of the Committee's previous vote.

The General Assembly adopted the resolution recommended by the Joint Second and Third Committee at its 66th plenary meeting on December 15, 1946, by 33 votes to 11, with 8 abstentions. The text of the resolution was as follows:

THE GENERAL ASSEMBLY

HAVING CONSIDERED the report of the Economic and Social Council concerning arrangements for consultation with non-governmental organizations.

TAKES NOTE of the action of the Council to place certain non-governmental organizations in category (a);

EXPRESSES agreement with the general principle that all non-governmental organizations in category (a) should receive equal treatment in respect of consultative arrangements with the Council.

The delegation of Argentina submitted the following proposal to the Joint Second and Third Committee:

THE GENERAL ASSEMBLY OF THE UNITED NATIONS, AT THE SECOND PART OF ITS FIRST SESSION, RESOLVES

That the Economic and Social Council, on request, extend the benefit of the arrangements for consultation with non-governmental organizations to the labor federations of the American Republics, corporate bodies representing the working classes of the said countries, in order, with their co-operation, to supplement the study of the regional problems affecting the American peoples and that they may duly participate in the work of the Council, in accordance with Article 71 of the Charter.

In submitting this resolution, the representative of Argentina stated, it was the purpose of his delegation to make it possible for the trade unions of Argentina to be heard by the Council on matters which concerned them.

Several representatives objected that direct consultation with essentially national organizations was not justified in this case, as most labor organizations of the American Republics belonged to the WFTU, which represented the interests of labor in relation with the Economic and Social Council. Other representatives considered that the Economic and Social Council

had the needed authority to consult with any international or national organization it wished. The Argentine resolution, therefore, was an unnecessary repetition of existing provisions.

By a vote of 27 to 9, with 2 abstentions, the Joint Second and Third Committee rejected the resolution submitted by the Argentine delegation.

b. Relations with Specialized Agencies

(1) Approval of Agreements with Specialized Agencies and Relations with Specialized Agencies

In accordance with Article 63 of the Charter, the Economic and Social Council, during its second session, concluded agreements between the United Nations and the International Labour Organisation (ILO), the United Nations Educational, Scientific and Cultural Organization (UNESCO), and the Food and Agriculture Organization of the United Nations (FAO). During its third session the Council concluded an agreement between the United Nations and the International Civil Aviation Organization (ICAO). These agreements were submitted to the General Assembly for its approval at the second part of the first session.

The general question of relations between the United Nations and the specialized agencies was included in the agenda of the second part of the first session of the General Assembly at the request of the delegation of France.

At its 46th plenary meeting on October 31, 1946, the General Assembly referred these two items to the Joint Second and Third Committee. As the Committee considered that the approval of agreements with specialized agencies and the question of relations with these agencies were closely interrelated it decided to discuss the items jointly.

The representative of France submitted a draft resolution recommending that the General Assembly approve the proposed agreements with ILO, UNESCO, FAO and ICAO. With a view to co-ordinating the activities of the specialized agencies with those of the United Nations, the resolution further instructed the Economic and Social Council to report to the General Assembly within the space of three years on the progress of collaboration between the United Nations and the specialized agencies.

In the general discussion the need for co-ordination of the policies and activities of the specialized agencies and the Economic and Social Council was stressed. Some representatives expressed apprehension at the mounting cost involved in the establishment of new specialized agencies and were of the opinion that no further specialized agencies should be established. More effective co-ordination would be possible if the Economic and Social Council entrusted certain tasks to its own commissions instead of adding to the growing number of specialized agencies. On the other hand, the view was expressed that the Economic and Social Council should limit itself to the task of co-ordinating the work of the specialized agencies and should not deal directly with substantive matters.

As to the agreements submitted for approval by the General Assembly, the representative of the U.S.S.R. was of the opinion that certain articles contained in the agreements were contrary to the provisions of the Charter, in particular those permitting specialized agencies to participate in the work not only of the Economic and Social Council but also of the Trusteeship Council, and the provisions concerning budgetary and financial arrangements. The U.S.S.R. representative therefore proposed to add to the French resolution a recommendation to the effect that the Economic and Social Council together with the specialized agencies concerned should re-examine the agreements between the United Nations and the specialized agencies with a view to bringing them into complete accord with the Charter.

In opposition to the the U.S.S.R. amendment it was stated that the Joint Second and Third Committee was not competent to make any changes in the draft agreements negotiated by the Economic and Social Council with the specialized agencies. Acceptance of the U.S.S.R. amendment would be tantamount to non-ratification of the agreements and would necessitate their renegotiation. The Committee could not at the same time approve the agreements and adopt an amendment which implied that these agreements were not in accord with the Charter of the United Nations.

By a vote of 21 to 3, with 6 abstentions, the Joint Second and Third Committee at its eighth meeting on December 3, 1946, rejected the amendment submitted by the representative of the U.S.S.R.

Several representatives expressed the view that the agreement with ICAO should not be approved, because Franco Spain was a Member of PICAO (Provisional International Civil

Aviation Organization) and might become a Member of ICAO by ratifying the International Civil Aviation Convention. The representative of Poland therefore proposed to amend the resolution submitted by the French representative, to the effect that the General Assembly approve the draft agreement ". . . with the exception of the agreement with the International Civil Aviation Organization. In case Franco Spain is not a Member of the International Civil Aviation Organization, the agreement with that Organization is considered approved."

Several representatives who favored the exclusion of Spain from all specialized agencies pointed out that the First (Political and Security) Committee of the General Assembly was dealing with the question of the relations of the United Nations with Spain; hence it was not necessary for the Joint Second and Third Committee to act separately. The representative of Chile therefore submitted an amendment to the French resolution recommending that the General Assembly approve the agreement with ICAO, "provided that . . . that Organization complies with the decision of the General Assemby regarding Franco Spain." The representative of Belgium submitted a similar amendment.

The representatives of Belgium and Poland subsequently withdrew their amendments in favor of the Chilean text, whereupon the representative of the U.S.S.R. submitted the text proposed by the representaive of Poland as his own amendment. The Committee rejected this latter amendment by 20 votes to 6, with 4 abstentions, and adopted the one submitted by the representative for Chile by 24 votes, with 7 abstentions.

As indicated, the resolution submitted by the representative of France contained a recommendation that the Economic and Social Council should report to the General Assembly within the space of three years concerning the progress of collaboration between the Council and the specialized agencies. The representative of China suggested that no time limit should be set for such a report. The General Assembly should be free to review the relations of the United Nations with the specialized agencies at any time it considered desirable. The representative of Australia proposed that the Economic and Social Council should render an annual report to the General Assembly. By 10 votes to 5, with 8 abstentions, the Committee rejected the Chinese proposal. The Australian proposal was likewise lost, the vote being 10 to 10.

At its 10th meeting on December 6, 1946, the Joint Second and Third Committee voted to adopt, with some drafting changes, the resolution submitted by the representative of France and amended by the Committee. The General Assembly adopted the resolution presented by the Committee at its 65th plenary meeting on December 14, 1946, by 44 votes, without opposition and with 5 abstentions. The text of the resolution was as follows:

THE GENERAL ASSEMBLY,

WHEREAS agreements entered into by the Economic and Social Council with certain specialized agencies are now before the General Assembly for approval:

RESOLVES to approve the agreements with the International Labour Organization, the United Nations Educational, Scientific, and Cultural Organization, the Food and Agriculture Organization of the United Nations, and the International Civil Aviation Organization, provided that in the case of the agreement with the International Civil Aviation Organization, that Organization complies with any decision of the General Assembly regarding Franco Spain.

FURTHERMORE, considering it essential that the policies and activities of the specialized agencies and of the organs of the United Nations should be co-ordinated:

REQUESTS the Economic and Social Council to follow carefully the progress of such collaboration;

INSTRUCTS the Economic and Social Council to report on this question to the General Assembly within the space of three years, so as to keep the General Assembly informed and in order that the Council and the General Assembly may, if necessary, and after consultation with the said agencies, formulate suitable proposals for improving such collaboration.

In accordance with instructions of the General Assembly the relevant articles in the draft agreements with the specialized agencies on relations between the specialized agencies and the International Court of Justice were referred to the Sixth Committee (Legal) for examination and for report to the Joint Second and Third Committee.

By a resolution of October 17, 1946, the Economic and Social Council had recommended that all four specialized agencies — ILO, FAO,

UNESCO and ICAO — be granted general authorization to ask advisory opinions from the International Court of Justice.[1]

In the discussion which ensued at the 27th and 28th meetings of the Sixth Committee held on December 3 and 4, 1946, respectively, a number of representatives expressed the opinion that it was neither necessary nor desirable to grant a general authorization to the specialized agencies to seek advisory opinions from the International Court of Justice. The specialized agencies could apply for authorization, in each case, to the Economic and Social Council or to the General Assembly. The specialized agencies, it was maintained, should not be placed on the same footing as the Economic and Social Council. The privilege of asking for advisory opinions from the Court should be granted only in special cases, in order to maintain the prestige of the Court and to avoid overburdening it with work.

In favor of granting a general authorization to the specialized agencies it was maintained that it would make for an unwieldly and time-wasting procedure if the specialized agencies were required to submit their requests for advisory opinions through the Economic and Social Council or the General Assembly. Frequent requests for advisory opinions would facilitate the creation of an international jurisprudence which would serve as the basis for the codification of international law. On the other hand, the authorization granted to the specialized agencies would be limited to matters within their competence, so that there was no real danger of overburdening the Court with work.

The representative of India submitted a resolution to the effect that the Sixth Committee was not in favor of authorizing the specialized agencies to request advisory opinions from the International Court. The Committee rejected this resolution by 26 votes to 7, with 4 abstentions.

The representative of Saudi Arabia considered that the General Assembly could grant authorization only by a unilateral act and not by an agreement. The relevant articles should therefore be omitted from the agreements with the specialized agencies. An amendment to this effect submitted by the Saudi Arabian representative was rejected by the Sixth Committee by 24 votes to 14, with 2 abstentions.

The representative of Mexico, supported by the representatives of Chile and the U.S.S.R., proposed granting specialized agencies the right to ask advisory opinions from the Court subject to the approval of the Economic and Social Council, in accordance with the clause contained in the draft agreement with UNESCO. The representative of France, supported by the representative of Belgium, submitted a resolution stating that the Committee favored granting the specialized agencies the general authorization proposed by the Economic and Social Council, it being understood that the General Assembly might at any time revoke this authorization.

Voting separately on the agreements with ILO, FAO, UNESCO and ICAO, the Sixth Committee in each case rejected the proposal of the representative of Mexico and adopted the Franco-Belgian proposal. By letter of December 5, 1946, the Sixth Committee notified the Joint Second and Third Committee of its decision.

(2) Budgetary and Financial Relationships with Specialized Agencies

The Norwegian delegation to the third session of the Economic and Social Council had submitted an item on the subject of a consolidated budget and common fiscal services for the United Nations and the specialized agencies, but had later withdrawn it from the agenda because of the lack of adequate time for full discussion. As several other delegations had expressed their interest in the subject, the Secretary-General submitted a memorandum to the second part of the first session of the General Assembly on the possible development of common fiscal services or of a consolidated budget for the United Nations and the specialized agencies.

The General Assembly referred the question to the Fifth Committee (Administrative and Budgetary) for consideration. While the majority of representatives were in agreement as to the necessity of close budgetary and financial relationships between the United Nations and the specialized agencies, it was the general feeling of the Committee that further study was

[1] The draft agreement with ILO contained a general authorization. FAO had refused to accept a more restricted clause than that contained in the agreement with ILO and had approved the draft agreement with the United Nations, subject to further discussion of this question. The draft agreement with UNESCO required that agency to notify the Economic and Social Council of its intention to ask an advisory opinion of the International Court of Justice. If the Economic and Social Council did not approve the request, UNESCO could appeal to the General Assembly. UNESCO was willing to accept such a clause. The Assembly of ICAO was not scheduled to meet until April 1947 and no action had therefore been taken by ICAO on the draft agreement which PICAO had negotiated with the Economic and Social Council.

necessary before the Committee could decide what form such relationships should take. Some representatives expressed hope that a consolidated budget might be established at a future date. Others opposed the establishment of a consolidated budget on the ground that the General Assembly under the Charter had no authority to approve such a budget.

At the 29th meeting of the Fifth Committee on November 21, 1946, the Committee's Rapporteur submitted a draft resolution which the Committee adopted with some drafting changes. At its 65th plenary meeting on December 14, 1946, the General Assembly unanimously adopted the following resolution proposed by the Fifth Committee:

THE GENERAL ASSEMBLY,

CONSIDERING paragraph 3 of Article 17 of the Charter of the United Nations providing that:

"The Assembly shall consider and approve any financial and budgetary arrangements with specialized agencies referred to in Article 57 and shall examine the administrative budget of such specialized agencies with a view to making recommendations to the agencies concerned.";

CONSIDERING the views expressed by the various delegations at the twenty-seventh meeting of the Fifth Committee that a system of close budgetary and financial relationships between the United Nations and the specialized agencies is desirable for giving effect to the provisions of the Charter;

REQUESTS the Secretary-General, in consultation with the Advisory Committee on Administrative and Budgetary Questions,

1. To continue exploratory discussions with the specialized agencies and to report and make recommendations to the next regular session of the General Assembly;
2. To append, if possible, to the United Nations budget for 1948, in the form of informative annexes, the budgets or proposed budgets of the specialized agencies for 1948 with a view to presenting to the General Assembly a comprehensive estimate of expenditures of the United Nations and specialized agencies;
3. To explore possible arrangements by which the budgets of the several specialized agencies might be presented to the General Assembly for approval;
4. To develop, at the earliest possible date in accordance with the budgetary and financial provisions of the agreements with the specialized agencies, arrangements for common fiscal controls and common budgetary, administrative and financial practices.

c. Report of the Committee on UNRRA

By a resolution of February 1, 1946, the General Assembly had established a Committee on UNRRA. In accordance with the Assembly's resolution the Committee submitted a report on its activities to the second part of the first session of the General Assembly.

The Second Committee (Economic and Financial), to which this report was referred, unanimously adopted a resolution submitted by the representative of the United Kingdom at its 26th meeting on December 5, 1946. Likewise by unanimous vote, the General Assembly at its 55th plenary meeting on December 11, 1946, adopted the following resolution recommended by the Second Committee:

The General Assembly, at its twenty-first plenary meeting on 1 February 1946, established a Committee to encourage support of UNRRA during the final stages of its work.

The General Assembly has now received a report on the work of the Committee and has noted with satisfaction the extent to which Member Governments have supported the activities of UNRRA and have thus contributed so substantially to the relief and rehabilitation of those countries which had been devastated by the war.

The General Assembly has learned from the report of the Committee that, although expected contributions have been realized in a very large measure, a small proportion has not yet been made available, and that the Chairman of the Committee has been requested to draw the attention of the Governments concerned to the desirability of completing their contributions in order that UNRRA might receive the full amount required for the completion of its activities.

THE GENERAL ASSEMBLY, THEREFORE,

WARMLY THANKS the Chairman and members of the Committee on UNRRA for their efforts in fulfilment of the task entrusted to them;

URGES Member Governments concerned to consider sympathetically the communication from the Chairman of the Committee on UNRRA and to make available the balance of their expected contributions, in order that UNRRA may have at its disposal for the completion of its task the full amount recommended by the UNRRA Council.

d. Relief Needs after the Termination of UNRRA

In its resolution of February 1, 1946, establishing a Committee on UNRRA, the General Assembly instructed the Secretary-General to make arrangements with the Director-General of UNRRA whereby the General Assembly might be furnished with full reports on the work of UNRRA. In accordance with this reso-

lution the Director-General of UNRRA submitted an extensive report to the second part of the first session of the General Assembly on the progress made towards economic rehabilitation in the countries being assisted by UNRRA.

The General Assembly also received a recommendation from the Economic and Social Council on the question of relief needs in 1947 after the termination of UNRRA's activities. At its fifth session the Council of UNRRA had adopted a resolution recommending to the General Assembly of the United Nations the establishment or designation of an agency to review the needs in 1947 for urgent imports of basic essentials of life for the various receiving countries of UNRRA and to make recommendations regarding financial assistance that might be required to meet such needs. By a resolution of October 3, 1946, the Economic and Social Council endorsed the recommendation of the Council of UNRRA and recommended that the General Assembly take appropriate action as soon as possible.

At its 46th plenary meeting on October 31, 1946, the General Assembly referred the question of post-UNRRA relief to the Second Committee (Economic and Financial) for consideration. The Second Committee discussed the question at its 12th, 16th, 17th and 18th meetings held on November 11, 14, 16 and 19 respectively, and again at its 26th, 27th, 28th and 29th meetings on December 5, 6, 7 and 9 respectively.

The Director-General of UNRRA, who was invited to participate in the Committee's discussions, told the Committee that the countries receiving UNRRA aid would be faced with a considerable deficit of foodstuffs after the termination of UNRRA's work in 1947. He urged that the United Nations adopt definite plans to remedy these deficits and continue to provide assistance on an international basis. To this end he proposed the establishment of a United Nations Emergency Food Fund of at least $400,000,000 to which the Members of the United Nations would be called upon to contribute in money or in goods. This fund would operate until after the 1947 harvest, at which time the General Assembly could determine whether further action would be necessary.

The delegation of Denmark submitted a draft resolution embodying the proposal of the Director-General of UNRRA for the establishment of a United Nations Emergency Food Board.

The majority of the representatives who participated in the discussion stressed the fact that countries which hitherto had received UNRRA aid would need further assistance in 1947 to provide for imports of food and other basic commodities; that existing agencies such as the Food and Agriculture Organization, the International Bank for Reconstruction and Development and the International Monetary Fund could deal only with long-range problems; and that the immediate needs therefore would have to be met through some other form of international action. Hence most representatives favored continued relief, after the termination of UNRRA, through an international agency such as that recommended by the Director-General of UNRRA and the Danish delegation.

The representatives of the United States and the United Kingdom, however, the two largest potential contributors to any international relief agency which the General Assembly might set up, opposed the establishment of such an agency. The representative of the United States considered that the world economic situation had improved considerably and that certain nations which had received UNRRA aid were now able to export their own products. His Government was aware, the United States representative stated, that some countries still needed relief, but it was opposed to the establishment of an international organization to handle the residual problem. Moreover, UNRRA resources would in the main be exhausted by the end of February. The most critical period would be the late winter and early spring. It was imperative, therefore, to move quickly and the United States Government favored simpler and more direct methods of relief than the establishment of an international agency. Hence, the United States representative submitted a draft resolution to the Second Committee providing for relief to be furnished by Members of the United Nations on a bilateral and voluntary basis. Specifically the resolution:

(1) directed the Secretary-General to transmit to all Members of the United Nations and international organizations concerned information on the needs for urgent imports of basic commodities in 1947 and on the financial assistance which might be required to meet such needs;

(2) called upon Members of the United Nations to assist in the furnishing of relief during the ensuing year and to develop their relief programs with the greatest possible speed;

(3) invited contributing governments to coordinate their respective programs by informal consultation so as to achieve the maximum results from their efforts.

The representative of the United Kingdom supported the resolution of the United States representative. He suggested that Members of the United Nations which were receiving or contributing relief, should use the Secretariat of the United Nations as a clearing house for information and the co-ordination of relief.

As a compromise, certain delegations suggested that contributions of money or in kind should be made by Members of the United Nations on a voluntary basis, with a United Nations committee, however, handling the task of collection and distribution. The representative of Brazil submitted a draft resolution which recommended the establishment of such an international pool of voluntary contributions. This pool was to be created and administered by a special committee consisting of representatives of the Secretary-General of the United Nations, of UNRRA, of the Sub-Commission on Devastated Areas of the Economic and Social Council, of FAO, of the International Emergency Food Council and of the International Bank for Reconstruction. This special committee, moreover, was (a) to survey essential food requirements of the devastated areas in 1947, their need for imports, and the prospective food supply position in the exporting areas; (b) to determine what proportion of those needs could be met with available exchange resources or expected foreign exchange receipts; (c) to consult with the governments of the countries requiring assistance and of potential supplying countries concerning the extension of credit facilities to the needy countries, either on a long or a short-term basis; and (d) to study the possibility of employing the sum in arrears due to UNRRA by Member countries, for the coverage of part of the needs of the devastated areas in 1947.

At its 18th meeting on November 19, 1946, the Second Committee (Economic and Financial) appointed a sub-committee of nineteen members to prepare a single draft resolution. After thorough discussion in three meetings the Sub-Committee was unable to reach any agreement on the basic issue as to whether relief was to be provided on a bilateral and voluntary basis, as proposed in the United States resolution, or whether relief was to be provided through an international agency as proposed in the resolution submitted by the representative of Denmark.

In his report to the Second Committee the Chairman of the Sub-Committee stated that the overwhelming majority of the Sub-Committee had preferred the principle of action by an international agency. According to ordinary parliamentary practice, the Sub-Committee would have proceeded to vote on a draft proposal to implement the principle of international action. The representative of the United States and the United Kingdom, however, had explicitly stated before the Sub-Committee that they could not bow to the majority in this case and that they would not adhere to any decision of the Committee which did not meet their point of view. Even if contributions were to be on a voluntary basis, the representatives of the United States and the United Kingdom had informed the Sub-Committee that they would not give their contributions in conformity with principles established by an international agency. They wished to be free to judge on their own when and where relief was needed, and were convinced that the needs which would exist in 1947 could best be met through bilateral action, which would be more direct and immediate than action through an international agency. The representative of the U.S.S.R., on the other hand, informed the Sub-Committee that his Government was not prepared to make a contribution except to an international organization.

Although favoring international action, the majority of the Sub-Committee felt that it would not serve any useful purpose to vote for the establishment of an international agency which would not receive the support of the two largest contributing countries. The Sub-Committee therefore did not take a vote on the proposals before it, and decided by majority vote to refer the matter back to the Second Committee with the request that the Chairman of the Sub-Committee give a factual report.

At the 26th meeting of the Second Committee on December 5, 1946, the United States resolution was resubmitted in revised form as a resolution sponsored jointly by the representatives of the United States, the United Kingdom and Brazil. In addition to the recommendations contained in the original United States resolution, the revised resolution (1) recommended that all Members of the United Nations keep the Secretary-General informed concerning their plans for assisting in meeting relief needs in 1947 and the progress of their relief activities; (2) directed the Secretary-General to make available to all Members of the United Nations the information thus received, together with information concerning existing relief needs, in order that this information might be used by the Members of the United Nations to facilitate

the co-ordination of their respective relief programs; (3) directed the Secretary-General to facilitate informal consultation among governments concerning their relief plans and to furnish such technical assistance as governments might request.

The Director-General of UNRRA submitted a revised proposal to the Second Committee, which he hoped might be accepted by all members of the Committee. The resolution proposed that the General Assembly establish a United Nations Emergency Food Board whose functions would include:

(a) A review of the needs in 1947 for financing urgent imports of the basic essentials of life, particularly food, after the termination of UNRRA programs to the extent that they cannot be otherwise met;

(b) The making of recommendations as to the financial assistance that might be required to meet such needs as are found to exist as a result of foreign exchange difficulties which cannot be dealt with by existing agencies;

(c) The making of recommendations to governments as to allocations of resources which they make available for relief purposes on the basis of need and free from political considerations; and

(d) The making of periodic reports at such time and in such form as the Economic and Social Council may provide.

If the Committee should fail to accept this revised proposal, the Director-General of UNRRA urged that at least the following amendments to the resolution sponsored jointly by the representatives of the United States, the United Kingdom and Brazil should be adopted: (1) The resolution should state that relief should be furnished "when and where needed," and that it should be free from political considerations; (2) provision should be made for formal, rather than informal consultation from time to time among governments concerning their relief plans.

The representatives of the United States and the United Kingdom opposed the revised resolution of the Director-General of UNRRA. They were, however, willing to accept the above amendments and submitted a draft of the joint resolution revised accordingly.

In view of the opposition of the United States and the United Kingdom to the establishment of an international agency, the representative of Denmark withdrew his resolution.

After further discussion at the 26th, 27th and 28th meetings of the Second Committee on December 5, 6, and 7 respectively, the representative of Canada submitted a compromise proposal as an amendment to the United States-United Kingdom-Brazil resolution. He proposed that a special technical committee be appointed, composed of eight experts in the fields of finance and foreign trade to be designated in their personal capacities by the Governments of Brazil, Canada, China, France, Poland, the U.S.S.R. the United Kingdom, and the United States. This committee would study minimum import requirements of countries which were suffering from considerable deficits in foodstuffs and other basic commodities, it would survey the available means of each country to finance such imports, and would report concerning the financial assistance which might be required. The report of the special technical committee was to be submitted to the Secretary-General for submission to Member Governments not later than January 15, 1947.

The representatives of the United States and the United Kingdom were willing to accept the Canadian proposal. The representative of Denmark and several other representatives who had supported the principle of international action urged support of the Canadian compromise for the sake of unanimity, although this compromise fell short of their aims.

At its 29th meeting on December 9, 1946, the Second Committee decided to increase the membership of the proposed special technical committee to ten, adding Argentina and Denmark to the list of members. The Committee then unanimously adopted the joint resolution of the United States, the United Kingdom and Brazil as amended by the representative of Canada.

As a means of helping to meet relief needs during 1947, the representative of Norway proposed that the General Assembly direct the Secretary-General of the United Nations to consider ways and means of collecting and utilizing contributions by individuals and organizations all over the world equivalent to the value of one day's work. This proposal, submitted in the form of an amendment to the joint resolution of the United States, the United Kingdom and Brazil, was adopted by the Second Committee at its 29th meeting on December 9, 1946, by 33 votes with 4 abstentions.

At its 56th plenary meeting on December 11, 1946, the General Assembly unanimously adopted the resolution recommended by the Second Committee, which read as follows:

THE GENERAL ASSEMBLY

TAKING NOTE of the UNRRA Council resolution (No. 100) of 16 August 1946, and of the related resolution adopted by the Economic and Social Council of 3 October 1946;

RECOGNIZING that certain countries will need financial assistance in 1947 to provide for imports of food and other basic essentials of life;

TAKING NOTE that this need for assistance may not, in all cases, be entirely met by international institutions and other public and private agencies available for this purpose;

RECOGNIZING that, in some countries, if such assistance is not provided, there will be hunger, privation and suffering during the winter, spring and early summer of next year;

TAKING NOTE of the urgent necessity of meeting this residual relief need promptly and of the expressed willingness of Members of the United Nations to do their part in attaining this end;

RECOGNIZING the desirability of meeting this need without wasteful duplication of effort;

CONSIDERING that one of the purposes of the United Nations is to be a centre for harmonizing the actions of nations in the attainment of their common ends, including international co-operation in solving international problems of an economic and humanitarian character;

REAFFIRMING the principle that at no time should relief supplies be used as a political weapon, and that no discrimination should be made in the distribution of relief supplies because of race, creed, or political belief:

1. ESTABLISHES: a Special Technical Committee whose functions shall be:

(a) To study the minimum import requirements of the basic essentials of life, particularly food and supplies for agricultural production of countries which the Committee believes might require assistance in the prevention of suffering or of economic retrogression which threatens the supply of these basic essentials;

(b) To survey the means available to each country concerned to finance such imports;

(c) To report concerning the amount of financial assistance which it believes may be required in the light of (a) and (b) above.

2. DECIDES that the Committee shall consist of ten experts in the field of finance and foreign trade to be designated by the Governments of Argentina, Brazil, Canada, China, Denmark, France, Poland, Union of Soviet Socialist Republics, United Kingdom, and United States of America to serve in their individual capacities and not as representatives of the Governments by which they are designated; and urges each Government to select a person of outstanding competence to serve on the Committee.

3. DIRECTS the Secretary-General to transmit to the Committee the information called for in the third paragraph of the above-mentioned resolution of the Economic and Social Council.

4. DIRECTS the Committee to submit its report to the Secretary-General for submission to Member Governments as soon as possible, but in any event not later than 15 January 1947.

5. CALLS UPON all Members of the United Nations to assist in the furnishing of relief when needed and where needed during the ensuing year, by developing their respective programmes with the greatest possible speed and, in appropriate cases, by extending special credit facilities to the needy countries.

6. RECOMMENDS that all Members of the United Nations keep the Secretary-General informed concerning their plans for assisting in meeting relief needs in 1947, and concerning the progress of their relief activities in this respect.

7. DIRECTS the Secretary-General:

(a) To make available to all Members of the United Nations the information received pursuant to paragraph 6 above, in order that this information, together with that transmitted pursuant to paragraph 4 above, may be used by the Members of the United Nations to facilitate the co-ordination, without wasteful duplication of effort, of their respective relief programmes and activities;

(b) To facilitate informal consultation among Governments concerning their relief plans and programmes; and to arrange for such consultation among Governments whenever, in his opinion, the purpose of this resolution would be promoted thereby;

(c) To furnish, within the limitations of available staff and funds, such technical assistance in respect of the 1947 relief programme as Governments may request.

8. (a) DIRECTS the Secretary-General to consider the ways and means of collecting and utilizing contributions, from persons, organizations and peoples all over the world, equivalent to the earnings of one day's work, for the purpose of helping to meet relief needs during 1947; and to report on the results of such consideration to Member Governments and to the Economic and Social Council at the earliest possible date;

(b) REQUESTS the Economic and Social Council to study the report made by the Secretary-General and to take whatever action it may deem appropriate in regard to this matter.

9. DIRECTS the Secretary-General to report at each session of the Economic and Social Council on the activities being carried out under this resolution.

Acting immediately upon the Assembly's instructions, the Secretary-General convened the Special Technical Committee referred to in the above mentioned resolution.

The experts designated as members of the committee were as follows: Argentina, Dr. José Eduardo Picerno; Brazil, Eurico Penteado; Canada, Robert B. Bryce; China, Cheng Paonan; Denmark, Henrik Kauffmann; France, René Hoffherr (Albert Dollinger, alternate); Poland, Edward Iwaszkiewicz; the U.S.S.R., Nikolai I. Feonov; the United Kingdom, J. Hubert Penson; and the United States, Dallas W. Dort.

During the course of the sessions certain changes took place in the personnel of the Committee and the following additional experts participated in the work; Argentina, Salvador Graziadio; Brazil, Roberto de Oliveira Campos; Canada, Miss H. Dorothy Burwash, J. Richard Murray; Denmark, Jorgen Gelting; Poland, Stanislaw Raczkowski, J. Drewnowski; the U.S.S.R., Alexandre P. Morozov, Valentine Kobushko, Ivan Kamenev; and the United States, Harold B. Cleveland, Peter Strauss.

The Committee was convened to study the minimum import requirements of the basic essentials of life and the means available to each country concerned to finance such imports and to report upon the amount of financial assistance which it believed might be required. It reported unanimously on January 23, 1947, that relief assistance was required for 1947 in the following amounts:

Austria	$143,500,000
Greece	84,300,000
Hungary	40,200,000
Italy	106,900,000
Poland	139,900,000
Yugoslavia	68,200,000
	$583,000,000

It reported further that it was unable to form any conclusions as to the relief needs of China, Korea, and Albania because of the insufficient data available, but that this should not preclude governments from continuing to study this matter with a view to determining what relief needs, if any, remained to be met. The Committee had been unable to review the needs of the Byelorussian S.S.R. and the Ukrainian S.S.R. because no replies were received from these two countries to the request of the Committee for information.

The conclusions and the findings of the Committee were transmitted by the Secretary-General, during the last week of January 1947, to all Members of the United Nations.

The Assembly resolution quoted above recommended that all Members of the United Nations keep the Secretary-General informed concerning their plans for assisting in meeting relief needs in 1947. It directed the Secretary-General to make available to all Members the information thus received and to facilitate informal consultation among governments.

Accordingly, the Secretary-General arranged several meetings between representatives of some eighteen countries between January and May 1947; at these meetings informal statements of the plans contemplated by governments were presented and problems of co-ordination discussed. On May 24 the Secretary-General addressed a formal communication to all Members of the United Nations requesting information concerning their plans for assisting in meeting relief needs in 1947.

From the information available up to June 15, 1947, the Secretary-General stated in his annual report to the General Assembly, it was evident that plans designed to meet somewhat over one-half of the total financial assistance estimated by the Committee as required to meet the minimum import requirements for the basic essentials of life were receiving the consideration of Member Governments. The amounts reported likely to become available to individual countries indicated that the relief needs of the several countries, according to the Technical Committee's estimates of their needs, would be met in varying degrees, but that some among them seemed unlikely to receive any significant part of the assistance needed.

e. Transfer to the United Nations of Advisory Social Welfare Functions of UNRRA

By a resolution of October 1, 1946, the Economic and Social Council requested the Secretary-General of the United Nations to consult with the Director-General of UNRRA and to make studies and formulate recommendations with a view to the assumption by the United Nations of certain important advisory functions in the field of social welfare carried on by UNRRA.

In accordance with this resolution the Secretary-General arranged for joint consultations between representatives of UNRRA and the United Nations Secretariat, in an effort to obtain a clear idea of the extent and cost of the functions performed by UNRRA. On the basis of information obtained as a result of these consultations, the Secretary-General formulated his recommendations and submitted them to the second part of the first session of the General Assembly.

The Secretary-General estimated that the most important advisory functions carried on by UNRRA could be continued with a personnel totaling 51 advisers and administrative assistants. The expenses of this personnel would total $509,689. In addition, the Secretary-General suggested that the General Assembly might wish to continue UNRRA's programs as regards (1) training fellowships for social welfare specialists, (2) the furnishing of material for demonstration and technical training in the field of rehabilitation of physically handicapped persons, and (3) distribution of literature on social welfare questions. The Secretary-General estimated the total expense of these programs (including expenses for advisory functions) at $894,239.

At its 46th plenary meeting on October 31, 1946, the General Assembly referred the Secretary-General's report to the Third Committee (Social, Humanitarian and Cultural), which in turn requested a Sub-Committee to study and report on this question. At its 41st meeting on December 7, 1946, the Third Committee considered the draft resolution submitted by the Sub-Committee, which recommended that the General Assembly:

(1) authorize the Secretary-General to make provision for the continuance of certain of the urgent and important advisory functions carried on by UNRRA;

(2) authorize the Secretary-General to include in the budget of the United Nations for 1947 the necessary funds for the continuance of these functions;

(3) request the Secretary-General to report to the Social Commission of the Economic and Social Council on the measures he would take in compliance with the General Assembly's resolution, and request the Commission during its first session to formulate recommendations concerning the continued action required to carry on the essential activities of UNRRA in the field of social welfare.

This draft resolution had not been unanimously agreed to by the Sub-Committee. As a result of consultations between them, the representatives of the United States and Yugoslavia presented several amendments to the Sub-Committee's text which were acceptable to both of them. At its 44th meeting on December 9, 1946, the Third Committee unanimously adopted the draft resolution as amended by the representatives of the United States and Yugoslavia.

In its report to the Third Committee the Sub-Committee recommended that the Secretary-General be authorized to implement the decisions of the General Assembly before the meeting of the Social Commission, since the work of UNRRA would cease as of January 1, 1947. Considerable elasticity in the application of the program was recommended, so that it could be adapted to the requests which might be presented by Member Governments in accordance with their needs.

There was considerable discussion in the Sub-Committee as to the total figure and its distribution among the various items of the budgetary estimates submitted by the Secretary-General. Some representatives believed that the figures were too high and some that they were too low and that their distribution was subject to doubt. The Sub-Committee, however, did not feel competent to vote on the estimates, believing that the General Assembly could act on financial matters only on the advice of the Fifth Committee (Administrative and Budgetary). The findings and recommendations of the Sub-Committee were endorsed by the Third Committee.

The Secretary-General submitted revised budgetary estimates totaling $670,186 to the Fifth Committee. The Fifth Committee at its 43rd meeting on December 12, 1946, approved this sum by 26 votes without opposition as a supplement to the budget estimates for 1947.

At its 65th plenary meeting on December 14, 1946, the General Assembly unanimously adopted the following resolution submitted by the Third Committee:

WHEREAS Article 66 of the Charter of United Nations provides:

1. The Economic and Social Council shall perform such functions as fall within its competence in connection with the carrying out of the recommendations of the General Assembly;

2. It may, with the approval of the General Assembly, perform services at the request of Members of the United Nations and at the request of specialized agencies;

3. It shall perform such other functions as are specified elsewhere in the present Charter or as may be assigned to it by the General Assembly;

WHEREAS the Economic and Social Council, on 1 October 1946, recommended the transfer to the United Nations of certain urgent and important advisory functions in the field of social welfare carried on by UNRRA, special consideration being given to the needs of children;

WHEREAS the General Assembly, after examining the report and the recommendations presented by the Secretary-General in document A/132, recognizes the necessity of transferring

to the United Nations the urgent and important advisory functions in the field of social welfare carried on by UNRRA.

THE GENERAL ASSEMBLY, THEREFORE

A. AUTHORIZES the Secretary-General:

1. In consultation with the Economic and Social Council, to make provision, with the co-operation of the specialized agencies where appropriate, for the continuance of the urgent and important advisory functions in the field of social welfare carried on by UNRRA; and for this purpose;

2. To include in the budget of the United Nations for 1947 the funds necessary for the assumption of the following functions, all of which are necessary for the accomplishment of an effective programme:

(a) For a requisite number of social welfare experts to provide, on the request of Governments which show the need for them, such advisory services, and to put into practice, over an appropriate period, new technical methods in any branch of social welfare;

(b) For enabling a requisite number of suitably qualified social welfare officials to observe, and familiarize themselves with the experience of other countries administering social welfare programmes;

(c) For providing advice, demonstration and instruction in connection with the manufacture of prosthetic appliances and the vocational training of physically handicapped persons and for furnishing the necessary demonstration equipment and tools;

(d) For the furnishing to the Member countries which have been devastated during the war technical publications helpful in the training of social welfare workers.

The furnishing of the experts shall be undertaken by the Secretary-General in agreement with the Governments concerned, and the selection of grant-holders shall be made by the Secretary-General on the basis of proposals received from Governments. The amount of service to be furnished to the various Governments shall be decided by the Secretary-General, and shall be reviewed by the Social Commission at its next session. The kind of service mentioned under (a), (b), (c) and (d) to be rendered to each country shall be decided by the Government concerned.

B. REQUESTS the Secretary-General to report to the Social Commission on the measures which he takes in compliance with the terms of the present resolution, and requests the Commission during its first session to formulate recommendations concerning the continued action required to carry on the essential advisory activities of UNRRA in the field of social welfare.

f. Establishment of an International Children's Emergency Fund

At its third session, on September 30, 1946, the Economic and Social Council had adopted a resolution, drafted by the Standing Committee of UNRRA in consultation with representatives of the Secretary-General of the United Nations and with the Acting President of the Economic and Social Council, recommending that the General Assembly arrange for the creation of an International Children's Emergency Fund subject to the Economic and Social Council; and that the Secretary-General of the United Nations, in consultation with the Director-General of UNRRA, the President of the Economic and Social Council and the Standing Committee of UNRRA prepare a draft resolution to establish the necessary international machinery for this purpose.

In compliance with this recommendation the Secretary-General, on October 30, 1946, transmitted a draft resolution to the second part of the first session of the General Assembly. The General Assembly referred the question to its Third Committee (Social, Humanitarian and Cultural), which in turn, on November 20, 1946, instructed a Sub-Committee to examine the Secretary-General's recommendations and to present a report.

The Sub-Committee took note of the situation facing Europe and parts of Asia during the next few years insofar as it affected the rehabilitation of children. Although the Sub-Committee stressed that in its view the prime responsibility for the rehabilitation of children rested with national governments, it concluded that many governments would not be able to meet all the existing needs as regards adequate food supplies for children, the rehabilitation and manning of children's institutions and the training of personnel. Although voluntary relief efforts were generous and widespread, the Sub-Committee considered that such efforts touched only the fringe of the problem. Hence the necessity for an International Children's Emergency Fund. The Sub-Committee worked out detailed recommendations for the operation of the Fund and drew up a resolution based in the main on the Secretary-Generals' draft resolution.

At its 44th meeting on December 7, 1946, the Third Committee voted to add Argentina and the Byelorussian S.S.R. to the list of members of the Executive Board of the Fund recommended by the Sub-Committee. Switzerland had likewise been suggested for membership of the

Board, but certain delegations opposed this recommendation on the ground that Switzerland was not a Member of the United Nations. It was decided to leave the question of Switzerland's representation for later consideration, as the Economic and Social Council could add new members to the Board on the latter's recommendation.

The Third Committee then unanimously adopted the report and the resolution of the Sub-Committee. Likewise by unanimous vote, the General Assembly, at its 56th plenary meeting on December 11, 1946, adopted the resolution recommended by the Third Committee, which read as follows:

I. THE GENERAL ASSEMBLY,

HAVING considered the resolution adopted by the Economic and Social Council at its third session recommending the creation of an International Children's Emergency Fund to be utilized for the benefit of children and adolescents of countries which were the victims of aggression, and recognizing the desirability of establishing such a Fund in accordance with Article 55 of the Charter of the United Nations;

DECIDES THEREFORE:

1. There is hereby created an International Children's Emergency Fund to be utilized and administered, to the extent of its available resources:

(a) For the benefit of children and adolescents of countries which were victims of aggression and in order to assist in their rehabilitation;

(b) For the benefit of children and adolescents of countries at present receiving assistance from the United Nations Relief and Rehabilitation Administration;

(c) For child health purposes generally, giving high priority to the children of countries victims of aggression.

2. (a) The Fund shall consist of any assets made available by UNRRA or any voluntary contributions made available by Governments, voluntary agencies, individual or other sources. It shall be authorized to receive funds, contributions or other assistance from any of the foregoing sources; to make expenditures and to finance or arrange for the provision of supplies, material, services and technical assistance for the furtherance of the foregoing purposes; to facilitate and coordinate activities relating thereto; and generally to acquire, hold or transfer property, and to take any other legal action necessary or useful in the performance of its objects and purposes;

(b) The Fund, in agreement with the Governments concerned, shall take such measures as are deemed appropriate to ensure the proper utilization and distribution of supplies or other assistance which it provides. Supplies or other assistance shall be made available to Governments upon approval by the Fund of the plans of operation drawn up by the Governments concerned. Provision shall be made for:

(i) The submission to the Fund of such reports on the use of supplies and other assistance as the Fund may from time to time require;

(ii) Equitable and efficient dispensation or distribution of all supplies or other assistance, on the basis of need, without discrimination because of race, creed, nationality status or political belief;

(c) The Fund shall not engage in activity in any country except in consultation with, and with the consent of, the Government concerned;

(d) The Fund shall appeal to all voluntary relief agencies to continue and intensify their activities and shall take the necessary measures in order to co-operate with these agencies.

3. (a) The Fund shall be administered by an Executive Director under policies, including the determination of programmes and allocation of funds, established by an Executive Board in accordance with such principles as may be laid down by the Economic and Social Council and its Social Commission;

(b) The Secretary-General of the United Nations shall appoint the Executive Director, in consultation with the Executive Board;

(c) The Executive Board shall be composed of representatives of the following Governments:

Argentina	Netherlands
Australia	New Zealand
Brazil	Norway
Byelorussian S.S.R.	Peru
Canada	Poland
China	Sweden
Colombia	Ukrainian S.S.R.
Czechoslovakia	Union of South Africa
Denmark	United Kingdom
Ecuador	U.S.S.R.
France	United States of America
Greece	
Iraq	Yugoslavia

The Economic and Social Council, on the recommendation of the Executive Board, may designate other Governments as members of the Board. Membership may be changed by the General Assembly, on the recommendation of the Economic and Social Council, at any time after the first three years of the Fund's existence. The Board may, as occasions arise, invite representatives of specialized agencies for consultation on matters within their competence;

(d) The Board may designate from among its members such committees as it deems advisable in the interest of effective administration.

The Board shall elect its own Chairman

and its Vice-Chairman, and shall meet whenever convened by the Chairman, or upon the request of any three of its members. The first meeting of the Board shall be convened by the Secretary-General of the United Nations, at the earliest date feasible after the adoption of this resolution. Each member of the Board shall have one vote. A majority of the Board shall constitute a quorum and it shall vote by a majority of the members present and voting. Subject to the foregoing, the Board may establish its own rules of procedure.

4. (a) Staff and facilities required for the administration of the Fund shall be provided to the Board by the Secretary-General. The Fund may also utilize such staff, equipment and records as may be made available by the United Nations Relief and Rehabilitation Administration during the period of its existence;

(b) The United Nations shall make no charge to the Fund on account of staff and facilities, so long as these can be provided from the established services of the Secretariat and within the limits of the United Nations budget. If additional funds are necessary, money for such purposes shall be provided by the Fund;

(c) To the maximum extent feasible, the utilization of the staff and technical assistance of specialized agencies, in particular the World Health Organization or its Interim Commission, shall be requested, with a view to reducing to a minimum the separate personnel requirements of the Fund.

5. The Secretary-General shall not pay from the funds received to finance the United Nations budget any claims arising from the operation of the Fund, but the Executive Board is authorized to pay from the Fund claims arising from its operation.

6. The Secretary-General shall submit to the General Assembly an annual audit of the accounts of the Fund.

7. The Executive Board shall make periodic reports of its operations at such times and in such form as the Economic and Social Council shall provide.

8. A report shall be submitted to the fourth session of the Economic and Social Council containing a recommended programme and estimate of expenses incurred and to be incurred for the Fund for 1947 which shall be subject to the approval of the Council.

9. The activities of the Fund shall be reviewed by the General Assembly at its second session upon the basis of a special report from the Economic and Social Council.

II. The effective operation of the Fund is dependent upon the financial resources which are put at its disposal.

THEREFORE

THE GENERAL ASSEMBLY EXPRESSES the the earnest hope that Governments, voluntary agencies and private individuals will give the Fund their generous support.

g. Refugees and Displaced Persons

By a resolution of October 3, 1946, the Economic and Social Council approved the draft Constitution of the International Refugee Organization for transmission to the second part of the first session of the General Assembly and submitted a draft resolution for adoption by the Assembly. The Economic and Social Council further transmitted to the General Assembly a draft Agreement on Interim Measures to be Taken in Respect of Refugees and Displaced Persons and the report of the *ad hoc* Committee on Finances of the IRO.

The General Assembly referred the draft Constitution of IRO, the draft resolution of the Economic and Social Council and the draft Agreement on Interim Measures to the Third Committee, with the exception of those sections of the Constitution dealing with finances, the provisional budget of the Organization and scales of contribution (Article 10 and Annex II).

(1) Constitution of the International Refugee Organization

At its 15th meeting on November 4, 1946, the Third Committee agreed to hold a general debate on the draft Constitution of IRO. During this debate, which continued at the 16th, 17th, 18th and 19th meetings of the Third Committee, held on November 4, 5, 6, 8, and 9 respectively, a large number of representatives expressed their views. As was the case in the previous discussions which took place in the General Assembly and the Economic and Social Council on the question of refugees, the main difference of opinion was between the countries of origin of the majority of refugees and displaced persons (the Byelorussian S.S.R., Poland, the Ukrainian S.S.R., the U.S.S.R. and Yugoslavia) on the one hand, and the countries administering refugee and displaced persons' camps in the occupied zones of Germany and Austria (the United States, the United Kingdom and France) and countries interested in the resettlement of refugees on the other hand.

The countries of origin maintained that the only practical solution of the refugee problem was repatriation. The Constitution of IRO should provide only for the repatriation of refugees and displaced persons and should not make any provision for resettlement of refugees outside their countries of origin. At least the resettlement functions of the Organization should be strictly limited. Persons who refused

to return to their countries of origin for political reasons should not be the concern of IRO. Moreover, effective provision should be made in the Constitution to ensure that fascist collaborators, war criminals, members of military formations and persons who had left their countries after the war should not receive any aid from IRO.

Further, the countries of origin charged that active propaganda was being carried on in the displaced persons' camps against repatriation by elements which were hostile to the U.S.S.R. and to the governments of the other countries of origin. The Constitution of IRO should make effective provision for the suppression of such propaganda. Persons who had compromised themselves by collaboration with fascist authorities should be removed from the camp administration. The administration of the camps should be designated under the control of the United Nations in agreement with the governments of the countries of origin. Provision should be made, moreover, for a more effective screening of war criminals and collaborators, and each country of origin should be furnished with lists of displaced persons nationals of that country.

Finally, the countries of origin desired a larger representatition on the various organs of IRO — the Executive Committee, the Executive Commission or the Staff — than was provided for in the draft Constitution.

Some 50 amendments to the draft Constitution of IRO were submitted by the countries of origin, with the object of bringing the Constitution into line with their views.

Again, as in previous discussions, a considerable number of representatives, including notably those of the United Kingdom and the United States, opposed the recommendations of the countries of origin on the ground that repatriation should in no case be compulsory, that there were persons other than war criminals or collaborators who for valid reasons were unwilling to return to their countries of origin, and that such persons were properly the concern of IRO. Resettlement in the case of such persons provided the only solution to the refugee problem. As to propaganda in the displaced persons camps, the governments responsible for the administration of these camps denied the charges of the countries of origin. They maintained that the right of free speech should be maintained and considered that adequate facilities had been granted representatives of the countries of origin to present their government's point of view to all persons in the camps.

Regarding war criminals, it was contended that the draft Constitution of IRO made adequate provision to ensure that such persons should not receive any aid.

The draft Constitution as a whole, it was maintained, had been the result of lengthy discussion in the Economic and Social Council and had been approved by the majority of that body. The General Assembly, therefore, should not undo the work so far accomplished and should approve the Constitution of IRO without major changes.

At its twentieth meeting on November 12, 1946, the Third Committee decided to discuss the draft Constitution article by article in plenary meeting. Before the Committee proceeded to this detailed discussion, the representative of Australia submitted a proposal recommending the establishment of a commission of the Economic and Social Council to handle the refugee problem instead of a specialized agency, as the establishment of such an agency would increase the financial burden which Member Governments would have to bear. In opposition to this proposal several representatives pointed out that expenses would depend on the type of work performed and not on the type of organization. A commission, if it were to fulfil all the tasks of IRO, would involve the same cost. Moreover, the creation of a commission of the Economic and Social Council would require a revision of the budget of the United Nations and would entail many other complicated problems. In view of these considerations the Third Committee rejected the Australian proposal.

A total of 65 amendments to the draft Constitution of IRO had been submitted by various delegations. The Third Committee devoted seventeen meetings to a detailed consideration of these amendments. It rejected 39 of them, adopted eighteen without change and adopted four in a modified form. Four amendments were withdrawn. At its 41st meeting on December 4, 1946, the Committee formally approved those articles of the Constitution to which no amendments had been proposed. At its 46th meeting on December 9, 1946, the Third Committee approved certain modifications in the preamble to the Constitution necessitated by changes which the Fifth Committee had adopted in the Articles which had been referred to it for consideration. The Committee then approved the draft Constitution as a whole (with the exception of Annex II) by a vote of 18 to 5, with 5 abstentions. The representatives of the U.S.S.R., Po-

land, the Byelorussian S.S.R., the Ukrainian S.S.R. and Yugoslavia voted in the negative. As the amendments suggested by the countries of origin had for the most part been rejected by the Committee, they felt that the Constitution was just as satisfactory as when it had been adopted by the Economic and Social Council and they informed the Committee that they could not therefore support it.

(2) Financial Provisions of the Constitution of IRO

The General Assembly referred those sections of the draft Constitution of IRO (Article 10 and Annex II) dealing with the finances of the Organization, the provisional budget and the scales of contributions to the Fifth Committee (Administrative and Budgetary). The Fifth Committee discussed the financial provisions of the Constitution at its 34th, 35th, 36th, 37th, 38th, 39th and 45th meetings held on December 3, 4, 5, 7, 9 and 13.

Thirteen amendments to Article 10 and Annex II had been submitted by various delegations. An amendment to Article 10 presented by the Byelorussian S.S.R. concerning the financing of the Organization was discussed at length. The amendment proposed:

(1) that the cost of the repatriation of refugees should be charged to Germany and Japan as the persons involved were in their present situation as a result of the action of the German and Japanese Governments;

(2) that all provision for large-scale resettlement be deleted from the provisional budget of IRO, as such resettlement was contrary to the main purpose of IRO, which was repatriation. The countries receiving refugees, it was suggested, should pay for the expense of transportation and installation, as they benefited from the additional manpower they would obtain.

Concerning the first proposal, a number of representatives suggested that it was not practical to make Germany and Japan pay for the cost of repatriation. Arrangements for repatriations had already been made and the German and Japanese economies could not assume further burdens. Whatever contribution they might be able to make in supplying foodstuffs, etc., had already been taken into consideration in calculating the cost of the care and repatriation of refugees. At its 36th meeting on December 5, 1946, the Committee by a vote of 16 to 12, the remaining members of the Committee abstaining, decided in principle that expenses connected with repatriation should be charged to Germany and Japan. After further debate, the Committee at its 37th meeting on December 7 adopted by a vote of 28 to 6 the following wording suggested by the Chairman of the Committee:

. . . And that the expenses of repatriation to the extent practicable should be charged to Germany and Japan for persons displaced by those Powers from countries occupied by them.

The Committee adopted by 20 votes to 10 the suggestion of the representative of the United States that this wording be inserted in the preamble to the Constitution.

The second proposal of the representative of the Byelorussian S.S.R., that no provision be made in the budget for large-scale resettlement, was rejected by the Fifth Committee at its 36th meeting on December 5 by a vote of 18 to 2. After considerable discussion, the Committee at its 38th meeting on December 7 accepted by a vote of 16 to 11, with 10 abstentions, a French amendment to the effect that contributions to the budget for large-scale resettlement should be voluntary and not compulsory. The Committee had previously rejected a Yugoslav proposal that — as regards the operational budget of IRO — the assessment of the paying capacity of countries devastated by war should be left to their governments.

Despite the opposition of certain countries, the Committee adopted an amendment proposed by the representative of the United States that countries which did not fulfil their financial contributions should lose their right to vote in the General Council of the Organization.

Having adopted several other amendments and having rejected still further proposals, the Fifth Committee at its 38th meeting on December 7 adopted Article 10 of the Constitution as a whole by a vote of 12 to 6, with 14 abstentions.

All amendments proposed to Annex II — the provisional budget and scales of contributions— were rejected by the Committee. The administrative budget was approved in the amount of $4,800,000. The Committee discussed its authority to act upon the operational budget of IRO. It was explained that IRO did not yet exist as a specialized agency and that the provisions of Article 17 of the Charter were not yet in effect with regard to it. The matter had come to the General Assembly by report of the Economic and Social Council, acting under Article 62. The Committee, therefore, examined the operational budget with a view to recommending its adoption by such States as would later become Members of IRO.

The representative of the U.S S.R. proposed that the item of the operational budget for expenses of repatriation ($16,460,000) should be eliminated in view of the principle adopted by the Committee that such expenses should be charged to Germany and Japan. The view of the delegation of the United States that all possible expenditures which could be charged to the German and Japanese economies under this head had already been charged and that the $16,460,000 represented only costs which must be paid in hard currencies, prevailed by 14 votes to 7. The Committee approved the entirety of the operational budget (with the exception of expenses for large-scale resettlement) in the amount of $151,060,500.

That part of the operational budget which was assigned to the cost of large-scale resettlement activities was approved in the amount of $5,000,000. Several delegations believed that this item should be eliminated from the budget in view of the adoption of the amendment to Article 10 proposed by the French delegation, that contributions to the budget for large-scale resettlement should be on a voluntary basis. The Committee, however, decided that the item of $5,000,000 for large-scale resettlement should be left as a part of the budget to indicate to the Director-General of IRO the direction in which he should proceed and the amount of the subscriptions to be sought during the first financial year. It was agreed that special reference should be made in Annex II to paragraph 4 of Article 10 of the Constitution, which included the French amendment.

The scales of contribution for the administrative and operational budgets (other than large-scale resettlement) were referred to the Sub-Committee on Contributions of the Fifth Committee, which reported on these items to the Fifth Committee at its 45th meeting on December 13. During the debate several delegations questioned the equity of the proportions which had been assigned to their countries. However, a motion of the delegation of Norway to refer the scale of contributions for the provisional operational budget (other than large-scale resettlement) back to the Sub-Committee on Contributions for further study was rejected by 13 votes to 6. The scale proposed in the report of the Sub-Committee for the provisional administrative budget of the Organization was accepted by the Fifth Committee by 19 votes to 0. The scale proposed for the provisional operational budget (other than large-scale resettlement) was adopted by 9 votes to 7. The report of the Sub-Committee as a whole was adopted by 13 votes to 6.

At its 45th meeting on December 13 the Fifth Committee approved the following draft resolution for adoption by the General Assembly:

NOTING the discussions and decisions in the Fifth Committee concerning the financial provisions of the draft Constitution of the International Refugee Organization, as well as the budget of the International Refugee Organization and scales of contributions thereto:

THE GENERAL ASSEMBLY ADOPTS Article 10 and Annex II of the said draft Constitution, as set forth in Annexes I and II of the report of the Fifth Committee for incorporation in the draft Constitution and recommendation to Governments.

The General Assembly adopted the resolution recommended by the Fifth Committee at its 67th plenary meeting on December 15, 1946, by 30 votes in favor and 5 against, with 18 abstentions.

(3) Agreement on Interim Measures to be taken in respect of Refugees and Displaced Persons

Having approved the draft Constitution of the International Refugee Organization, the Third Committee considered the draft Agreement on Interim Measures submitted by the Economic and Social Council. This draft Agreement contemplated the establishment of a preparatory commission to take all necessary measures for the purpose of bringing IRO into effective operation as soon as possible, and to provide for an orderly transfer to IRO of the functions and assets of existing organizations dealing with refugees and displaced persons.

The representative of the U.S.S.R. considered that the Agreement on Interim Measures was not satisfactory and suggested that it be referred to the Economic and Social Council for further study. He expressed the view that the functions assigned to the proposed Preparatory Commission could be effectively carried out by the Secretariat of the United Nations. The representatives of Yugoslavia and Poland objected to that part of the Interim Agreement which authorized the Preparatory Commission of IRO to take over any of the functions, activities, assets and personnel of existing organizations dealing with refugees and displaced persons, provided that the Commission was satisfied that this was essential in order to accomplish the

orderly transfer to IRO of such functions and activities. This provision, the representatives of Poland and Yugoslavia maintained, conferred upon the Preparatory Commission of IRO all of the powers which would subsequently be entrusted to IRO. On the other hand, the Preparatory Commission would not be bound by the provisions of the Constitution of IRO, if the latter were not yet in force. This would create a dangerous situation and the provisional organization might tend to become permanent. The representative for Yugoslavia therefore proposed that this part of the Agreement on Interim Measures be omitted. The Committee rejected this proposal and approved the Agreement as a whole by a vote of 22 to 3, with 9 abstentions.

(4) Resolution Concerning the International Refugee Organization

After the Third Committee had approved the draft Constitution of IRO and the Agreement on Interim Measures, it proceeded to consider the draft resolution submitted by the Economic and Social Council approving the two instruments and urging Members of the United Nations to sign them.

The representative of Lebanon submitted an amendment to the draft resolution to the effect that the General Assembly should urge the Members of the United Nations to receive into their territory, so far as practicable, non-repatriable persons who were the concern of IRO. Member States, the representative of Lebanon considered, should do their part in absorbing refugees; the General Assembly should exert its moral pressure in order that the possibilities of resettlement should be studied without delay.

Several representatives opposed the amendment on the ground that the essential role of IRO was repatriation and not resettlement, and that the Lebanese amendment was contrary to the Constitution of IRO. With a drafting change proposed by the representative of France, the Committee adopted the Lebanese amendment and then adopted the amended resolution by a vote of 22 to 7, with 3 abstentions.

At its 67th plenary meeting on December 15, 1946, the General Assembly considered the report of the Third Committee (Social, Humanitarian and Cultural) on the Constitution of IRO, on the Agreement on Interim Measures and the draft resolution recommended by the Third Committee. The representative of the United Kingdom proposed an amendment to the draft Constitution of IRO which would permit IRO to establish its headquarters in Geneva, instead of Paris as provided, if the General Council of the Organization should so decide. The General Assembly adopted this amendment by 18 votes to 11. By 35 votes to 5, with 18 abstentions, the General Assembly then adopted the resolution, which read as follows:

THE GENERAL ASSEMBLY,

NOTING that action has been taken pursuant to the resolution concerning refugees and displaced persons adopted by the General Assembly on 12 February 1946, as follows:

(a) The establishment by the Economic and Social Council of a Special Committee on Refugees and Displaced Persons under a resolution of the Council of 16 February 1946;

(b) The making of a report by the Special Committee to the second session of the Council;

(c) The adoption of a draft Constitution for an International Refugee Organization and the creation of a Committee on the Finances of the International Refugee Organization by the Council under a resolution of the Council of 21 June 1946;

(d) The circulation to Members of the United Nations for their comments of the draft Constitution and the report of the Committee on the Finances of the International Refugee Organization;

(e) The final approval by the Council of the Constitution, and of a provisional budget for the first financial year, the adoption by the Council of an Arrangement for a Preparatory Commission, and the transmittal of both these instruments to the General Assembly, under resolution of the Council of 3 October 1946;

HAVING CONSIDERED the Constitution of the International Refugee Organization and the Arrangement for a Preparatory Commission as approved by the Economic and Social Council;

CONSIDERING that every effort should be made to provide for the early establishment of the International Refugee Organization and the provision of measures during the interim period designed to facilitate such establishment;

THEREFORE,

(a) APPROVES the Constitution of the International Refugee Organization and the Arrangement for a Preparatory Commission as annexed hereto;[1]

(b) REQUESTS the Secretary-General to open these two instruments for signature and, in the case of the Constitution, to open it for signature either with or without reservation as to subsequent acceptance;

(c) URGES Members of the United Nations to sign these two instruments and, where constitutional procedures permit, to sign the

[1] For text of the Constitution and the Agreement on Interim Measures, see Part Two, The Specialized Agencies.

Constitution without reservation as to subsequent acceptance;

(d) AUTHORIZES the Secretary-General to make such staff available to the Preparatory Commission as may be deemed necessary and desirable;

(e) URGES Members of the United Nations to give the most favourable consideration to receiving each into its territory at the earliest possible time, so far as may be practicable for permanent resettlement, its fair share of the non-repatriable persons who are the concern of the International Refugee Organization and this in conformity with the principles of the Organization.

(5) Proposed Establishment of a Commission to Investigate Conditions in Refugee and Displaced Persons' Camps

At the 43rd meeting of the Third Committee on December 6, 1946, the representative of the U.S.S.R. stated that in the course of the discussions which had taken place in the Third Committee concerning IRO, the U.S.S.R. delegation had brought to the attention of the Committee incidents which testified to the existence in refugee and displaced persons' camps of persons who had no right to receive assistance, who carried on anti-Soviet propaganda and who impeded the work of repatriation. These assertions had usually been denied by the authorities administering the camps. To put an end to mutual disagreement and reproaches and to reveal the true situation as it existed in the camps, the representative of the U.S.S.R. proposed the establishment of a commission of seven to nine members, including the U.S.S.R., Poland and Yugoslavia as the countries most directly concerned, to investigate the situation on the spot and to report to the fourth session of the Economic and Social Council.

The representative of the United States opposed this proposal. Re-examination of the U.S.S.R. charges, he stated, had failed to substantiate them. The proposed commission would merely provide a further vehicle for repetition of the same charges. The representative of the United Kingdom likewise denied the charges of the U.S.S.R. representative and expressed the opinion that the establishment of an investigating commission was unnecessary. Although denying U.S.S.R. charges as regards French administration of refugee camps, the representative of France favored the establishment of an investigating commission. A general study of the conditions of repatriation, he considered, could assist the Preparatory Commission and later the IRO in their task.

The Third Committee by a vote of 21 to 9, with 9 abstentions, rejected the proposal of the representative of the U.S.S.R.

(6) Arrangements and Measures to be taken by Members of the United Nations in connection with Displaced Persons, Refugees, Prisoners of War and Persons of Similar Status, pending the establishment of IRO

At the 46th meeting of the Third Committee the representative of Yugoslavia submitted a draft resolution to the effect that the General Assembly recommend to all Governments concerned:

(1) to dissolve at the earliest possible date all military and para-military organizations which were hostile to the government of a Member of the United Nations and which impeded the repatriation of *bona fide* refugees;

(2) to segregate from camps or other places of temporary location of refugees and displaced persons all persons who had recourse to violence and other forms of coercion or who exerted moral pressure on refugees with the aim of preventing them from expressing their desire to be repatriated and with a view to making it more difficult for the representatives of the countries of origin to establish proper relationships with nationals of their countries;

(3) to effect a careful screening of all war criminals, quislings and traitors, who should be handed over to the authorities of the countries against which they committed their crimes.

Finally, the Yugoslav proposal envisaged the establishment of closer co-operation between the countries of origin and the countries responsible for the administration of the camps, by means of bilateral *ad hoc* commissions working in the field.

The representatives of the United Kingdom and the United States declared that the Yugoslav proposal was based on the assumption that the accusations made against the military authorities responsible for the administration of the camps were justified, whereas the Governments of the two countries had formally denied such accusations. Hence they opposed the Yugoslav resolution. Other representatives opposing the resolution stated that the disbandment of military units and the punishment of traitors were the tasks of the military occupation authorities in Austria and Germany rather than of the United Nations.

The representative of France supported the Yugoslav resolution except for the proposed establishment of bilateral commissions. The Yugoslav proposal, he considered, was perfectly justified, inasmuch as it had been said in the

course of the debate on IRO that the screening of traitors and war criminals was not the task of IRO. It was reasonable, therefore, to propose a resolution which called upon national governments to deal with the matter.

The representative of France proposed a number of amendments to the Yugoslav resolution and proposed omission of the recommendation for the establishment of bilateral commissions. The Yugoslav representative accepted these amendments with the exception of the latter proposal. Voting paragraph by paragraph, the Third Committee adopted the Yugoslav resolution with the exception of the paragraph proposing the establishment of bilateral commissions.

At the 47th meeting of the Third Committee on December 10, the representative of Yugoslavia accepted a number of drafting changes suggested by various delegations. The Committee then unanimously adopted the revised Yugoslav resolution as a whole, with six members of the Committee abstaining.

At its 67th plenary meeting on December 15, the General Assembly adopted the resolution recommended by the Third Committee, which read as follows:

THE GENERAL ASSEMBLY,
WHEREAS

The resolution of the General Assembly of 12 February 1946 stipulates as the main task the early return of displaced persons to their homes,

The Constitution of the International Refugee Organization re-affirms this principle applying it to all persons coming under the care of the Organization,

The resolution of the General Assembly of 13 February 1946 on war criminals, quislings and traitors recommends the arrest and handing over of such persons to countries where they have committeed their crimes,

The Special Committee on Refugees and Displaced Persons in its report found that "the presence of war criminals, quislings and traitors among refugees and displaced persons in their countries of present sojourn represents an obstacle to the free and unhampered exercise on the part of those persons of their right of option between returning and not returning to their countries of origin in full knowledge and appreciation of all relevant facts,"

The removal of any impediment to an early return of refugees and displaced persons to their homes and families and the handing over for trial of war criminals, quislings and traitors is not only desirable, but is an urgent task and obligation requiring close co-operation of all authorities concerned:

RECOMMENDS to all Governments concerned that they take urgent and adequate measures to effect a careful screening of all displaced persons, refugees, prisoners of war and persons of similar status, with a view to identifying all war criminals, quislings and traitors; and, in such screening, give high priority to all persons or groups of persons who use duress or incite other persons to the use of duress towards refugees, displaced persons, prisoners of war and persons of similar status, with the aim:

(a) Of preventing them from expressing the desire to return to their country of nationality or former habitual residence; or
(b) Of raising obstacles in any form to written or oral contact with duly accredited representatives of the Government of the country of their nationality or former habitual residence.

h. World Shortage of Cereals and Other Foodstuffs

By a letter of December 5, 1946, the Director-General of the Food and Agriculture Organization of the United Nations transmitted to the Secretary-General of the United Nations the Report of the Special Meeting on Urgent Food Problems, and a World Food Appraisal for 1946-47 issued September 2, 1946, by FAO. These documents, together with the Report of Committee II of Commission C of the FAO Conference, issued September 12, 1946, were transmitted to the second part of the first session of the General Assembly by the Secretary-General. At the same time the Secretary-General submitted a report of his own concerning the measures which had been taken by the various organs of the United Nations and the specialized agencies to implement the resolution adopted by the General Assembly on February 14, 1946, calling upon Members to help alleviate the world shortage of cereals by conserving supplies and ensuring maximum production in the coming season.

The General Assembly at its 46th plenary meeting on October 21, 1946, decided to refer this question to the Second Committee (Economic and Financial) for consideration. The Second Committee considered the question at its 9th, 10th, 11th, 13th, 14th, 15th, 24th and 25th meetings held on November 5, 6, 8, 13, 13, 14 and December 2 and 3 respectively. The Committee studied the documents which had been provided by the FAO and which had been submitted by the Secretary-General. It also

heard statements from the Counsellor of FAO and from the Secretary-General of the International Emergency Food Council. The Committee agreed on the seriousness of the food situation in 1946-47 and on the necessity of urging governments and international organizations concerned to take immediate measures to alleviate the situation.

The representative of Canada suggested that it was unnecessary for the Second Committee to undertake a detailed discussion of the world food situation, in view of the fact that the problems of short-term distribution were under detailed examination by the International Emergency Food Council and that the long-term problems were being examined at the meeting of the FAO currently taking place in Washington, and in the Preparatory Commission of the Conference on Trade and Employment. Accordingly the representative of Canada submitted a draft resolution:

(1) urging the governments and international agencies concerned to adopt or retain measures necessary for reducing the deficit in breadgrains, rice, fats, and other foodstuffs and for facilitating the equitable distribution of the available supplies;

(2) re-emphasizing the need for governments and international agencies to continue and expand the publication of the fullest possible information concerning supplies and requirements of such foodstuffs in order that action might be guided by these facts.

A number of delegations stressed certain aspects of the world food situation of particular concern to them. The representatives of several South American countries drew attention to the problems faced by agricultural producing countries, the primary problem being a lack of agricultural machinery. The representative of Brazil submitted an amendment to the Canadian draft resolution to the effect that the General Assembly recommend to the industrialized countries that they take measures towards improving the supply and distribution of farm machinery, agricultural implements and transportation equipment, so as to enable the agrarian countries to increase their production and export of foodstuffs. The representative of Argentina submitted a draft resolution containing a similar recommendation and stressing the contributions which industrialized and agricultural countries respectively would have to make in supplying the countries of the world with machinery, commodities and foodstuffs.

The representative of Saudi Arabia stressed the problem of transportation and distribution and urged as an immediate emergency policy:

(1) the conscription of all transportation available, including military transportation, under the authority of a special international agency;

(2) the equitable international distribution amongst needy countries of the various cereals, with due regard to the peculiar local patterns of consumption and with full regard to the needs of non-agricultural importing countries.

The representative of Guatemala submitted an amendment to the Canadian resolution urging "governments and international agencies concerned to implement bilateral or multilateral international arrangements necessary for the co-ordination of production, sale and distribution of cereals, both for meeting immediate needs and for long-term plans."

Several representatives stressed the problem of an equitable distribution of existing supplies as being of foremost importance, while others—particularly representatives of countries devastated by war - - drew attention to the difficulties involved in financing necessary food imports.

The representative of the United Kingdom submitted an amendment to the Canadian resolution embodying several of the recommendations submitted by other delegations. The United Kingdom representative proposed to add the following recommendations to the Canadian resolution:

(a) Industrial countries to take all appropriate measures for increasing the supply of agricultural machinery, spare parts, implements and fertilizers, and their export to countries in need of them, so that all agricultural countries may be enabled to increase food production, and especially bread-grains, rice and oils and fats, to the maximum extent.

(b) Countries which are largely agricultural to take all possible steps to increase output of foodstuffs, to secure maximum recovery from producers (by increasing distribution of incentive goods and by improving administration measures), and to improve, wherever necessary, transportation facilities for cereals and other foodstuffs.

(c) Consumer countries to carry out as far as practicable appropriate measures to regulate consumption including the maintenance of high extraction rates, the dilution of flour, restrictions on usage of bread-grains for beverages and other non-essential purposes, and the restriction of the feeding of bread-grains to animals.

The representative of Egypt proposed that Members of the United Nations should furnish FAO with periodic reports on the measures

taken to implement the recommendations of the General Assembly as proposed in the Canadian resolution and the United Kingdom amendment, and that FAO should furnish reports thereon to the Economic and Social Council.

The delegation of the U.S.S.R. submitted a draft resolution the operative part of which read as follows:

THE GENERAL ASSEMBLY

CALLS UPON the Governments and peoples of the countries Members of the United Nations:

1. To continue their efforts to increase the production of grain (food) as well as the other measures provided for in the General Assembly's resolution of February 14, 1946. The General Assembly recommends that measures be taken to prevent a reduction of areas under grain (food) cultivation.

2. To take the necessary steps towards economy in the consumption of food in countries having a surplus of grain and other foodstuffs, and also towards an increase of exports to countries suffering from a shortage of these products.

The export of grain and other foodstuffs to the needy countries should not be used to procure political or other advantages accruing to the exporting countries.

3. To take steps against unwarranted price increases of grain and other foodstuffs in order to protect the interests of urban consumers. As only monopolies and middlemen benefit from arbitrary price increases, such measures should not affect the interests of small and medium peasants and farmers.

4. In the case of highly industrialized countries to devote the maximum attention to the supply to needy countries of agricultural machinery, implements and fertilizers, the increase of transport facilities for the movement of grain and foodstuffs, and the creation in these countries of at least small factories and workshops for the manufacture of the most essential agricultural machines, implements and spare parts.

After discussing at some length the various proposals which had been submitted, the Second Committee appointed a Sub-Committee of nineteen members to draft a unanimously acceptable resolution. The Sub-Committee held ten meetings and submitted a draft resolution which the Second Committee considered at its 24th meeting on December 2, 1946.

The representative of the U.S.S.R. stated that the Sub-Committee's draft resolution included many points contained in the original draft resolution submitted by the U.S.S.R. delegation. Other suggestions of the representative of the U.S.S.R., however, had been rejected by the sub-committee. The U.S.S.R. representative therefore submitted four amendments to the Sub-Committee's draft resolution. Two of these the Second Committee adopted in modified form, after having referred one of them to the Sub-Committee for redrafting.

The Second Committee at its 23rd meeting on December 5, 1946, unanimously adopted the resolution drafted by the Sub-Committee. Likewise by unanimous vote, the General Assembly adopted the resolution at its 55th plenary meeting on December 11, 1946. The text of the resolution was as follows:

At its thirty-third plenary meeting, on 14 February 1946, the General Assembly adopted a resolution urging action, both directly by Governments and through the international organizations concerned, to alleviate the anticipated serious shortage of bread grains and rice.

The General Assembly has learned with satisfaction of the extent to which the position in 1946 was improved, particularly with respect to bread grains, by the common effort of the United Nations, thus saving millions of lives during the critical months before the 1946 harvest.

The General Assembly recognizes, however, that the food situation is still unsatisfactory. A number of countries have not yet overcome the devastating results of the enemy occupation to which they were subjected, and are obliged on this account to continue emergency imports of grains, fats and other foodstuffs. A severe shortage of these foodstuffs exists in many European countries, even in some of those which before the war were themselves exporters. In a number of countries of Asia the shortage of cereals and other foodstuffs has led to undernourishment and even famine, resulting in heavy loss of human lives, as in the case of India and China. There is also a widespread shortage of livestock.

The General Assembly notes, moreover, that in 1945 and 1946 some countries of Europe and Asia were affected by drought and bad harvest, resulting in still further deterioration of their food situation. Some countries which were not under enemy occupation have even introduced bread rationing for the first time, for instance the United Kingdom. In addition, some countries of Latin America are experiencing food shortages and are obliged to import grain.

The General Assembly has learned with concern that expected supplies of bread grains, rice, fats and oils, dairy products, meat and sugar appear to be substantially inadequate to meet minimum requirements for human consumption in 1947. Many countries, especially those which have suffered from enemy occupation and those which do not produce sufficient foodstuffs to meet their own requirements, need agricultural supplies such as machinery, implements, fertilizers, pesticides and seeds.

In addition, international payment difficulties on the part of certain importing countries, as well as transport and other difficulties, threaten

to prevent the utilization of such food supplies as may be available.

At the same time, there is a tendency in some countries to reduce the areas under cultivation of cereals and other foodstuffs, which may cause unwarranted price increases and still further aggravate the food situation. Inflationary prices, and other price factors, in many cases constitute another obstacle to the production and distribution of food supplies to those in need.

THE GENERAL ASSEMBLY, THEREFORE,

URGES the Governments and international agencies concerned to adopt or continue measures designed to overcome the deficit during 1947 in bread grains, rice, fats and oils, dairy products, meat and sugar and to achieve the equitable allocation and prompt distribution of the available supplies free from political considerations; and, in particular,

RECOMMENDS:

1. Food producing countries to take all practicable steps

(a) to increase the output and collection of foodstuffs to the maximum extent;

(b) to prevent reduction and encourage an increase of areas under grain cultivation;

(c) to improve transportation facilities for cereals and other foodstuffs;

(d) to increase exports to countries suffering from a shortage of foodstuffs;

(e) to continue and strengthen international machinery with a view to utilizing exportable food supplies with due consideration for the urgency of the food requirements in the needy countries;

(f) to take measures against any unwarranted increases in the price of grain and other foodstuffs especially such as would be detrimental to the interests of consumers and would mainly favour speculative interests without resulting in any real advantages to the farming population;

2. countries which are largely industrial and which produce transportation equipment, agricultural implements, machinery, spare parts and supplies for the construction of workshops for manufacturing and repairing the essential categories of such materials, or which produce fertilizers, pesticides, seeds, and animal feeding stuffs, to take all appropriate and practicable measures for expanding production, increasing export, and facilitating transportation of such supplies to countries in urgent need of them, and for facilitating the construction in these countries of small factories and workshops for the manufacture and repair of the most essential agricultural machines, implements and spare parts, for increasing food production;

3. all countries to carry out as far as practicable appropriate and necessary measures to regulate consumption, including the maintenance of high extraction rates, the dilution of flour, restrictions on usage of bread grains, for beverages and other non-essential purposes, and restrictions on the feeding of bread grains to animals;

4. governments and international agencies concerned to continue and expand publication of the fullest possible information on supplies and requirements of foodstuffs and materials mentioned in paragraphs 1 and 2 above and on action taken to carry out the recommendations contained in this resolution, in order that future action may be guided by full knowledge of the relevant facts;

5. that attention continue to be given to the need for measures necessary to enable importing countries to overcome international payment difficulties, in order that the above recommendations may be rendered effective in improving the food situation.

i. Economic Reconstruction of Devastated Areas

The Economic and Social Council at its third session considered the preliminary report of the Temporary Sub-Commission on Economic Reconstruction of Devastated Areas of the Economic and Employment Commission, and requested the Secretary-General of the United Nations to transmit to the General Assembly for consideration the report together with the relevant resolution of the Council of October 3, 1946.

The General Assembly at its 46th plenary meeting on October 31, 1946, referred this question to the Second Committee (Economic and Financial) for consideration. The Second Committee considered the matter at its 20th, 21st, 22nd, 23rd and 27th meetings held on November 20, 25, 27 and 30 and December 6 respectively.

During the discussion in the Second Committee several delegations stressed the view that the economic reconstruction of the devastated areas was not only a moral obligation of the United Nations but also an essential factor in the restoration of world economy and of international trade.

The representatives of Yugoslavia and Greece declared that the financial aspect of the problem of economic reconstruction of devastated areas was of the greatest importance. The representative of Greece submitted a draft resolution which stressed the importance of making adequate provision for meeting the needs of devastated areas for long-term and short-term loans on favorable conditions, special attention to be given to the needs of countries having limited foreign exchange resources. The resolution urged that the International Bank for Reconstruction and Development should come into full and effective operation at the earliest

possible date, so that it might be able, early in 1947, to make the fullest possible contribution towards the needs of economic reconstruction. The representative of Yugoslavia submitted certain amendments to this draft resolution.

The representative of Brazil called the Committee's attention to the problems faced by the raw material producing countries and suggested that the economic difficulties which these countries faced as a result of the war should be considered along with the needs of devastated countries. The industrial rehabilitation of devastated countries, the Brazilian representative considered, was closely related to the problems of the supply of raw materials. He therefore submitted a proposal to the effect that the General Assembly recommend to the Economic and Social Council that the latter undertake through its appropriate subsidiary organs a study of the resources, supply position and transport conditions of raw material producing countries with a view to enabling them to render fuller co-operation in the reconstruction work. Several representatives of Latin American countries expressed views similar to those of the Brazilian representative. The representative of Mexico submitted certain amendments to the Brazilian draft resolution.

The representative of Norway submitted a draft resolution recommending that the General Assembly approve the resolutions concerning the reconstruction of devastated areas adopted by the Economic and Social Council and that the Assembly, moreover, recommend that the Economic and Social Council, at its next session, give favorable consideration to the establishment of an economic commission for Europe.

The representative of the Philippine Republic called attention to the problems of the devastated areas of Asia and the Far East. The representative for China submitted an amendment to the Norwegian draft resolution proposing that the General Assembly recommend to the Economic and Social Council at its next session that it give careful consideration to the establishment of an economic commission for Asia as well as of an economic commission for Europe.

Several representatives expressed the view that this additional proposal of the Chinese representative might delay the establishment of an economic commission for Europe. The General Assembly, these representatives considered, should make a positive recommendation concerning the establishment of an economic commission for Europe so that the Economic and Social Council would not postpone the creation of this commission until the next session of the General Assembly.

At its 23rd meeting on November 30, 1946, the Second Committee referred to a Sub-Committee the various proposals which had been submitted. The draft resolution which the Sub-Committee drafted was unanimously adopted by the Second Committee at its 27th meeting on December 6, 1946.

The General Assembly at its 55th plenary meeting unanimously adopted the resolution recommended by the Second Committee, which read as follows:

THE GENERAL ASSEMBLY,

TAKING NOTE of the Preliminary Report of the Temporary Sub-Commission on Economic Reconstruction of Devastated Areas and of the relevant resolution of the Economic and Social Council of 3 October 1946;

RECOGNIZING the urgent need for international co-operation in the reconstruction of devastated areas:

1. APPROVES the general resolution of the Economic and Social Council, the resolution on the Survey of the Economic Reconstruction of Devastated Areas in Asia and the Far East, and the resolution for continuing the work of the Sub-Commission on Devastated Areas in Europe;

2. URGES the Members of the United Nations, the Economic and Social Council, and the specialized agencies and inter-governmental organizations concerned, to take all possible steps, within their respective fields of activity, which may lead to the early solution of the problems of economic reconstruction of devastated areas;

3. DIRECTS the Secretary-General to transmit to the International Bank for Reconstruction and Development the opinion of the General Assembly that, if the economic reconstruction of devastated areas is not to be unduly delayed, the International Bank should come into full effective operation at the earliest possible date so that, in accordance with the special functions laid down for the Bank in its articles of Agreement, it may be able, early in 1947, to make the fullest possible contribution toward the needs of economic reconstruction;

4. RECOMMENDS that the Economic and Social Council and its Commissions consider undertaking as soon as possible, in co-operation with the specialized agencies concerned, a general survey of raw material resources needed for the economic reconstruction of devastated areas, with a view to recommending the adoption of the necessary measures

to increase and promote production and to facilitate transportation of those materials from the producing areas to the devastated areas;

5. FURTHER RECOMMENDS that, in order to give effective aid to the countries devastated by war, the Economic and Social Council at its next session, give prompt and favorable consideration to the establishment of an Economic Commission for Europe and an Economic Commission for Asia and the Far East.

j. Calling of an International Conference on Freedom of Information

During the first part of the first session of the General Assembly, the delegation of the Philippine Republic presented a draft resolution concerning the calling of an international press conference. On the recommendation of the General Committee, the General Assembly decided to place this question on the agenda of the second part of its first session.

On October 31, 1946, at its 46th plenary meeting, the General Assembly referred this question to the Third Committee (Social, Humanitarian and Cultural).

The delegation of the Philippine Republic submitted a new draft resolution, which came before the Third Committee on November 20, 1946.

The representative of the Philippine Republic emphasized that free interchange of information and unlimited opportunities for the peoples of the world to learn more about each other were the surest way of dispelling suspicion and promoting international understanding. His delegation had proposed the new resolution because it believed that the radio and motion pictures, in their purely informational aspects, must be considered together with the press; it therefore proposed an International Information Conference dealing not only with the press but likewise with other information media.

During the discussion reference was made to the importance of co-operation with the United Nations Educational, Scientific and Cultural Organization in planning the conference.

The representative of the United States of America supported the Philippine proposal and welcomed the fact that the conference would discuss all information media, including radio and films.

The representative of the United Kingdom also welcomed the suggestion that the conference should cover all media. He agreed that the Economic and Social Council should be given the task of convening the conference, and considered that it should be held independently of any meeting of the General Assembly. He suggested that the United Nations Educational, Scientific and Cultural Organization, certain non-governmental organizations and press publishers, as well as relevant trade unions, should be represented.

With regard to the agenda of the conference, he submitted the following for consideration as practical objectives:

(a) To promote the widest and freest possible exchange of incoming and outgoing news, without government censorship in times of peace.

(b) To extend to *bona fide* press, film and radio correspondents, without discrimination, all reasonable facilities to travel and reside in the respective territories of the signatory governments, with complete freedom to carry on their activities and with equal access to all sources of news.

(c) To extend, within the respective territories of the signatory government, and without discrimination, the freest and widest possible opportunities for the distribution of news by *bona fide* news services.

(d) To extend access to available communication facilities to *bona fide* correspondents and news agencies without discrimination as to nationality.

The Chilean representative wished to add a fifth point to those submitted by the United Kingdom representative, namely, that an objective of the conference should be to prevent discrimination in the press against any countries or regions of the world.

Other representatives supported the resolution, the points most frequently emphasized being that in recent history the world had seen only too clearly that media of publicity were often used to disseminate, not true news but propaganda; that professional journalists, as well as editors and owners of the press, should be present at the conference; that all media should be represented; and that it was important to find a solution of the problem of presenting true news as well as of obtaining true news.

The representative of the U.S.S.R. considered that, under the present conditions, it was not desirable to widen the scope of the conference to include questions relating to radio and the films, since special conferences might be necessary to consider those specific problems. The representative of India felt that the matter could be more appropriately discussed and decided in the General Assembly.

By 41 votes to 0, the Third Committee decided to recommend to the General Assembly the adoption of the resolution (with minor drafting changes) as submitted by the representative of the Philippine Republic.

On December 5, 1946, the Third Committee discussed its draft report to the Assembly on the question of the proposed conference on freedom of information. The representative of France pointed out that the technical services of the United Nations Educational, Scientific and Cultural Organization could be of great assistance in the preparatory work for the proposed conference. He suggested an amendment to instruct the Economic and Social Council to undertake the convocation of the conference "with the co-operation of the United Nations Educational, Scientific and Cultural Organization." The amendment was defeated by 17 votes to 8. The Third Committee then unanimously adopted the report.

In accordance with rule 112 of the Provisional Rules of Procedure of the General Assembly, the Chairman of the Third Committee referred to the Fifth Committee, on November 21, 1946, the recommendation of the Third Committee that an international conference on freedom of information should be held during 1947, at such place as might be determined by the Economic and Social Council.

The Fifth Committee (Administrative and Budgetary) examined estimates prepared by the Secretary-General regarding the cost of such a conference (1) if held at the headquarters of the United Nations, (2) if held at Geneva and (3) if held elsewhere. The Committee approved without dissent the inclusion of $28,000 in the estimates for 1947 to cover the costs of such a conference if held at headquarters. The Committee noted that, should another location be selected by the Economic and Social Council, the additional cost would, if necessary, be covered by the utilization of such provision for unforeseen expenses as might be made by the General Assembly under the Working Capital Fund.

At its 65th plenary meeting on December 14, 1946, the General Assembly unanimously adopted the following resolution recommended by the Third Committee:

THE GENERAL ASSEMBLY,

WHEREAS

Freedom of information is a fundamental human right and is the touchstone of all the freedoms to which the United Nations is consecrated;

Freedom of information implies the right to gather, transmit and publish news anywhere and everywhere without fetters. As such it is an essential factor in any serious effort to promote the peace and progress of the world;

Freedom of information requires as an indispensable element the willingness and capacity to employ its privileges without abuse. It requires as a basic discipline the moral obligation to seek the facts without prejudice and to spread knowledge without malicious intent;

Understanding and co-operation among nations are impossible without an alert and sound world opinion, which, in turn, is wholly dependent upon freedom of information;

RESOLVES THEREFORE, in the spirit of paragraphs 3 and 4 of Article 1 of the Charter, to authorize the holding of a conference of all Members of the United Nations on freedom of information;

INSTRUCTS the Economic and Social Council to undertake, pursuant to Article 60 and Article 62, paragraph 4, of the Charter, the convocation of such a conference in accordance with the following guiding principles:

(a) the purpose of the Conference shall be to formulate its views concerning the rights, obligations and practices which should be included in the concept of the freedom of information;

(b) delegations to the Conference shall include in each instance persons actually engaged or experienced in press, radio, motion pictures and other media for the dissemination of information;

(c) the Conference shall be held before the end of 1947, at such place as may be determined by the Economic and Social Council, in order to enable the Council to submit a report on the deliberations and recommendations of the Conference to the following regular session of the General Assembly.

k. Draft Declarations on the Rights and Duties of States and on Fundamental Human Rights and Freedoms

During the San Francisco Conference the representatives of Panama, Mexico and Cuba had proposed that the Conference should adopt a Declaration of the Rights and Duties of Nations and a Declaration of the Essential Rights of Man. The Conference did not find it possible to deal with the subject, however.

At the first part of the first session of the General Assembly the General Committee voted not to include in the agenda a proposal by the representative of Cuba that the Assembly discuss the matter of a Declaration on Fundamental Human Rights and the Rights and Duties of Nations[1].

[1] See p. 77.

The delegation of Panama had submitted a Draft Declaration on the Rights and Duties of States and a Draft Declaration on Fundamental Human Rights and Freedoms and had requested that the agenda of the second part of the first session of the General Assembly include consideration of these Draft Declarations.

(1) Draft Declaration on the Rights and Duties of States

The General Assembly at its 46th plenary meeting on October 31, 1946, referred to the First Committee the Draft Declaration on the Rights and Duties of States.

During the discussion which took place at the 40th and 41st meeting of the First Committee on December 5 and 6, 1946, the representative of Panama was commended for his excellent work. The Committee felt, however, that the question could not be thoroughly examined during the current session of the General Assembly. It therefore adopted unanimously a proposal submitted jointly by the representatives of El Salvador, Panama, Poland and the United States that consideration of the Draft Declaration on the Rights and Duties of States be postponed until the second session of the General Assembly and that in the meantime the Draft Declaration be submitted to the Member Governments for their comments and observations, to national and international bodies concerned with international law and to the Committee on the Codification of International Law established during the second part of the first session of the General Assembly.

On the recommendation of the First Committee the General Assembly at its 55th plenary meeting on December 11 unanimously adopted the following resolution:

THE GENERAL ASSEMBLY RESOLVES:

1. To request the Secretary-General to transmit immediately to all Member States of the United Nations and to national and international bodies concerned with international law, the text of the draft Declaration of the Rights and Duties of States presented by Panama, with the request that they submit their comments and observations to the Secretary-General before 1 June 1947;

2. To refer the said Declaration to the Committee established by the General Assembly during the present session to study the methods of codification of international law and to request the Secretary-General to transmit to this Committee the comments and observations as they are received from the Governments and institutions referred to in the preceding paragraph;

3. To request this Committee to report thereon to the second regular session of the General Assembly;

4. To include this matter in the agenda of the second regular session of the General Assembly.

(2) Draft Declaration on Fundamental Human Rights and Freedoms

The General Assembly at its 46th plenary meeting on October 31, 1946, referred the Draft Declaration on Fundamental Human Rights and Freedoms simultaneously to the First (Political and Security) and Third (Social, Humanitarian and Cultural) Committees.

At the 33rd meeting of the Third Committee on November 26 the representative of the United States submitted a resolution recommending that the Draft Declaration be referred to the Economic and Social Council for submission to the Commission on Human Rights. This Commission, one of whose tasks it was to draft an international bill of human rights, was the logical body, the United States representative and several others considered, to study the draft submitted by the representative of Panama. The representative of Panama, on the other hand, considered that the Committees of the General Assembly alone were competent to study the question. A joint sub-committee of the First and Third Committee should be established to examine the Panamanian draft. By 27 votes to 10 the Third Committee adopted the United States proposal.

At the 41st meeting of the First Committee the representative of Panama stated that the Third Committee had acted rather hastily in referring the matter to the Commission on Human Rights without a time limit and without instructions. He asked that the First Committee adopt a resolution similar to the one adopted concerning the Draft Declaration on the Rights and Duties of States. The First Committee decided, however, in favor of upholding the decision of the Third Committee. In order to meet the objection of the representative of Panama concerning a time limit on the work of the Commission of Human Rights, the First Committee added a paragraph to the resolution as adopted by the Third Committee, expressing the hope that the question would be referred back to the General Assembly for inclusion in the agenda of its second session. The Third Committee approved this amendment at its 45th meeting on December 9.

On the recommendation of the First and Third Committees the General Assembly, therefore, at its 55th plenary meeting on December 11 adopted the following resolution:

THE GENERAL ASSEMBLY,

WHEREAS

The Economic and Social Council has established a Commission on Human Rights and has resolved that the work of the Commission shall be directed towards submitting proposals, recommendations and reports to the Council concerning an international bill of rights.

RESOLVES THEREFORE to refer the draft Declaration on Fundamental Human Rights and Freedoms to the Economic and Social Council for reference to the Commission on Human Rights for consideration by the Commission in its preparation of an international bill of rights; and

EXPRESSES the hope that the question will be referred back to it in order that it may be included in the agenda of the second regular session of the General Assembly.

l. Persecution and Discrimination

By a letter of November 2, 1946, addressed to the President of the General Assembly, the representative of Egypt submitted a draft resolution on persecution and discrimination to the second part of the first session of the General Assembly. The resolution stated that it appeared from various governmental and unofficial investigations carried out in several States of Central Europe, among both Members and non-Members of the United Nations, that citizens belonging to religious minorities continued, in spite of the victory of the democracies, to be the object of persecution and of discrimination which rendered very difficult life in their native countries, where they had an absolute right to be on an equal footing with all other citizens. Such persecution and discrimination, the resolution stated further, constituted a total disregard of the most elementary humanitarian principles and was contrary to the purposes of the United Nations. The General Assembly therefore should call on the governments and responsible authorities of the areas concerned to put an end to such persecution and discrimination.

The General Committee of the General Assembly considered this proposal at its 25th meeting on November 6, 1946. A number of representatives objected to the reference made to certain countries of Central Europe. The General Committee therefore decided by a vote of 3 to 3, with 3 abstentions, not to recommend the Egyptian proposal for inclusion in the agenda of the second part of the first session of the General Assembly.

At the 47th plenary meeting of the General Assembly on November 9, 1946, the Egyptian representative submitted a revised text of his resolution dealing with the problem of persecution and discrimination in general terms without any reference to the countries of Central Europe. In its revised form the resolution met with no objection from any delegation.

At its 48th plenary meeting on November 19, 1946, the General Assembly unanimously adopted the resolution without first referring it to a Committee. The text of the resolution was as follows:

THE GENERAL ASSEMBLY DECLARES that it is in the higher interests of humanity to put an immediate end to religious and so-called racial persecution and discrimination, and calls on the Governments and responsible authorities to conform both to the letter and to the spirit of the Charter of the United Nations, and to take the most prompt and energetic steps to that end.

m. Political Rights of Women

On October 30, 1946, the delegation of Denmark submitted a draft resolution concerning the political rights of women to the second part of the first session of the General Assembly. On the recommendation of its General Committee, the General Assembly, at its 46th plenary meeting on October 31 decided to place this draft resolution on its agenda and to refer it to the Third Committee (Social, Humanitarian and Cultural).

The resolution, which made reference in its preamble to the provisions of the United Nations Charter concerning equal rights of men and women, contained the two following recommendations:

(1) THE GENERAL ASSEMBLY . . . recommends

that all Member States which have not already done so, adopt measures necessary to fulfil the purposes and ends of the Charter in this respect by granting women the same political rights as men and invites the Secretary-General to communicate this recommendation to all Governments of Member States.

(2) THE GENERAL ASSEMBLY recommends that the Security Council and the General Assembly in dealing with applications for membership give consideration to the political rights of women in the applicant State.

During the discussion which took place in the Third Committee at its 22nd and 23rd meetings, held on November 13 and 15 respectively, a considerable number of representatives spoke in

support of the resolution. Some representatives considered that women ought to be granted equal social and civil rights as well as equal political rights, and that a recommendation to this effect should be included in the resolution. Other representatives stressed the need for an effective implementation of the resolution and suggested that the General Assembly might refer the matter to the Economic and Social Council with a view to such implementation.

Concerning the second part of the resolution the representative of Denmark stated that the First Committee, after a protracted debate, had concluded its consideration of the question of the admission of new Members. In the circumstances, it was felt that a debate on the second part of the Danish proposal might lead to duplication of that discussion; therefore, in order to expedite the business of the General Assembly, the delegation of Denmark, with the consent of the Third Committee, withdrew that part of the resolution.

The Third Committee then adopted the resolution proposed by the Danish delegation by 41 votes to 0. At its 55th plenary meeting on December 11, 1946, the General Assembly unanimously adopted the following resolution:

THE GENERAL ASSEMBLY,

WHEREAS

In the Preamble of the Charter the peoples of the United Nations have reaffirmed faith in the equal rights of men and women, and in Article 1 it is stated that the purposes of the United Nations are, among others, to achieve international co-operation in promoting and encouraging respect for human rights and for fundamental freedoms for all without distinction as to sex, and to be a centre for harmonizing the actions of nations in the attainment of these common ends,

WHEREAS

Certain Member States have not yet granted to women political rights equal to those granted to men,

THEREFORE:

(a) RECOMMENDS that all Member States which have not already done so, adopt measures necessary to fulfil the purposes and aims of the Charter in this respect by granting to women the same political rights as to men;

(b) INVITES the Secretary-General to communicate this recommendation to the Governments of all Member States.

n. National Red Cross and Red Crescent Societies

During its second session in June 1946 the Economic and Social Council was requested by the Belgian Government to present to the second part of the first session of the General Assembly a proposal concerning co-operation between National Red Cross Societies.

At its third session the Economic and Social Council adopted on September 21, 1946, a resolution recommending that the General Assembly call the attention of Members to this question. This item was placed on the agenda of the General Assembly and was referred to the Third Committee by the General Assembly at its 46th plenary meeting on October 31, 1946.

The Third Committee considered the question at its 14th and 15th meetings on November 3 and 4, respectively. Three proposals were put forward:

(1) an amendment by the representative of the United Kingdom proposing that the Red Cross and Red Crescent Societies be brought into relation with the United Nations through the World Health Organization;

(2) a draft resolution submitted by the representative of France proposing that modifications and additions to the International Conventions of Geneva and The Hague be made, especially in regard to wounded and prisoners of war, and the protection of civilians;

(3) an amendment by the representative of Turkey proposing that the Red Crescent Societies be mentioned at the same time as the Red Cross Societies.

Several representatives expressed the view that the French and the United Kingdom amendments might complicate a simple resolution, which, it was urged, ought to be adopted unanimously as a tribute to the Red Cross and Red Crescent Societies for the work they had performed during the war. The two amendments were therefore withdrawn. The representative of France indicated that his draft resolution would be submitted to the Economic and Social Council at its next session.

The insertion of the term "Red Crescent" was approved by the Committee.

On the recommendation of the Third Committee, the General Assembly at its 49th plenary meeting on November 19, 1946, unanimously adopted the following resolution:

THE GENERAL ASSEMBLY draws the attention of the Members of the United Nations to the fact that the following purposes are of special concern, namely:

(a) that the said Members should encourage and promote the establishment and co-operation of duly authorized voluntary National Red Cross and Red Crescent Societies;

(b) that at all times the independent voluntary nature of the National Red Cross and Red Crescent Societies be respected in all circumstances, provided they are recognized by their Governments and carry on their work according to the principles of the Geneva and The Hague Conventions and in the humanitarian spirit of the Red Cross and Red Crescent;

(c) that the necessary steps be taken to ensure that in all circumstances contact may be maintained between the National Red Cross and Red Crescent Societies of all countries, so as to enable them to carry out their humanitarian task.

o. Establishment of the World Health Organization

On September 17, 1946, in the course of its third session, the Economic and Social Council adopted a resolution recommending that the General Assembly take the necessary measures for the establishment of the World Health Organization.

This matter was placed on the agenda of the General Assembly and was referred to the Third Committee (Social, Humanitarian and Cultural), which, after discussing the question at its 33rd meeting on November 26, 1946, unanimously approved the resolution of the Economic and Social Council and recommended that governments be urged to ratify their signatures at the earliest possible date.

With regard to the question of the budget of the Interim Commission of the World Health Organization, the Committee had to decide whether, in its opinion, funds to be allotted by the United Nations for the purpose of financing the activities of the Interim Commission should be in the form of a loan or a grant. The representative of China proposed that the funds to be allotted should be in the form of a grant. The representative of the Ukrainian S.S.R. stated that the World Health Organization should draw its funds from the contributions normally made by the governments represented in the Organization. If the principle of making grants to specialized agencies were adopted a regrettable precedent would be established in that all Members of the United Nations would be forced to contribute to the financing of a specialized agency. The representative of the Ukrainian S.S.R. therefore proposed that funds allotted by the United Nations should be in the form of a loan.

In the interests of unanimity the Chinese proposal was withdrawn in favor of the Ukrainian proposal.

The matter was referred to the Fifth Committee (Administrative and Budgetary) for further detailed consideration and report. The Fifth Committee considered that the question was indissolubly bound up with decisions relating to the Working Capital Fund, and relating, in particular, to decisions of the Fifth Committee concerning interim financing of specialized agencies by the United Nations. It therefore referred this item to the Advisory Committee on Administrative and Budgetary Questions.

The Advisory Committee reported its findings to the Fifth Committee in its fourth report, dated December 10, 1946. This report contained the following recommendations concerning loans to specialized agencies:

The Secretary-General proposes that he should be enabled to use the funds to make, under adequate safeguards, temporary repayable advances for financing certain specialized agencies while the agencies concerned are in their initial formative period and are in need of time to collect contributions under their own budgets. A question of policy is involved, inasmuch as the Members of the United Nations are not, in all cases, members of the specialized agencies. Subject to acceptance by the Fifth Committee of the proposed policy, the Advisory Committee believes that the proposal should be made more flexible, but that at the same time, the safeguards should be more carefully defined. It recommends, therefore, that advances to agencies should be made only after careful examination of the need, and of the proposed financial resources of the agency concerned. The prior concurrence of the Advisory Committee would be required for advances aggregating more than $2,000,000 (United States) or in excess of $1,000,000 (United States) for any one agency.

The Fifth Committee adopted the report at its 44th meeting on December 13, 1946. Taking note of the resolution of the Third Committee, the Fifth Committee assured the Members of the General Assembly that the necessary funds for the implementation of the resolution would be made available.

On the recommendation of the Third Committee the General Assembly at its 65th plenary meeting on December 14, 1946, unanimously adopted the following resolution:

THE GENERAL ASSEMBLY,

TAKES NOTE of the resolution adopted by the Economic and Social Council at its third session on 17 September 1946, regarding the establishment of the World Health Organization:

1. RECOMMENDS all Members of the United Nations to accept the Constitution of the World Health Organization at the earliest possible date;

2. INSTRUCTS the Secretary-General to take the necessary steps, as contemplated by the Final Act of the International Health Conference, to effect the transfer to the Interim Commission of the World Health Organization of the functions and activities of the League of Nations Health Organization which have been assumed by the United Nations;

3. RECOMMENDS all Members of the United Nations, and in particular those Members parties to the Rome Agreement of 1907 constituting the *Office international d'hygiène publique*, to accept, at the earliest possible date, the Protocol of the International Health Conference concerning the *Office international d'hygiène publique;*

4. APPROVES, in response to the application of the Interim Commission, a loan by the United Nations of a maximum sum of $300,000 (U.S.) for the purpose of financing the activities of the Interim Commission from the commencement of its work to the end of the financial year 1946, and approves the inclusion in the budget of the United Nations for the financial year 1947 of a maximum sum of $1,000,000 (U.S.) as a further loan for the purpose of financing the activities of the Interim Commission or the World Health Organization during that year;

5. AUTHORIZES the Secretary-General to transmit any recommendations made by the General Assembly in pursuance of paragraphs 1 and 3 above to all States which, whether Members of the United Nations or not, sent representatives or observers to the International Health Conference.

In pursuance of the above resolution, a circular letter, dated January 27, 1947, was sent by the Secretary-General to the States Members and non-Members of the United Nations which had previously sent representatives or observers to the International Health Conference. In conformity with the recommendations of the General Assembly's resolution the governments were requested to accept the Constitution of the World Health Organization at the earliest possible date as well as the Protocol concerning the *Office international d'hygiène publique.* Up to June 30, 1947, the Constitution had been accepted by fourteen States[1].

p. Housing and Town Planning

By a letter of October 26, 1946, addressed to the President of the General Assembly, the delegation of France requested that the question of housing and town planning be included in the agenda of the second part of the first session of the General Assembly and it submitted a draft resolution.

The General Assembly at its 46th plenary meeting on October 31, 1946, referred the question to the Joint Second and Third Committee, which considered the matter at its 9th and 11th meetings on December 4 and 10 respectively. The French resolution proposed that the General Assembly:

(1) summon a preparatory conference of technical experts on housing and town planning to study the organization and unification of international exchanges of information relating in particular to demographic statistics, town planning principles, building techniques, and the economic, financial, legal and legislative aspects of town planning questions;

(2) establish, under the auspices of the Economic and Social Council, an International Information and Research Office on housing and town planning questions.

The representative of the United Kingdom agreed with the aims and principles of the French resolution, but expressed his opposition to any excessive increase in the number of international agencies. The Economic and Social Council and its commissions, he stated, had already been charged with a study of the housing problem; hence it was not necessary to establish any new international machinery. The representative of the United Kingdom therefore submitted a revised draft resolution which took into account the existing machinery of the United Nations. The representative of France accepted the revised text submitted by the representative of the United Kingdom.

The representative of the United States presented an amendment to the French-United Kingdom proposal, which also included certain changes suggested by the delegations of Chile and Venezuela. The resolution as amended was adopted unanimously by the Committee.

On the recommendation of the Joint Second and Third Committee the General Assembly at its 65th plenary meeting on December 14, 1946, unanimously adopted the following resolution:

THE GENERAL ASSEMBLY,

CONSIDERING the magnitude and gravity of housing problems in various parts of the world, and the advisability of providing for exchange of views and constant liaison between the technical experts of the various nations;

[1] For further information on the World Health Organization see Part Two, The Specialized Agencies.

CONSIDERING the recommendations already made by the special meeting on emergency housing problems convened by the Emergency Economic Committee for Europe, and also of the recommendations of the Housing Sub-Committee of the Emergency Economic Committee for Europe:

DECIDES to recommend to the Economic and Social Council that it instruct the appropriate Commissions to expedite their study of housing problems, with special reference to the organization and unification of international exchanges of information relating, in particular, to town planning principles, building techniques and the climatic, economic and financial, legal and legislative aspects of housing and town planning questions; and to consider the desirability of holding an international conference of experts to advise on the need for establishing an international mechanism to collate such information, lay down guiding principles for new technical research on materials, methods of use and prefabrication, and to define standards capable of general application.

q. Provision of Expert Advice by the United Nations to Member States

By a letter of December 2, 1946, addressed to the Secretary-General of the United Nations, the Lebanese delegation requested the inclusion of the following item in the agenda of the second part of the first session of the General Assembly:

The creation by the United Nations of Advisory Boards of the proper disinterestedness and excellence in economic, social, health, administrative, educational and cultural matters, for the purpose of enabling the Members of the United Nations to draw upon such Boards for expert advice in connection with their own internal development.

In the course of the discussion which took place at the 25th meeting of the General Committee on November 6, 1946, certain members of the Committee opposed inclusion of this item in the agenda on the ground that the Economic and Social Council was the proper organ to deal with this matter and that the creation of new bodies would involve additional expense. The General Committee voted 11 to 2 to recommend to the General Assembly that the item be included in the agenda. The General Assembly at its 47th plenary meeting on November 9 agreed to include the item in its agenda and referred it to the Joint Second and Third Committee.

The Joint Committee considered the matter at its 11th and 12th meetings, held on December 6 and 10 respectively. The representative of Lebanon stated that certain countries which were politically independent did not possess sufficient technical and economic means for their development without outside help. Such help, the Lebanese representative stressed, should be furnished through collective international action. Otherwise the less developed countries might have to resort to bilateral agreements to obtain assistance from more advanced countries, and this might endanger the economic independence of the former. The draft resolution submitted by the representative of Lebanon therefore recommended that the General Assembly refer to the Economic and Social Council for study and recommendation to the next session of the General Assembly the proposal for the creation of advisory boards of experts in the economic, financial, statistical, administrative, health, educational and other fields, whose function it would be to render expert advice and guidance to Member nations which desired their assistance.

The representatives of Australia, Canada, the U.S.S.R. and others, while expressing sympathy with the objectives of the Lebanese resolution, drew attention to the risk of overloading the Economic and Social Council with work in the early stages of its development, and to the fact that several specialized agencies were, by their constitutions, authorized to supply advice of the kind desired within their special fields. They suggested that consideration of the question be postponed.

The delegation of China proposed a number of amendments, and in particular the deletion of the second part of the draft Lebanese resolution, which contained a number of "considerations" which the Economic and Social Council should take into account in studying the matter. These amendments were accepted by the Lebanese representative.

The representative of the United States proposed to include in the resolution a reference to the co-operation of the specialized agencies with respect to the supplying of expert advice. In addition, he pointed out that individual countries constituted one of the possible sources of such assistance and he suggested, therefore, that the Economic and Social Council should seek the co-operation of Member Governments as well as of specialized agencies in supplying expert advice.

The representative of France pointed out, however, that the aim of the Lebanese draft resolution was to substitute the expert advice

of international organizations such as the United Nations and the specialized agencies for bilateral arrangements which often resulted in the undue economic dependence of one nation upon another.

The representative of Lebanon accepted the amendment of the United States concerning the co-operation of the specialized agencies. He declared that he was not, however, in favor of the recommendation concerning Member Governments. That amendment was rejected by the Joint Second and Third Committee.

The Committee, after considering several further amendments, adopted the revised Lebanese resolution by 26 votes to 0, with 4 abstentions.

On the recommendation of the Joint Second and Third Committee, the General Assembly at its 65th plenary meeting on December 14, 1946, unanimously adopted the following resolution:

THE GENERAL ASSEMBLY,

CONSIDERING that the Members of the United Nations are not yet all equally developed:

CONSIDERING that some Member Nations may need expert advice in the various fields of economic, social and cultural development;

RECOGNIZING the responsibility of the United Nations under the Charter for assisting in such development;

RECOGNIZING the importance of such development for the peace and prosperity of the world;

RECOGNIZING the responsibility of the specialized agencies in their respective fields;

DECIDES to refer to the Economic and Social Council for study the question of providing effective ways and means for furnishing, in co-operation with the specialized agencies, expert advice in the economic, social and cultural fields to Member nations who desire this assistance.

r. Translation of the Classics

By a letter of November 2, 1946, the representative of Lebanon requested the inclusion of the following item in the agenda of the second part of the first session of the General Assembly:

To initiate studies and make recommendations on the question of the translation and publication of the great classics of human thought in the various languages of the United Nations.

At the 24th meeting of the General Committee of the General Assembly certain members of the Committee opposed the inclusion of this item in the agenda of the General Assembly on the ground that the time of the Assembly was very limited and that the proposal should be more appropriately referred to UNESCO. The General Committee voted 10 to 2 to recommend to the General Assembly that the item be included in the agenda. At its 47th plenary meeting the General Assembly agreed to this recommendation and referred the question to the Third Committee (Social, Humanitarian and Cultural).

The Third Committee at its 42nd meeting on December 5, 1946, considered a draft resolution submitted by the representative of Lebanon. The resolution proposed that the question of the translation of the classics be referred to the Economic and Social Council for study in consultation with UNESCO and for recommendation to the next session of the General Assembly.

Commenting upon his proposal, the representative of Lebanon stated that the soundest foundation of peace would be the sharing of certain fundamental concepts of all peoples. It was with the purpose of extending to all peoples the benefits of human culture that the Lebanese delegation submitted the proposal for a translation of the classics under the auspices of the United Nations. The Lebanese representative expressed the view that UNESCO was not a sufficiently universal organ to undertake the task. The entire collection of classics should be published under the auspices of the United Nations.

Other representatives insisted that UNESCO was the proper organization to deal with this question. The representative of the United States submitted an amendment, further modified at the suggestion of the representative for India, proposing that the General Assembly refer the question to the Economic and Social Council, which would transmit it to UNESCO for further consideration and suitable action. The Third Committee unanimously adopted this amendment and then unanimously adopted the revised resolution as a whole.

At the 45th meeting of the Third Committee on December 9 the representative of Saudi Arabia proposed that the works to be translated should be selected in such a way as to promote international good will and that the definition of classics should not be restricted to any period. Several representatives opposed this suggestion, considering that any given work either was a classic or was not, and that it should be judged on its literary merits solely. The Committee agreed to mention the views of the Saudi Arabian representative in its report to the General Assembly.

On the recommendation of the Third Committee the General Assembly at its 65th plenary meeting on December 14, 1946, unanimously adopted the resolution, which read as follows:

THE GENERAL ASSEMBLY,

RECOGNIZING that the translation of the world's classics into the languages of the Members of the United Nations will promote understanding and peace among nations by the creation of a community of culture in which the peoples of all nations may participate:

1. DECIDES to refer this question to the Economic and Social Council for reference to the United Nations Educational, Scientific and Cultural Organization for suitable action;

2. RECOMMENDS to the Economic and Social Council and to the United Nations Educational, Scientific and Cultural Organization the following principles to be considered in their study of this question:

(a) that the translation of the classics is a project of international concern and of great significance for the promotion of international cultural co-operation;
(b) that certain nations do not have sufficient facilities and resources for the authentic translation of numerous classics into their languages;
(c) that such translation is greatly conducive to their cultural development;
(d) that the definition of classics should not be limited by reference to any particular culture but should include products of all nations or cultures which are deemed by the highest authorities to have universal significance and permanent value.

s. World University Alliance

By a letter of November 2, 1946, addressed to the Secretary-General of the United Nations the Lebanese delegation requested that the following item be included in the agenda of the second part of the first session of the General Assembly:

To initiate studies and make recommendations concerning the possibility of the creation of a World University Alliance through which the universities, scholars, and students of the United Nations could collaborate with the United Nations, offering the results of their research and study as their benevolent contribution towards the achievement of the purposes and principles of the Charter.

At the 25th meeting of the General Committee certain representatives opposed the inclusion of this item in the agenda of the second part of the first session of the General Assembly. In accordance with a suggestion of the representative of France, the representative of Lebanon withdrew his proposal, reserving the right to resubmit it to the next session of the General Assembly.

4. TRUSTEESHIP AND NON-SELF-GOVERNING TERRITORIES

a. Trusteeship Agreements

(1) Approval by the General Assembly

In its resolution on non-self-governing peoples of February 9, 1946, the General Assembly invited States administering territories under League of Nations Mandate to undertake practical steps for the implementation of Article 79 of the Charter by submitting Trusteeship Agreements for the approval of the General Assembly, preferably not later than during the second part of its first session.

In pursuance of this resolution, draft Trusteeship Agreements for eight of the mandated territories were submitted to the second part of the first session of the General Assembly for approval. The Agreements were communicated by the Government of Australia for New Guinea, by the Government of Belgium for Ruanda-Urundi, by the Government of France for the Cameroons under French Mandate and Togoland under French Mandate, by the Government of New Zealand for Western Samoa, and by the Government of the United Kingdom for Tanganyika, the Cameroons under British Mandate and Togoland under British Mandate. The General Assembly referred these proposed Trusteeship Agreements to its Fourth Committee (Trusteeship) for consideration.

In the course of an extensive general discussion which took place at the 14th, 15th, 16th, 17th, 18th, 19th and 20th meetings of the Fourth Committee held on November 4, 5, 7, 8, 11, 13 and 14 respectively, the various representatives expressed their views as to the general principles which should govern the operation of the trusteeship system.

A considerable number of representatives expressed the view that the eight Trusteeship Agreements submitted by the Administering Authorities were susceptible of improvement in a number of ways. On the other hand, these representatives were of the opinion that the Agreements contained no violation of the fundamental principles of the Charter. Considering the early establishment of the Trusteeship Council to be the most urgent consideration, these representaives urged approval of the proposed Agreements despite certain imperfections.

The representative of the United States remarked that in accordance with Article 79 of the Charter, Trusteeship Agreements must be approved by the "States directly concerned." The phrase "States directly concerned," the United States representative maintained, should be interpreted to mean only the State administering the Trust Territory. Any other interpretation would cause difficulties and delays in the establishment of the Trusteeship Council. The representative of the United States suggested the following practical procedure:

(1) that a sub-committee should be established to consider the draft Trusteeship Agreements and to negotiate on behalf of the Fourth Committee with the governments which had submitted the Agreements;

(2) that States interested should be permitted to submit to the sub-committee and to the mandatory powers involved suggestions regarding the proposed Agreements;

(3) that after hearing such suggestions and after consultation with the sub-committee the mandatory powers involved suggestions re-sub-committee as to the acceptability of these suggestions;

(4) that the Agreements thus modified should be considered by the Fourth Committee and referred to the General Assembly with the Committee's recommendations.

The United States Government would be willing to accept the Trusteeship Agreements as they would be approved under this procedure, he said, provided that other nations were ready to do the same and would not insist on the right to veto any Agreement by claiming to be a "State directly concerned."

The representative of the U.S.S.R. criticized the mandatory powers for procrastinating in submitting Trusteeship Agreements, and more particularly criticized these powers for not submitting Trusteeship Agreements for all former League of Nations mandates. The Charter, the U.S.S.R. representative maintained, imposed a definite obligation on the Administering Authorities to place all former mandates under trusteeship.

The Trusteeship Agreements which had been submitted, the U.S.S.R. representative stated, had been drawn up in violation of Article 79 of the Charter, as they had not been concluded in concert with the powers "directly concerned." He disagreed with the view of the representative of the United States that this term should include only the Administering Authority.

The representative of China submitted a draft resolution to the effect that the General Assembly anticipated that those States which had not yet submitted draft Trusteeship Agreements in respect of territories hitherto held under mandate would take such steps as were necessary under Article 79 of the Charter, to the end that all such territories might be soon brought within the Trusteeship System. The Fourth Committee failed to adopt this proposal.

Another proposal not adopted by the Fourth Committee was one submitted by the representative of India to the effect that the Committee recommend that the Administering Authority for Trust Territories falling under Chapter XII of the Charter should as a rule be "the Organization itself" as indicated in Article 81 of the Charter.

Following the general discussion, the Fourth Committee at its 20th meeting on November 14 appointed a Sub-Committee of seventeen members to examine the eight proposed Agreements and make recommendations to the Committee on them. The Sub-Committee held 26 meetings. In the course of its deliberations it considered 229 proposed modifications of the texts of these Agreements. All members of the Fourth Committee not represented on the Sub-Committee were given the opportunity to propose modifications.

The governments concerned accepted for incorporation in the texts of their Agreements certain of the modifications either recommended to them by a majority vote of the Sub-Committee, or in some cases without a vote. In other cases the delegations concerned notified the Sub-Committee of the inability of their Governments to accept the recommended changes. In some cases, following discussion and declarations made by representatives of governments administering mandated territories, proposed modifications were withdrawn. Some of the delegations whose proposed modifications did not receive the majority support of the Sub-Committee, subsequently brought them before the Fourth Committee as a whole.

The Sub-Committee, following its article by article examination of the eight proposed Agreements, decided at its 25th meeting to recommend to the Fourth Committee approval of the Agreements with the exception of the preambles. The vote in each case was 12 for, 3 against and 2 abstentions, except in the case of the proposed Agreement for New Guinea, approval of which was recommended by a vote of 11 to 3, with 3 abstentions.

The preambles to the Trusteeship Agreements involved the question of "States directly concerned," on which the Sub-Committee failed to reach agreement in the course of its prolonged discussions. At the 24th meeting of the Sub-Committee on December 5 the Chairman of the Sub-Committee, on his own responsibility, had requested the representatives of the U.S.S.R. and the United States to undertake consultations in an effort to reach a solution acceptable to the Sub-Committee on the problem of "States directly concerned." At the 27th meeting of the Sub-Committee on December 9, the two representatives reported that these consultations had not succeeded.

At its 27th meeting the Sub-Committee rejected by a vote of 4 to 10, with 3 abstentions, a proposal of the delegation of the U.S.S.R. to set up a drafting sub-committee to find a general definition of "States directly concerned." A proposal of the delegation of the United States was approved by a vote of 13 to 3, with 1 abstention, to the effect that the following recommendation on the subject of "States directly concerned" be included in the report of the Rapporteur of the Fourth Committee:

Approval of any terms of Trusteeship by this session of the General Assembly should be on the following understanding with respect to "States directly concerned":

All Members of the United Nations have had an opportunity to present their views with reference to the terms of Trusteeship now proposed to the General Assembly for approval. There has, however, been no specification by the General Assembly of "States directly concerned" in relation to the proposed Trust Territories. Accordingly, the General Assembly in approving the terms of Trusteeship does not prejudge the question of what States are or are not "directly concerned" within the meaning of Article 79. It recognizes that no State has waived or prejudiced its right hereafter to claim to be such a "State directly concerned" in relation to approval of subsequently proposed Trusteeship Agreements and any alteration or amendment of those now approved, and that the procedure to be followed in the future with reference to such matters may be subject to later determination.

The Sub-Committee then considered preambles for the eight Agreements, which omitted mention of Article 79. At its 28th meeting the Sub-Committee approved the preambles of the eight agreements by a vote of 13 to 2, with 2 abstentions.

The Fourth Committee considered the report of the Sub-Committee at its 21st, 22nd, 23rd, 24th, 26th and 27th meetings held on December 8, 9, 10, 11 and 12. A number of proposed modifications of the Trusteeship Agreements which had been rejected by the Sub-Committee were submitted to the Fourth Committee by the respective delegations.

A new article, proposed by the delegation of the U.S.S.R. to apply to all of the Agreements, provided that:

The present Agreement shall enter into force upon its approval by the General Assembly of the United Nations and shall remain in force for a period of . . . years and thereafter shall be reviewed and modified according to the degree of attainment of the purposes set forth in Article 76 of the Charter of the United Nations.

This proposal was adopted by a vote of 20 to 14, with 1 abstention. Following adoption of this proposal, the Fourth Committee rejected a U.S.S.R. suggestion that the period in the proposal be fixed at five years. Upon the proposal of the Chinese delegation the Fourth Committee, by a vote of 20 to 7, with 8 abstentions, then decided that the period should be fixed at ten years, which coincided with the period proposed by the representative of India.

A new clause for all of the Agreements proposed by the delegation of India provided that:

The Administering Authority shall administer the trust territory on behalf of and solely for the benefit of and in the interest of its people, and on the termination of the Trusteeship, all the powers of the Authority shall cease and it shall surrender the territory, together with all public property then existing, whether movable or immovable, to the people, whose right to sovereignty and independence shall always be recognized.

This proposal was approved by a vote of 19 to 16, with 2 abstentions.

A third modification adopted by the Fourth Committee was proposed by the U.S.S.R. delegation. It provided that the mandatory power should not be authorized to administer any Trust Territory "as an integral part" of any other territory under its control. The Fourth Committee adopted this modification by a vote of 16 to 15, with 3 abstentions.

The Fourth Committee rejected two similar proposals submitted by the delegations of the U.S.S.R. and of India to which these delegations and a number of other representatives attached particular importance. It was proposed that the mandatory power should not be permitted to establish military bases, to construct fortifications and to maintain armed forces in Trust Territories except on the basis of obligations to

the Security Council as defined in the Charter and subject to the approval of the Security Council. The U.S.S.R. proposal was rejected by a vote of 18 to 14, with 6 abstentions, and the Indian proposal by a vote of 18 to 16, with 4 abstentions.

At the 26th meeting of the Fourth Committee the delegations of Australia, Belgium, France, New Zealand and the United Kingdom explained to the Committee why the modifications recommended by the Fourth Committee as mentioned above were not acceptable to their Governments.

In view of the fact that the Mandatory Powers did not accept the modifications recommended by the Fourth Committee, the representatives of the U.S.S.R. and of India expressed the view that it would be pointless to vote on the texts of the Trusteeship Agreements which did not contain these modifications. The Committee should not voice approval of Agreements the modifications of which had not been accepted by the mandatory powers.

The Chairman of the Fourth Committee explained that if the Committee voted in favor of certain modifications of the Trusteeship Agreements, these would constitute recommendations to the mandatory power submitting the Agreement. If the mandatory power refused to accept the amendment recommended to it, the Committee would have to decide when it voted on the Agreements as a whole whether it considered the amendment of such importance that it should recommend to the General Assembly the rejection of the Agreement unless it contained the amendment in question. The mandatory power could not be compelled to accept any particular amendment.

At its 26th meeting on December 11, 1946, the Fourth Committee, by separate votes, approved the eight Trusteeship Agreements. The vote in each case was 35 to 8. The Fourth Committee further approved the Sub-Committee's recommendations concerning the preambles to the Agreements and the question of "States directly concerned."

At its 61st and 62nd plenary meetings on December 13, 1946, the General Assembly considered the report of the Fourth Committee. The representative of the U.S.S.R. expressed the view that the draft Trusteeship Agreements submitted for approval by the General Assembly violated the fundamental provisions of the Charter regarding the Trusteeship System. The U.S.S.R. representative therefore submitted the following resolution:

THE GENERAL ASSEMBLY CONSIDERS that the draft Trusteeship Agreements submitted for its consideration . . . have been drafted contrary to the fundamental requirements of the United Nations Charter regarding the Trusteeship System, that is:

(1) The proposed Trusteeship Agreements . . . cannot be considered as Trusteeship Agreements as Article 79 of the Charter provides that the terms of Trusteeship shall be agreed upon by the States directly concerned whereas so far it has not been determined which countries are directly concerned.

(2) The draft Agreements include the provision whereby the Territories in Trust shall be administered as an integral part of those States which are Administering Authorities, which in fact amounts to annexation of the territories in trust by the said States, whereas Article 76 of the Charter provides that the Trusteeship System shall promote the progressive development of the Trust Territories towards self-government.

(3) The proposed draft Agreements provide as one of the terms the establishment in Trust Territories of military, naval and air bases without the Security Council's consent, which is contrary to Article 83 of the Charter which requires the consent of the Security Council for the establishment of military, naval and air bases in Trust Territories.

THE GENERAL ASSEMBLY THEREFORE RESOLVES

(1) To reject the draft Agreements for the . . . territories under Mandate as being inconsistent with the Charter,

(2) To recommend to the Governments of the United Kingdom, France, Belgium, Australia, and New Zealand to submit for the consideration of the General Assembly new draft Trusteeship Agreements . . . drawn up in conformity with the Charter.

The General Assembly rejected this resolution by a vote of 34 to 6, with 11 abstentions.

Voting separately on each Agreement, the General Assembly then approved the eight Trusteeship Agreements by the following votes:

New Guinea: 41 to 6, with 5 abstentions;
Ruanda-Urundi: 41 to 6, with 5 abstentions;
French Cameroons and French Togoland: 41 to 5, with 6 abstentions;
Western Samoa: 41 to 6, with 5 abstentions;
Tanganyika: 41 to 6, with 5 abstentions;
British Cameroons and British Togoland: 41 to 6, with 5 abstentions.

Accordingly, the General Assembly at its 62nd plenary meeting on December 13, 1946, adopted the following resolution:

THE GENERAL ASSEMBLY APPROVES separately the following eight Trusteeship Agreements:

1. The proposed Trusteeship Agreement for New Guinea submitted by the Government of Australia.

2. The proposed Trusteeship Agreement for Ruanda-Urundi submitted by the Government of Belgium.
3. The proposed Trusteeship Agreement for the Cameroons under French Mandate submitted by the Government of France.
4. The proposed Trusteeship Agreement for Togoland under French Mandate submitted by the Government of France.
5. The proposed Trusteeship Agreement for Western Samoa submitted by the Government of New Zealand.
6. The proposed Trusteeship Agreement for Tanganyika submitted by the Government of the United Kingdom.
7. The proposed Trusteeship Agreement for the Cameroons under British Mandate submitted by the Government of the United Kingdom.
8. The proposed Trusteeship Agreement for Togoland under British Mandate submitted by the Government of the United Kingdom.

(2) Text of Trusteeship Agreements

Following is the text of the Trusteeship Agreements as approved by the General Assembly:

I. TRUSTEESHIP AGREEMENT FOR THE TERRITORY OF TOGOLAND UNDER BRITISH ADMINISTRATION

WHEREAS the territory known as Togoland under British Mandate and hereinafter referred to as the Territory has been administered in accordance with Article 22 of the Covenant of the League of Nations under a Mandate conferred on His Britannic Majesty; and

WHEREAS Article 75 of the United Nations Charter, signed at San Francisco on 26 June 1945, provides for the establishment of an international trusteeship system for the administration and supervision of such territories as may be placed thereunder by subsequent individual agreements; and

WHEREAS under Article 77 of the said Charter the international trusteeship system may be applied to territories now held under Mandate; and

WHEREAS His Majesty has indicated his desire to place the Territory under the said international trusteeship system; and

WHEREAS in accordance with Articles 75 and 77 of the said Charter, the placing of a territory under the international trusteeship system is to be effected by means of a Trusteeship Agreement;

NOW THEREFORE the General Assembly of the United Nations hereby resolves to approve the following terms of trusteeship for the Territory.

Article 1

The Territory to which this Agreement applies comprises that part of Togoland lying to the west of the boundary defined by the Franco-British Declaration of 10 July 1919, as delimited and modified by the Protocol of 21 October 1929, executed by the Commissioners appointed in the execution of Article 2 (1) of the said Declaration.

Article 2

His Majesty is hereby designated as Administering Authority for the Territory, the responsibility for the administration of which will be undertaken by His Majesty's Government in the United Kingdom of Great Britain and Northern Ireland.

Article 3

The Administering Authority undertakes to administer the Territory in such a manner as to achieve the basic objectives of the international trusteeship system laid down in Article 76 of the United Nations Charter. The Administering Authority further undertakes to collaborate fully with the General Assembly of the United Nations and the Trusteeship Council in the discharge of all their functions as defined in Article 87 of the United Nations Charter, and to facilitate any periodic visits to the Territory which they may deem necessary, at times to be agreed upon with the Administering Authority.

Article 4

The Administering Authority shall be responsible (a) for the peace, order, good government and defence of the Territory and (b) for ensuring that it shall play its part in the maintenance of international peace and security.

Article 5

For the above-mentioned purposes and for all purposes of this Agreement as may be necessary, the Administering Authority:

(a) shall have full powers of legislation, administration and jurisdiction in the Territory, and shall administer it in accordance with his own laws as an integral part of his territory with such modification as may be required by local conditions and subject to the provisions of the United Nations Charter and of this Agreement;
(b) shall be entitled to constitute the Territory into a customs, fiscal or administrative union or federation with adjacent territories under his sovereignty or control, and to establish common services between such territories and the Territory where such measures are not inconsistent with the basic objectives of the international trusteeship system and with the terms of this Agreement;
(c) and shall be entitled to establish naval, military and air bases, to erect fortifications, to station and employ his own forces in the Territory and to take all such other measures as are in his opinion necessary for the defence of the Territory and for ensuring that it plays its part in the maintenance of international peace and security. To this end the Administering Authority may make use of volunteer forces, facilities and assistance from the Territory in carrying out the obligations towards the Security Council under-

taken in this regard by the Administering Authority, as well as for local defence and the maintenance of law and order within the Territory.

Article 6

The Administering Authority shall promote the development of free political institutions suited to the Territory. To this end, the Administering Authority shall assure to the inhabitants of the Territory a progressively increasing share in the administrative and other services of the Territory; shall develop the participation of the inhabitants of the Territory in advisory and legislative bodies and in the government of the Territory, both central and local, as may be appropriate to the particular circumstances of the Territory and its peoples; and shall take all other appropriate measures with a view to the political advancement of the inhabitants of the Territory in accordance with Article 76 (b) of the United Nations Charter. In considering the measures to be taken under this article the Administering Authority shall, in the interests of the inhabitants, have special regard to the provisions of Article 5 (a) of this Agreement.

Article 7

The Administering Authority undertakes to apply in the Territory the provisions of any international conventions and recommendations already existing or hereafter drawn up by the United Nations or by the specialized agencies referred to in Article 57 of the Charter, which may be appropriate to the particular circumstance of the Territory and which would conduce to the achievement of the basic objectives of the international trusteeship system.

Article 8

In framing laws relating to the holding or transfer of land and natural resources, the Administering Authority shall take into consideration native laws and customs, and shall respect the rights and safeguard the interests, both present and future, of the native population. No native land or natural resources may be transferred, except between natives, save with the previous consent of the competent public authority. No real rights over native land or natural resources in favour of non-natives may be created, except with the same consent.

Article 9

Subject to the provisions of Article 10 of this Agreement, the Administering Authority shall take all necessary steps to ensure equal treatment in social, economic, industrial and commercial matters for all Members of the United Nations and their nationals and to this end:

(a) shall ensure the same rights to all nationals of Members of the United Nations as to his own nationals in respect of entry into and residence in the Territory, freedom of transit and navigation, including freedom of transit and navigation by air, acquisition of property both movable and immovable, the protection of person and property, and the exercise of professions and trades;

(b) shall not discriminate on grounds of nationality against nationals of any Member of the United Nations in matters relating to the grant of concessions for the development of the natural resources of the Territory, and shall not grant concessions having the character of a general monopoly;

(c) shall ensure equal treatment in the administration of justice to the nationals of all Members of the United Nations.

The rights conferred by this Article on nationals of Members of the United Nations apply equally to companies and associations controlled by such nationals and organized in accordance with the law of any Member of the United Nations.

Article 10

Measures taken to give effect to Article 9 of this Agreement shall be subject always to the overriding duty of the Administering Authority in accordance with Article 76 of the United Nations Charter to promote the political, economic, social and educational advancement of the inhabitants of the Territory, to carry out the other basic objectives of the international trusteeship system, and to maintain peace, order and good government. The Administering Authority shall in particular be free:

(a) to organize essential public services and works on such terms and conditions as he thinks just;

(b) to create monopolies of a purely fiscal character in order to provide the Territory with the fiscal resources which seem best suited to local requirements, or otherwise to serve the interests of the inhabitants of the Territory;

(c) where the interests of the economic advancement of the inhabitants of the Territory may require it, to establish or permit to be established, for specific purposes, other monopolies or undertakings having in them an element of monopoly, under conditions of proper public control; provided that, in the selection of agencies to carry out the purposes of this paragraph, other than agencies controlled by the Government or those in which the Government participates, the Administering Authority shall not discriminate on grounds of nationality against Members of the United Nations or their nationals.

Article 11

Nothing in this Agreement shall entitle any Member of the United Nations to claim for itself or for its nationals, companies and associations the benefits of Article 9 of this Agreement in any respect in which it does not give to the inhabitants, companies and associations of the Territory equality of treatment with the nationals, companies and associations of the State which it treats most favourably.

Article 12

The Administering Authority shall, as may be appropriate to the circumstances of the Territory, continue and extend a general system of

elementary education designed to abolish illiteracy and to facilitate the vocational and cultural advancement of the population, child and adult, and shall similarly provide such facilities as may prove desirable and practicable in the interests of the inhabitants for qualified students to receive secondary and higher education, including professional training.

Article 13

The Administering Authority shall ensure in the Territory complete freedom of conscience and, so far as is consistent with the requirements of public order and morality, freedom of religious teaching and the free exercise of all forms of worship. Subject to the provisions of Article 8 of this Agreement and the local law, missionaries who are nationals of Members of the United Nations shall be free to enter the Territory and to travel and reside therein, to acquire and possess property, to erect religious buildings and to open schools and hospitals in the Territory. The provisions of this Article shall not, however, affect the right and duty of the Administering Authority to exercise such control as he may consider necessary for the maintenance of peace, order and good government and for the educational advancement of the inhabitants of the Territory and to take all measures required for such control.

Article 14

Subject only to the requirements of public order, the Administering Authority shall guarantee to the inhabitants of the Territory freedom of speech, of the press, of assembly, and of petition.

Article 15

The Administering Authority may arrange for the co-operation of the Territory, in any regional advisory commission, regional technical organization or other voluntary association of states, any specialized international bodies, public or private, or other forms of international activity not inconsistent with the United Nations Charter.

Article 16

The Administering Authority shall make to the General Assembly of the United Nations an annual report on the basis of a questionnaire drawn up by the Trusteeship Council in accordance with Article 88 of the United Nations Charter. Such reports shall include information concerning the measures taken to give effect to suggestions and recommendations of the General Assembly and the Trusteeship Council. The Administering Authority shall designate an accredited representative to be present at the sessions of the Trusteeship Council at which the reports of the Administering Authority with regard to the Territory are considered.

Article 17

Nothing in this Agreement shall affect the right of the Administering Authority to propose, at any future date, the amendment of this Agreement for the purpose of designating the whole or part of the Territory as a strategic area or for any other purpose not inconsistent with the basic objectives of the international trusteeship system.

Article 18

The terms of this Agreement shall not be altered or amended except as provided in Article 79 and Articles 83 or 85, as the case may be, of the United Nations Charter.

Article 19

If any dispute whatever should arise between the Administering Authority and another Member of the United Nations relating to the interpretation or application of the provisions of this Agreement, such dispute, if it cannot be settled by negotiation or other means, shall be submitted to the International Court of Justice provided for in Chapter XIV of the United Nations Charter.

II. Trusteeship Agreement for the Territory of the Cameroons Under British Administration

WHEREAS the territory known as the Cameroons under British Mandate and hereinafter referred to as the Territory has been administered in accordance with Article 22 of the Covenant of the League of Nations under a Mandate conferred on His Britannic Majesty; and

WHEREAS Article 75 of the United Nations Charter, signed at San Francisco on 26 June 1945, provides for the establishment of an international trusteeship system for the administration and supervision of such territories as may be placed thereunder by subsequent individual agreements; and

WHEREAS under Article 77 of the said Charter the international trusteeship system may be applied to territories now held under Mandate; and

WHEREAS His Majesty has indicated his desire to place the Territory under the said international trusteeship system; and

WHEREAS in accordance with Articles 75 and 77 of the said Charter, the placing of a territory under the international trusteeship system is to be effected by means of a Trusteeship Agreement;

NOW, THEREFORE, the General Assembly of the United Nations hereby resolves to approve the following terms of trusteeship for the Territory.

Article 1

The Territory to which this Agreement applies comprises that part of the Cameroons lying to the west of the boundary defined by the Franco-British Declaration of 10 July 1919, and more exactly defined in the Declaration made by the Governor of the Colony and Protectorate of Nigeria and the Governor of the Cameroons under French Mandate which was confirmed by the exchange of Notes between His Majesty's Government in the United Kingdom and the French Government of 9 January

1931. This line may, however, be slightly modified by mutual agreement between His Majesty's Government in the United Kingdom and the Government of the French Republic where an examination of the localities shows that it is desirable in the interests of the inhabitants.

Article 2

His Majesty is hereby designated as Administering Authority for the Territory, the responsibility for the administration of which will be undertaken by His Majesty's Government in the United Kingdom of Great Britain and Northern Ireland.

Article 3

The Administering Authority undertakes to administer the Territory in such a manner as to achieve the basic objectives of the international trusteeship system laid down in Article 76 of the United Nations Charter. The Administering Authority further undertakes to collaborate fully with the General Assembly of the United Nations and the Trusteeship Council in the discharge of all their functions as defined in Article 87 of the United Nations Charter, and to facilitate any periodic visits to the Territory which they may deem necessary, at times to be agreed upon with the Administering Authority.

Article 4

The Administering Authority shall be responsible (a) for the peace, order, good government and defence of the Territory and (b) for ensuring that it shall play its part in the maintenance of international peace and security.

Article 5

For the above-mentioned purposes and for all purposes of this Agreement, as may be necessary, the Administering Authority:

(a) shall have full powers of legislation, administration and jurisdiction in the Territory and shall administer it in accordance with his own laws as an integral part of his territory with such modification as may be required by local conditions and subject to the provisions of the United Nations Charter and of this Agreement;

(b) shall be entitled to constitute the Territory into a customs, fiscal or administrative union or federation with adjacent territories under his sovereignty or control, and to establish common services between such territories and the Territory where such measures are not inconsistent with the basic objectives of the international trusteeship system and with the terms of this Agreement;

(c) and shall be entitled to establish naval, military and air bases, to erect fortifications, to station and employ his own forces in the Territory and to take all such other measures as are in his opinion necessary for the defence of the Territory and for ensuring that it plays its part in the maintenance of international peace and security. To this end the Administering Authority may make use of volunteer forces, facilities and assistance from the Territory in carrying out the obligations towards the Security Council undertaken in this regard by the Administering Authority, as well as for local defence and the maintenance of law and order within the Territory.

Article 6

The Administering Authority shall promote the development of free political institutions suited to the Territory. To this end the Administering Authority shall assure to the inhabitants of the Territory a progressively increasing share in the administrative and other services of the Territory; shall develop the participation of the inhabitants of the Territory in advisory and legislative bodies and in the government of the Territory, both central and local, as may be appropriate to the particular circumstances of the Territory and its peoples; and shall take all other appropriate measures with a view to the political advancement of the inhabitants of the Territory in accordance with Article 76 (b) of the United Nations Charter. In considering the measures to be taken under this Article the Administering Authority shall, in the interests of the inhabitants, have special regard to the provisions of Article 5 (a) of this Agreement.

Article 7

The Administering Authority undertakes to apply in the Territory the provisions of any international conventions and recommendations already existing or hereafter drawn up by the United Nations or by the specialized agencies referred to in Article 57 of the Charter, which may be appropriate to the particular circumstances of the Territory and which would conduce to the achievement of the basic objectives of the international trusteeship system.

Article 8

In framing laws relating to the holding or transfer of land and natural resources, the Administering Authority shall take into consideration native laws and customs, and shall respect the rights and safeguard the interests, both present and future, of the native population. No native land or natural resources may be transferred except between natives, save with the previous consent of the competent public authority. No real rights over native land or natural resources in favour of non-natives may be created except with the same consent.

Article 9

Subject to the provisions of Article 10 of this Agreement, the Administering Authority shall take all necessary steps to ensure equal treatment in social, economic, industrial and commercial matters for all Members of the United Nations and their nationals and to this end:

(a) shall ensure the same rights to all nationals of Members of the United Nations as to his own nationals in respect of entry into and residence in the Territory, freedom of transit and navigation, including freedom of transit and navigation by air, acquisition of

property both movable and immovable, the protection of persons and property, and the exercise of professions and trades;
(b) shall not discriminate on grounds of nationality against nationals of any Member of the United Nations in matters relating to the grant of concessions for the development of the natural resources of the Territory, and shall not grant concessions having the character of a general monopoly;
(c) shall ensure equal treatment in the administration of justice to the nationals of all Members of the United Nations.

The rights conferred by this Article on nationals of Members of the United Nations apply equally to companies and associations controlled by such nationals and organized in accordance with the law of any Member of the United Nations.

Article 10

Measures taken to give effect to Article 9 of this Agreement shall be subject always to the overriding duty of the Administering Authority in accordance with Article 76 of the United Nations Charter to promote the political, economic, social and educational advancement of the inhabitants of the Territory, to carry out the other basic objectives of the international trusteeship system, and to maintain peace, order and good government. The Administering Authority shall in particular be free:

(a) to organize essential public services and works on such terms and conditions as he thinks just;
(b) to create monopolies of a purely fiscal character in order to provide the Territory with the fiscal resources which seem best suited to local requirements, or otherwise to serve the interests of the inhabitants of the Territory;
(c) where the interests of the economic advancement of the inhabitants of the Territory may require it, to establish or permit to be established, for specific purposes, other monopolies or undertakings having in them an element of monopoly, under conditions of proper public control; provided that, in the selection of agencies to carry out the purposes of this paragraph, other than agencies controlled by the Government or those in which the Government participates, the Administering Authority shall not discriminate on grounds of nationality against Members of the United Nations or their nationals.

Article 11

Nothing in this Agreement shall entitle any Member of the United Nations to claim for itself or for its nationals, companies and associations, the benefits of Article 9 of this Agreement in any respect in which it does not give to the inhabitants, companies and associations of the Territory equality of treatment with the nationals, companies and associations of the State which it treats most favourably.

Article 12

The Administering Authority shall, as may be appropriate to the circumstances of the Territory continue and extend a general system of elementary education designed to abolish illiteracy and to facilitate the vocational and cultural advancement of the population, child and adult, and shall similarly provide such facilities as may prove desirable and practicable in the interests of the inhabitants for qualified students to receive secondary and higher education, including professional training.

Article 13

The Administering Authority shall ensure in the Territory complete freedom of conscience and, so far as is consistent with the requirements of public order and morality, freedom of religious teaching and the free exercise of all forms of worship. Subject to the provisions of Article 8 of this Agreement and the local law, missionaries who are nationals of Members of the United Nations shall be free to enter the Territory and to travel and reside therein, to acquire and possess property, to erect religious buildings and to open schools and hospitals in the Territory. The provisions of this Article shall not, however, affect the right and duty of the Administering Authority to exercise such control as he may consider necessary for the maintenance of peace, order and good government and for the educational advancement of the inhabitants of the Territory, and to take all measures required for such control.

Article 14

Subject only to the requirements of public order, the Administering Authority shall guarantee to the inhabitants of the Territory freedom of speech, of the press, of assembly, and of petition.

Article 15

The Administering Authority may arrange for the co-operation of the Territory in any regional advisory commission, regional technical organization, or other voluntary association of states, any specialized international bodies, public or private, or other forms of international activity not inconsistent with the United Nations Charter.

Article 16

The Administering Authority shall make to the General Assembly of the United Nations an annual report on the basis of a questionnaire drawn up by the Trusteeship Council in accordance with Article 88 of the United Nations Charter. Such reports shall include information concerning the measures taken to give effect to suggestions and recommendations of the General Assembly and the Trusteeship Council. The Administering Authority shall designate an accredited representative to be present at the sessions of the Trusteeship Council at which the reports of the Administering Authority with regard to the Territory are considered.

Article 17

Nothing in this Agreement shall affect the right of the Administering Authority to propose, at any future date, the amendment of this Agreement for the purpose of designating the whole or part of the Territory as a strategic area or for any other purpose not inconsistent with the basic objectives of the international trusteeship system.

Article 18

The terms of this Agreement shall not be altered or amended except as provided in Article 79 and Article 83 or 85, as the case may be, of the United Nations Charter.

Article 19

If any dispute whatever should arise between the Administering Authority and another Member of the United Nations relating to the interpretation or application of the provisions of this Agreement, such dispute, if it cannot be settled by negotiation or other means, shall be submitted to the International Court of Justice provided for in Chapter XIV of the United Nations Charter.

III. TRUSTEESHIP AGREEMENT FOR THE TERRITORY OF TANGANYIKA

WHEREAS the territory known as Tanganyika has been administered in accordance with Article 22 of the Covenant of the League of Nations under a Mandate conferred on His Britannic Majesty; and

WHEREAS Article 75 of the United Nations Charter, signed at San Francisco on 26 June 1945, provides for the establishment of an international trusteeship system for the administration and supervision of such territories as may be placed thereunder by subsequent individual agreements; and

WHEREAS under Article 77 of the said Charter the international trusteeship system may be applied to territories now held under Mandate; and

WHEREAS His Majesty has indicated his desire to place Tanganyika under the said international trusteeship system; and

WHEREAS in accordance with Articles 75 and 77 of the said Charter, the placing of a territory under the international trusteeship system is to be effected by means of a Trusteeship Agreement;

NOW, THEREFORE, the General Assembly of the United Nations hereby resolves to approve the following terms of trusteeship for Tanganyika.

Article 1

The Territory to which this Agreement applies comprises that part of East Africa lying within the boundaries defined by Article 1 of the British Mandate for East Africa, and by the Anglo-Belgian Treaty of 22 November 1934, regarding the boundary between Tanganyika and Ruanda-Urundi.

Article 2

His Majesty is hereby designated as Administering Authority for Tanganyika, the responsibility for the administration of which will be undertaken by His Majesty's Government in the United Kingdom of Great Britain and Northern Ireland.

Article 3

The Administering Authority undertakes to administer Tanganyika in such a manner as to achieve the basic objectives of the international trusteeship system laid down in Article 76 of the United Nations Charter. The Administering Authority further undertakes to collaborate fully with the General Assembly of the United Nations and the Trusteeship Council in the discharge of all their functions as defined in Article 87 of the United Nations Charter, and to facilitate any periodic visits to Tanganyika which they may deem necessary, at times to be agreed upon with the Administering Authority.

Article 4

The Administering Authority shall be responsible (a) for the peace, order, good government and defence of Tanganyika, and (b) for ensuring that it shall play its part in the maintenance of international peace and security.

Article 5

For the above-mentioned purposes and for all purposes of this Agreement, as may be necessary, the Administering Authority:

(a) shall have full powers of legislation, administration, and jurisdiction in Tanganyika, subject to the provisions of the United Nations Charter and of this Agreement;

(b) shall be entitled to constitute Tanganyika into a customs, fiscal or administrative union or federation with adjacent territories under his sovereignty or control, and to establish common services between such territories and Tanganyika where such measures are not inconsistent with the basic objectives of the international trusteeship system and with the terms of this Agreement;

(c) and shall be entitled to establish naval, military and air bases, to erect fortifications, to station and employ his own forces in Tanganyika and to take all such other measures as are in his opinion necessary for the defence of Tanganyika and for ensuring that the territory plays its part in the maintenance of international peace and security. To this end the Administering Authority may make use of volunteer forces, facilities and assistance from Tanganyika in carrying out the obligations towards the Security Council undertaken in this regard by the Administering Authority, as well as for local defence and the maintenance of law and order within Tanganyika.

Article 6

The Administering Authority shall promote the development of free political institutions

suited to Tanganyika. To this end, the Administering Authority shall assure to the inhabitants of Tanganyika a progressively increasing share in the administrative and other services of the Territory; shall develop the participation of the inhabitants of Tanganyika in advisory and legislative bodies and in the government of the Territory, both central and local, as may be appropriate to the particular circumstances of the Territory and its peoples; and shall take all other appropriate measures with a view to the political advancement of the inhabitants of Tanganyika in accordance with Article 76 (b) of the United Nations Charter.

Article 7

The Administering Authority undertakes to apply in Tanganyika the provisions of any international conventions and recommendations already existing or hereafter drawn up by the United Nations or by the specialized agencies referred to in Article 57 of the Charter, which may be appropriate to the particular circumstances of the Territory and which would conduce to the achievement of the basic objectives of the international trusteeship system.

Article 8

In framing laws relating to the holding or transfer of land and natural resources, the Administering Authority shall take into consideration native laws and customs, and shall respect the rights and safeguard the interests, both present and future, of the native population. No native land or natural resources may be transferred, except between natives, save with the previous consent of the competent public authority. No real rights over native land or natural resources in favour of non-natives may be created except with the same consent.

Article 9

Subject to the provisions of Article 10 of this agreement, the Administering Authority shall take all necessary steps to ensure equal treatment in social, economic, industrial and commercial matters for all Members of the United Nations and their nationals and to this end:

(a) shall ensure the same rights to all nationals of Members of the United Nations as to his own nationals in respect of entry into and residence in Tanganyika, freedom of transit and navigation, including freedom of transit and navigation by air, acquisition of property both movable and immovable, the protection of person and property, and the exercise of professions and trades;

(b) shall not discriminate on grounds of nationality against nationals of any Member of the United Nations in matters relating to the grant of concessions for the development of the natural resources of Tanganyika and shall not grant concessions having the character of a general monopoly;

(c) shall ensure equal treatment in the administration of justice to the nationals of all Members of the United Nations.

The rights conferred by this Article on nationals of Members of the United Nations apply equally to companies and associations controlled by such nationals and organized in accordance with the law of any Member of the United Nations.

Article 10

Measures taken to give effect to Article 9 of this Agreement shall be subject always to the overriding duty of the Administering Authority in accordance with Article 76 of the United Nations Charter to promote the political, economic, social and educational advancement of the inhabitants of Tanganyika, to carry out the other basic objectives of the international trusteeship system, and to maintain peace, order and good government. The Administering Authority shall in particular be free:

(a) to organize essential public services and works on such terms and conditions as he thinks just;

(b) to create monopolies of a purely fiscal character in order to provide Tanganyika with the fiscal resources which seem best suited to local requirements, or otherwise to serve the interests of the inhabitants of Tanganyika;

(c) where the interests of the economic advancement of the inhabitants of Tanganyika may require it, to establish, or permit to be established, for specific purposes, other monopolies or undertakings having in them an element of monopoly, under conditions of proper public control; provided that, in the selection of agencies to carry out the purposes of this paragraph, other agencies controlled by the Government or those in which the Government participates, the Administering Authority shall not discriminate on grounds of nationality against Members of the United Nations or their nationals.

Article 11

Nothing in this Agreement shall entitle any Member of the United Nations to claim for itself or for its nationals, companies and associations the benefits of Article 9 of this Agreement in any respect in which it does not give to the inhabitants, companies and associations of Tanganyika equality of treatment with the nationals, companies and associations of the State which it treats most favourably.

Article 12

The Administering Authority shall, as may be appropriate to the circumstances of Tanganyika, continue and extend a general system of elementary education designed to abolish illiteracy and to facilitate the vocational and cultural advancement of the population, child and adult, and shall similarly provide such facilities as may prove desirable and practicable in the interests of the inhabitants for qualified students to receive secondary and higher education, including professional training.

Article 13

The Administering Authority shall ensure in Tanganyika complete freedom of conscience and, so far as is consistent with the requirements of public order and morality, freedom of religious teaching and the free exercise of all forms of worship. Subject to the provisions of Article 8 of this Agreement and the local law, missionaries who are nationals of Members of the United Nations shall be free to enter Tanganyika and to travel and reside therein, to acquire and possess property, to erect religious buildings and to open schools and hospitals in the Territory. The provisions of this Article shall not, however, affect the right and duty of the Administering Authority to exercise such controls as he may consider necessary for the maintenance of peace, order and good government and for the educational advancement of the inhabitants of Tanganyika, and to take all measures required for such control.

Article 14

Subject only to the requirement of public order, the Administering Authority shall guarantee to the inhabitants of Tanganyika freedom of speech, of the press, of assembly, and of petition.

Article 15

The Administering Authority may arrange for the co-operation of Tanganyika in any regional advisory commission, regional technical organization or other voluntary association of states, any specialized international bodies, public or private, or other forms of international activity not inconsistent with the United Nations Charter.

Article 16

The Administering Authority shall make to the General Assembly of the United Nations an annual report on the basis of a questionnaire drawn up by the Trusteeship Council in accordance with Article 88 of the United Nations Charter. Such reports shall include information concerning the measures taken to give effect to suggestions and recommendations of the General Assembly and the Trusteeship Council. The Administering Authority shall designate an accredited representative to be present at the sessions of the Trusteeship Council at which the reports of the Administering Authority with regard to Tanganyika are considered.

Article 17

Nothing in this Agreement shall affect the right of the Administering Authority to propose, at any future date, the amendment of this Agreement for the purpose of designating the whole or part of Tanganyika as a strategic area or for any other purpose not inconsistent with the basic objectives of the international trusteeship system.

Article 18

The terms of this Agreement shall not be altered or amended except as provided in Article 79 and Article 83 or 85, as the case may be of the United Nations Charter.

Article 19

If any dispute whatever should arise between the Administering Authority and another Member of the United Nations relating to the interpretation or application of the provisions of this Agreement, such dispute, if it cannot be settled by negotiation or other means, shall be submitted to the International Court of Justice provided for in Chapter XIV of the United Nations Charter.

IV. TRUSTEESHIP AGREEMENT FOR THE TERRITORY OF NEW GUINEA

The Territory of New Guinea has been administered in accordance with Article 22 of the Covenant of the League of Nations and in pursuance of a mandate conferred upon His Britannic Majesty and exercised on His behalf by the Government of the Commonwealth of Australia.

The Charter of the United Nations, signed at San Francisco on 26 June 1945, provides by Article 75 for the establishment of an international trusteeship system for the administration and supervision of such territories as may be placed thereunder by subsequent individual agreements.

The Government of Australia now undertakes to place the Territory of New Guinea under the trusteeship system, on the terms set forth in the present Trusteeship Agreement.

Therefore the General Assembly of the United Nations, acting in pursuance of Article 85 of the Charter, approves the following terms of trusteeship for the Territory of New Guinea, in substitution for the terms of the Mandate under which the Territory has been administered.

Article 1

The Territory to which this Trusteeship Agreement applies (hereinafter called the Territory) consists of that portion of the island of New Guinea and the groups of islands administered therewith under the Mandate dated 17 December 1920, conferred upon His Britannic Majesty and exercised by the Government of Australia.

Article 2

The Government of Australia (hereinafter called the Administering Authority) is hereby designated as the sole authority which will exercise the administration of the Territory.

Article 3

The Administering Authority undertakes to administer the Territory in accordance with the provisions of the Charter and in such a manner as to achieve in the Territory the basic objectives of the international trusteeship system, which are set forth in Article 76 of the Charter.

Article 4

The Administering Authority will be responsible for the peace, order, good government and defence of the Territory and for this purpose

will have the same powers of legislation, administration and jurisdiction in and over the Territory as if it were an integral part of Australia, and will be entitled to apply to the Territory, subject to such modifications as it deems desirable, such laws of the Commonwealth of Australia as it deems appropriate to the needs and conditions of the Territory.

Article 5

It is agreed that the Administering Authority, in the exercise of its powers under Article 4, will be at liberty to bring the Territory into a customs, fiscal or administrative union or federation with other dependent territories under its jurisdiction or control, and to establish common services between the Territory and any or all of these territories, if in its opinion it would be in the interests of the Territory and not inconsistent with the basic objectives of the trusteeship system to do so.

Article 6

The Administering Authority further undertakes to apply in the Territory the provisions of such international agreements and such recommendations of the specialized agencies referred to in Article 57 of the Charter as are, in the opinion of the Administering Authority, suited to the needs and conditions of the Territory and conducive to the achievement of the basic objectives of the trusteeship system.

Article 7

The Administering Authority may take all measures in the Territory which it considers desirable to provide for the defence of the Territory and for maintenance of international peace and security.

Article 8

The Administering Authority undertakes that in the discharge of its obligations under Article 3 of this Agreement:

1. It will co-operate with the Trusteeship Council in the discharge of all the Council's functions under Articles 87 and 88 of the Charter.

2. It will, in accordance with its established policy:

(a) take into consideration the customs and usages of the inhabitants of New Guinea and respect the rights and safeguard the interests, both present and future, of the indigenous inhabitants of the Territory; and in particular ensure that no rights over native land in favour of any person not an indigenous inhabitant of New Guinea may be created or transferred except with the consent of the competent public authority;

(b) promote, as may be appropriate to the circumstances of the Territory, the educational and cultural advancement of the inhabitants;

(c) assure to the inhabitants of the Territory, as may be appropriate to the particular circumstances of the Terirtory and its peoples, a progressively increasing share in the administrative and other services of the Territory;

(d) guarantee to the inhabitants of the Territory, subject only to the requirements of public order, freedom of speech, of the press, of assembly and of petition, freedom of conscience and worship and freedom of religious teaching.

V. TRUSTEESHIP AGREEMENT FOR THE TERRITORY OF TOGOLAND UNDER FRENCH ADMINISTRATION

WHEREAS the territory known as Togoland lying to the east of the line agreed upon in the Declaration signed on 10 July 1919 has been under French administration in accordance with the mandate defined under the terms of the instrument of 20 July 1922; and

WHEREAS, in accordance with Article 9 of that instrument, this part of Togoland has since then been "administered in accordance with the laws of the Mandatory as an integral part of his territory and subject to the provisions" of the mandate, and it is of importance, in the interests of the population of Togoland, to pursue the administrative and political development of the territories in question in such a way as to promote the political, economic and social advancement of the inhabitants in accordance with Article 76 of the Charter of the United Nations; and

WHEREAS France has indicated her desire to place under Trusteeship in accordance with Articles 75 and 77 of the said Charter that part of Togoland which is at present administered by her; and

WHEREAS Article 85 of the said Charter provides that the terms of the trusteeship agreements are to be submitted for approval by the General Assembly;

NOW, THEREFORE, the General Assembly of the United Nations approves the following terms of trusteeship for the said Territory.

Article 1

The Territory to which the present Trusteeship Agreement applies comprises that part of Togoland lying to the east of the boundary defined by the Franco-British Declaration of 10 July 1919.

Article 2

The French Government, in its capacity of Administering Authority for this Territory under the terms of Article 81 of the Charter of the United Nations, undertakes to exercise the duties of trusteeship as defined in the said Charter, to promote the basic objectives of the trusteeship system laid down in Article 76, and to collaborate fully with the General Assembly and the Trusteeship Council in the discharge of their functions as defined in Articles 87 and 88.

Accordingly the French Government undertakes;

1. To make to the General Assembly of the United Nations the annual report provided for in Article 88 of the Charter, on the basis of the questionnaire drawn up by the Trusteeship Council in accordance with the said Article, and to attach to that report such

memoranda as may be required by the General Assembly or the Trusteeship Council.

To include in that report information relating to the measures taken to give effect to the suggestions and recommendations of the General Assembly or of the Trusteeship Council.

To appoint a representative and, where necessary, qualified experts to attend the meetings of the Trusteeship Council or of the General Assembly at which the said reports and memoranda will be examined.

2. To appoint a representative and, where necessary, qualified experts to participate, in consultation with the General Assembly or the Trusteeship Council, in the examination of petitions received by those bodies.

3. To facilitate such periodic visits to the Territory as the General Assembly or the Trusteeship Council may decide to arrange, to decide jointly with these bodies the dates on which such visits shall take place, and also to agree with them on all questions concerned with organizations and accomplishment of these visits.

4. To render general assistance to the General Assembly or to the Trusteeship Council in the application of these arrangements, and of such other arrangements as those bodies may make in accordance with the terms of the present Agreement.

Article 3

The Administering Authority shall be responsible for the peace, order and good government of the Territory.

It shall also be responsible for the defence of the said Territory and for ensuring that it shall play its part in the maintenance of international peace and security.

Article 4

For the above-mentioned purposes and in order to fulfill its obligations under the Charter and the present Agreement, the Administering Authority,

A. Shall:

1. Have full powers of legislation, administration and jurisdiction in the Territory and shall administer it in accordance with French law as an integral part of French territory, subject to the provisions of the Charter and of this Agreement;

2. Be entitled, in order to ensure better administration, with the consent of the territorial representative Assembly, to constitute this Territory into a customs, fiscal or administrative union or federation with adjacent territories under its sovereignty or control and to establish common services between such territories and the Trust Territory, provided that such measures should promote the objectives of the international trusteeship system;

B. May:

1. Establish on the Territory military, naval or air bases, station national forces, and raise volunteer contingents therein.

2. Within the limits laid down in the Charter take all measures of organization and defence appropriate for ensuring:

(a) the participation of the Territory in the maintenance of international peace and security;

(b) the respect for obligations concerning the assistance and facilities to be given by the Administering Authority to the Security Council;

(c) the respect for internal law and order;

(d) the defence of the Territory within the framework of the special agreements for the maintenance of international peace and security.

Article 5

The Administering Authority shall take measures to ensure to the local inhabitants a share in the administration of the Territory by the development of representative democratic bodies, and in due course to arrange appropriate consultations to enable the inhabitants freely to express an opinion on their political regime and ensure the attainment of the objectives prescribed in Article 76 (b) of the Charter.

Article 6

The Administering Authority undertakes to maintain the application to the Territory of the international agreements and conventions which are at present in force there, and to apply therein any conventions and recommendations made by the United Nations or the specialized agencies referred to in Article 57 of the Charter, the application of which would be in the interests of the population and consistent with the basic objectives of the trusteeship system and the terms of the present Agreement.

Article 7

In framing laws relating to the holding or transfer of land, the Administering Authority shall, in order to promote the economic and social progress of the native population, take into consideration local laws and customs.

No land belonging to a native or to a group of natives may be transferred except between natives, save with the previous consent of the competent public authority, who shall respect the rights and safeguard the interests, both present and future, of the native population. No real rights over native land in favour of non-natives may be created except with the same consent.

Article 8

Subject to the provisions of the following Article, the Administering Authority shall take all necessary steps to ensure equal treatment in social, economic, industrial and commercial matters for all States Members of the United Nations and their nationals, and to this end:

1. Shall grant to all nationals of Members of the United Nations freedom of transit and navigation, including freedom of transit and navigation by air, and the protection of person and property, subject to the requirements of public order, and on condition of compliance with the local law;

2. Shall ensure the same rights to all nationals of Members of the United Nations as to its own nationals in respect of entry into and residence in the Territory, acquisition of property, both movable and immovable, and the exercise of professions and trades;

3. Shall not discriminate on grounds of nationality against nationals of any Member of the United Nations in matters relating to the grant of concessions for the development of the natural resources of the Territory, and shall not grant concessions having the character of a general monopoly;

4. Shall ensure equal treatment in the administration of justice to the nationals of all Members of the United Nations.

The rights conferred by this Article on nationals of States Members of the United Nations apply equally to companies and associations controlled by such nationals and formed in accordance with the law of any Member of the United Nations.

Nevertheless, pursuant to Article 76 of the Charter, such equal treatment shall be without prejudice to the attainment of the trusteeship objectives as prescribed in the said Article 76 and particularly in paragraph (b) of that Article.

Should special advantages of any kind be granted by a Power enjoying the equality of treatment referred to above to another Power, or to a territory whether self-governing or not the same advantages shall automatically apply reciprocally to the Trust Territory and to its inhabitants, especially in the economic and commercial field.

Article 9

Measures taken to give effect to the preceding Article of this Agreement shall be subject always to the overriding duty of the Administering Authority in accordance with Article 76 of the Charter, to promote the political, economic, social and educational advancement of the inhabitants of the Territory, to carry out the other basic objectives of the international trusteeship system and to maintain peace, order and good government. The Administering Authority shall in particular be free, with the consent of the territorial representative Assembly:

1. To organize essential public services and works on such terms and such conditions as it thinks just.

2. To create monopolies of a purely fiscal character in the interest of the Territory and in order to provide the Territory with the fiscal resources which seem best suited to local requirements;

3. To establish or to permit to be established under conditions of proper public control, in conformity with Article 76, paragraph (d) of the Charter, such public enterprises or joint undertakings as appear to the Administering Authority to be in the interest of the economic advancement of the inhabitants of the Territory.

Article 10

The Administering Authority shall ensure in the Territory complete freedom of thought and the free exercise of all forms of worship and of religious teaching which are consistent with public order and morality. Missionaries who are nationals of States Members of the United Nations shall be free to enter the Territory and to reside therein, to acquire and possess property, to erect religious buildings and to open schools and hospitals throughout the Territory.

The Provisions of this Article shall not, however, affect the right and duty of the Administering Authority to exercise such control as may be necessary for the maintenance of public order and morality and for the educational advancement of the inhabitants of the Territory.

The Administering Authority shall continue to develop elementary, secondary and technical education for the benefit of both children and adults. To the full extent compatible with the interests of the population, it shall afford to qualified students the opportunity of receiving higher general or professional education

The Administering Authority shall guarantee to the inhabitants of the Territory freedom of speech, of the press, of assembly and of petition, subject only to the requirements of public order.

Article 11

Nothing in this Agreement shall affect the right of the Administering Authority to propose at any future date the designation of the whole or part of the Territory thus placed under its trusteeship as a strategic area in accordance with Articles 82 and 83 of the Charter.

Article 12

The terms of the present Trusteeship Agreement shall not be altered or amended except as provided in Articles 79, 82, 83 and 85, as the case may be, of the Charter.

Article 13

If any dispute whatever should arise between the Administering Authority and another Member of the United Nations, relating to the interpretation or the application of the provisions of the present Trusteeship Agreement, such dispute, if it cannot be settled by negotiation or other means, shall be submitted to the International Court of Justice provided for in Chapter XIV of the Charter of the United Nations.

Article 14

The Administering Authority may enter, on behalf of the Territory, any consultative regional commission, technical organ or voluntary association of States which may be constituted. It may also collaborate, on behalf of the Territory, with international public or private institutions or participate in any form of international co-operation in accordance with the spirit of the Charter.

Article 15

The present Agreement shall enter into force as soon as it has received the approval of the General Assembly of the United Nations.

VI. TRUSTEESHIP AGREEMENT FOR THE TERRITORY OF THE CAMEROONS UNDER FRENCH ADMINISTRATION

WHEREAS the territory known as the Cameroons lying to the east of the line agreed upon in the Declaration signed on 10 July 1919 has been under French administration in accordance with the mandate defined under the terms of the instrument of 20 July 1922; and

WHEREAS, in accordance with Article 9 of that instrument, this part of the Cameroons has since then been "administered in accordance with the laws of the Mandatory as an integral part of his territory and subject to the provisions" of the mandate, and it is of importance, in the interests of the population of the Cameroons, to pursue the administrative and political development of the territories in question, in such a way as to promote the political, economic and social advancement of the inhabitants in accordance with Article 76 of the Charter of the United Nations; and

WHEREAS France has indicated her desire to place under trusteeship in accordance with Articles 75 and 77 of the said Charter that part of the Cameroons which is at present administered by her; and

WHEREAS Article 85 of the said Charter provides that the terms of trusteeship are to be submitted for approval by the General Assembly;

NOW, THEREFORE, the General Assembly of the United Nations approves the following terms of trusteeship for the said Territory.

Article 1

The Territory to which the present Trusteeship Agreement applies comprises that part of the Cameroons lying to the east of the boundary defined by the Franco-British Declaration of 10 July 1919.

Article 2

The French Government in its capacity of Administering Authority for this Territory under the terms of Article 81 of the Charter of the United Nations, undertakes to exercise therein the duties of trusteeship as defined in the said Charter, to promote the basic objectives of the trusteeship system laid down in Article 76 and to collaborate fully with the General Assembly and the Trusteeship Council in the discharge of their functions as defined in Articles 87 and 88.

Accordingly the French Government undertakes:

1. To make to the General Assembly of the United Nations the annual report provided for in Article 88 of the Charter, on the basis of the questionnaire drawn up by the Trusteeship Council in accordance with the said Article, and to attach to that report such memoranda as may be required by the General Assembly or the Trusteeship Council.

To include in that report information relating to the measures taken to give effect to the suggestions and recommendations of the General Assembly or of the Trusteeship Council.

To appoint a representative and, where necessary, qualified experts to attend the meetings of the Trusteeship Council or of the General Assembly at which the said reports and memoranda will be examined.

2. To appoint a representative and, where necessary, qualified experts to participate, in consultation with the General Assembly or the Trusteeship Council, in the examination of petitions received by those bodies.

3. To facilitate such periodic visits to the Territory as the General Assembly or the Trusteeship Council may decide to arrange, to decide jointly with these bodies the dates on which such visits shall take place, and also to agree jointly with them on all questions concerned with the organization and accomplishment of these visits.

4. To render general assistance to the General Assembly or the Trusteeship Council in the application of these arrangements, and of such other arrangements as these bodies may take in accordance with the terms of the present Agreement.

Article 3

The Administering Authority shall be responsible for the peace, order and good government of the Territory.

It shall also be responsible for the defence of the said Territory and ensure that it shall play its part in the maintenance of international peace and security.

Article 4

For the above-mentioned purposes and in order to fulfil its obligations under the Charter and the present Agreement, the Administering Authority:

A. SHALL

1. Have full powers of legislation, administration and jurisdiction in the Territory and shall administer it in accordance with French law as an integral part of the French territory, subject to the provisions of the Charter and of this Agreement.

2. Be entitled, in order to ensure better administration, with the consent of the territorial representative Assembly, to constitute this Territory into a customs, fiscal or administrative union or federation with adjacent territories under its sovereignty or control and to establish common services between such territories and the Trust Territory, provided that such measures should promote the objectives of the international trusteeship system.

B. MAY

1. Establish on the Territory military, naval or air bases, station national forces and raise volunteer contingents therein.

2. Within the limits laid down in the Charter take all measures of organization and defence appropriate for ensuring:

(a) the participation of the Territory in the maintenance of international peace and security,

(b) the respect for obligations concerning the assistance and facilities to be given by the Administering Authority to the Security Council,

(c) the respect for internal law and order,

(d) the defence of the Territory within the framework of the special agreements for the maintenance of international peace and security.

Article 5

The Administering Authority shall take measures to ensure to the local inhabitants a share in the administration of the Territory by the development of representative democratic bodies, and in due course, to arrange appropriate consultations to enable the inhabitants freely to express an opinion on their political regime and ensure the attainment of the objectives prescribed in Article 76 (b) of the Charter.

Article 6

The Administering Authority undertakes to maintain the application to the Territory, of the international agreements and conventions which are at present in force there, and to apply therein any conventions and recommendations made by the United Nations or the specialized agencies referred to in Article 57 of the Charter, the application of which would be in the interests of the population and consistent with the basic objectives of the trusteeship system and the terms of the present Agreement.

Article 7

In framing laws relating to the holding or transfer of land, the Administering Authority shall, in order to promote the economic and social progress of the native population, take into consideration local laws and customs.

No land belonging to a native or to a group of natives may be transferred, except between natives, save with the previous consent of the competent public authority, who shall respect the rights and safeguard the interests, both present and future, of the natives. No real rights over native land in favour of non-natives may be created except with the same consent.

Article 8

Subject to the provisions of the following Article, the Administering Authority shall take all necessary steps to ensure equal treatment in social, economic, industrial and commercial matters for all States Members of the United Nations and their nationals and to this end:

1. Shall grant to all nationals of Members of the United Nations freedom of transit and navigation, including freedom of transit and navigation by air, and the protection of person and property, subject to the requirements of public order, and on condition of compliance with the local law.

2. Shall ensure the same rights to all nationals of Members of the United Nations as to his own nationals in respect of entry into and residence in the Territory, acquisition of property, both movable and immovable, and the exercise of professions and trades.

3. Shall not discriminate on grounds of nationality against nationals of any Member of the United Nations in matters relating to the grant of concessions for the development of the natural resources of the Territory, and shall not grant concessions having the character of a general monopoly.

4. Shall ensure equal treatment in the administration of justice to the nationals of all Members of the United Nations.

The rights conferred by this Article on the nationals of Members of the United Nations apply equally to companies and associations controlled by such nationals and formed in accordance with the law of any Member of the United Nations.

Nevertheless, pursuant to Article 76 of the Charter, such equal treatment shall be without prejudice to the attainment of the trusteeship objectives as prescribed in the said Article 76 and particularly in paragraph (b) of that Article.

Should special advantages of any kind be granted by a Power enjoying the equality of treatment referred to above to another Power, or to a territory whether self-governing or not, the same advantages shall automatically apply reciprocally to the Trust Territory and to its inhabitants, especially in the economic and commercial field.

Article 9

Measures taken to give effect to the preceding article of this Agreement shall be subject to the overriding duty of the Administering Authority, in accordance with Article 76 of the Charter, to promote the political, economic, social and educational advancement of the inhabitants of the Territory, to carry out the other basic objectives of the international trusteeship system and to maintain peace, order and good government. The Administering Authority shall in particular be free, with the consent of the territorial representative Assembly:

1. To organize essential public services and works on such terms and such conditions as it thinks just.

2. To create monopolies of a purely fiscal character in the interest of the Territory and in order to provide the Territory with the fiscal resources which seem best suited to local requirements.

3. To establish or to permit to be established under conditions of proper public control, in conformity with Article 76, paragraph (d) of the Charter, such public enterprises or joint undertakings as appear to the Administering Authority to be in the interest of the economic advancement of the inhabitants of the Territory.

Article 10

The Administering Authority shall ensure in the Territory complete freedom of thought and the free exercise of all forms of worship and of religious teaching which are consistent with public order and morality. Missionaries who are nationals of States Members of the United Nations shall be free to enter the Territory and to reside therein, to acquire and possess property, to erect religious buildings and to open schools and hospitals throughout the Territory.

The provisions of this Article shall not, however, affect the right and duty of the Administering Authority to exercise such control as may be necessary for the maintenance of public order and morality, and for the educational advancement of the inhabitants of the Territory.

The Administering Authority shall continue to develop elementary, secondary and technical education for the benefit of both children and adults. To the full extent compatible with the interests of the population it shall afford to qualified students the opportunity of receiving higher general or professional education.

The Administering Authority shall guarantee to the inhabitants of the Territory freedom of speech, of the press, of assembly and of petition, subject only to the requirements of public order.

Article 11

Nothing in this Agreement shall affect the right of the Administering Authority to propose at any future date the designation of the whole or part of the Territory thus placed under its trusteeship as a strategic area in accordance with Articles 82 and 83 of the Charter.

Article 12

The terms of the present Trusteeship Agreement shall not be altered or amended except as provided in Articles 79, 82, 83 and 85, as the case may be, of the Charter.

Article 13

If any dispute whatever should arise between the Administering Authority and another Member of the United Nations, relating to the interpretation or the application of the provisions of the present Trusteeship Agreement, such dispute, if it cannot be settled by negotiation or other means, shall be submitted to the International Court of Justice provided for by Chapter XIV of the Charter of the United Nations.

Article 14

The Administering Authority may enter, on behalf of the Territory, any consultative regional commission, technical organ or voluntary association of States which may be constituted. It may also collaborate, on behalf of the Territory, with international public or private institutions or participate in any form of international co-operation in accordance with the spirit of the Charter.

Article 15

The present Agreement shall enter into force as soon as it has received the approval of the General Assembly of the United Nations.

VII. Trusteeship Agreement for the Territory of Ruanda-Urundi

WHEREAS the territory known as Ruandi-Urundi has been administered in accordance with Article 22 of the Covenant of the League of Nations under a Mandate conferred upon Belgium;

WHEREAS Article 75 of the United Nations Charter signed at San Francisco on 26 June 1945 provides for the establishment of an international trusteeship system for the administration and supervision of such territories as may be placed thereunder by subsequent individual agreements;

WHEREAS under Article 77 of the said Charter the international trusteeship system may be applied to territories now held under mandate;

WHEREAS the Belgian Government has indicated its desire to place Ruanda-Urundi under the international trusteeship system; and

WHEREAS under Articles 75 and 77 of the Charter the placing of a territory under the international trusteeship system is to be effected by means of a trusteeship agreement;

NOW, THEREFORE, the General Assembly of the United Nations hereby resolves to approve the following terms of trusteeship for Ruanda-Urundi.

Article 1

The present Trusteeship Agreement shall apply to the whole of the territory of Ruanda-Urundi as at present administered by Belgium and as defined by Article 1 of the Belgian Mandate and by the Treaty concluded in London on 22 November 1934 by Belgium and the United Kingdom.

Article 2

By the present Agreement, the Belgian Government is designated as Administering Authority for Ruanda-Urundi in accordance with Article 75 of the Charter. The said Government shall assume responsibility for the administration of the said Territory.

Article 3

The Administering Authority undertakes to administer Ruanda-Urundi in such a manner as to achieve the basic objectives of the international trusteeship system laid down in Article 76 of the United Nations Charter. The Administering Authority further undertakes to collaborate fully with the General Assembly of the United Nations and with the Trusteeship Council in the discharge of all their functions as defined in Article 87 of the United Nations Charter.

It likewise undertakes to facilitate such periodic visits to the Trust Territory as the General Assembly or the Trusteeship Council may decide to arrange, to decide jointly with these organs the dates on which such visits shall take place and also to agree jointly with them on all questions concerned with the organization and accomplishment of these visits.

Article 4

The Administering Authority shall ensure the maintenance of peace and order as well as the good government and defence of the Territory. The said Authority shall ensure that the Territory shall play its part in the maintenance of international peace and security.

Article 5

For the above-mentioned purposes, and in order to fulfil the obligations arising under the Charter and the present Agreement, the Administering Authority:

1. Shall have full powers of legislation, administration and jurisdiction in the territory of Ruanda-Urundi and shall administer it in accordance with Belgian law as an integral part of Belgian territory, subject to the provisions of the Charter and of this Agreement.
2. Shall be entitled to constitute Ruanda-Urundi into a customs, fiscal or administrative union or federation with adjacent territories under its sovereignty and to establish common services between such territories and Ruanda-Urundi, provided that such measures are not inconsistent with the objectives of the international trusteeship system and with the provisions of this Agreement.
3. May establish on the Trust Territory military bases, including air bases, erect fortifications, station its own armed forces and raise volunteer contingents therein.

The Administering Authority may likewise, within the limits laid down by the Charter, take all measures of organization and defence appropriate for ensuring:

The participation of the Territory in the maintenance of international peace and security.

The respect for obligations concerning the assistance and facilities to be given by the Administering Authority to the Security Council.

The respect for internal law and order.

The defence of the Territory within the framework of special agreements for the maintenance of international peace and security.

Article 6

The Administering Authority shall promote the development of free political institutions suited to Ruanda-Urundi. To this end the Administering Authority shall ensure to the inhabitants of Ruanda-Urundi an increasing share in the administration and services, both central and local, of the Territory; it shall further such participation of the inhabitants in the representative organs of the population as may be appropriate to the particular conditions of the Territory.

In short, the Administering Authority shall take all measures conducive to the political advancement of the population of Ruanda-Urundi in accordance with Article 76 (b) of the Charter of the United Nations.

Article 7

The Administering Authority undertakes to apply to Ruanda-Urundi the provisions of all present or future international conventions which may be appropriate to the particular conditions of the Territory and which would be conducive to the achievement of the basic objectives of the international trusteeship system.

Article 8

In framing laws relating to the ownership of land and the rights over natural resources, and to their transfer, the Administering Authority shall take into consideration native laws and customs and shall respect the rights and safeguard the interests, both present and future, of the native population. No native land or native-owned natural resources may be transferred, except between natives, save with the previous consent of the competent public authority. No real rights over native land or native-owned resources of the sub-soil, in favour of non-natives, may be created except with the same consent.

Article 9

Subject to the provisions of the following article, the Administering Authority shall take all necessary steps to ensure equal treatment in social, economic, industrial and commercial matters for all States Members of the United Nations and their nationals and to this end:

1. Shall ensure to all nationals of Members of the United Nations the same rights as are enjoyed by its own nationals in respect of entry into and residence in Ruanda-Urundi, freedom of transit and navigation, including freedom of transit and navigation by air, the acquisition of property, both movable and immovable, the protection of person and property, and the exercise of professions and trades.
2. Shall not discriminate on grounds of nationality against nationals of any Member of the United Nations in matters relating to the grant of concessions for the development of natural resources of the Territory and shall not grant concessions having the character of a general monopoly.
3. Shall ensure equal treatment in the administration of justice to the nationals of all Members of the United Nations.

The rights conferred by this article on the nationals of States Members of the United Nations apply equally to companies or associations controlled by such nationals and formed in accordance with the law of any Member of the United Nations.

Article 10

Measures taken to give effect to the provisions of the preceding article shall be subject always to the overriding duty of the United Nations and of the Administering Authority to promote the political, economic, social and cultural advancement of the inhabitants of the Territory, and to pursue the other objectives

of the trusteeship system as laid down in Article 76 of the Charter of the United Nations.

The Administering Authority shall, in particular, be free:

1. To organize essential public services and works on such terms and such conditions as it thinks just;
2. To create, in the interests of Ruanda-Urundi, monopolies of a purely fiscal character in order to provide the Territory with the resources which seem best suited to local requirements;
3. Where the interests or the economic advancement of the inhabitants of the Territory may require it, to establish or permit to be established, for specific purposes, other monopolies or undertakings having in them an element of monopoly, under conditions of proper public control provided that, in the selection of agencies to carry out the purposes of this paragraph, other than agencies controlled by the Government or those in which the Government participates, the Administering Authority shall not discriminate on grounds of nationality against Members of the United Nations or their nationals.

Article 11

Nothing in this Agreement shall entitle any Member of the United Nations to claim for itself or for its nationals, companies or associations the benefits of Article 9 of this Agreement in any respect in which it does not give to the inhabitants, companies and associations of Ruanda-Urundi equality of treatment with the nationals, companies and associations of the State which it treats most favourably.

Article 12

The Administering Authority shall develop the system of elementary education in the Trust Territory in order to reduce the number of illiterates, to train the inhabitants in manual skill, and to improve the education of the population. The Administering Authority shall, so far as possible, provide the necessary facilities to enable qualified students to receive higher education, more especially professional education.

Article 13

The Administering Authority shall ensure throughout the Trust Territory complete freedom of conscience, freedom of religious teaching and the free exercise of all forms of worship which are consistent with public order and morality; all missionaries who are nationals of any State Member of the United Nations shall be free to enter, travel and reside in the Trust Territory, to acquire and possess property, to erect religious buildings and to open schools and hospitals therein. The provisions of the present article shall not, however, affect the duty of the Administering Authority to exercise such control as may be necessary for the maintenance of public order and good government and also the quality and progress of education.

Article 14

Subject only to the requirements of public order, the Administering Authority shall guarantee to the inhabitants of the Trust Territory freedom of speech, of the press, of assembly, and of petition.

Article 15

The Administering Authority may, on behalf of the Trust Territory, accept membership in any advisory regional commission (regional authority), technical organization, or other voluntary association of States. It may co-operate with specialized agencies, whether public or private, and participate in other forms of international co-operation not inconsistent with the Charter.

Article 16

The Administering Authority shall make to the General Assembly of the United Nations an annual report on the basis of the questionnaire drawn up by the Trusteeship Council in accordance with Article 88 of the Charter of the United Nations.

Such reports shall include information regarding the measures taken in order to give effect to the suggestions and recommendations of the General Assembly and of the Trusteeship Council.

The Administering Authority shall appoint an accredited representative to attend the meetings of the Trusteeship Council at which the reports of the Administering Authority for Ruanda-Urundi will be examined.

Article 17

Nothing in this Agreement shall affect the right of the Administering Authority to propose at any future date the designation of the whole or part of the Territory as a strategic area in accordance with Articles 82 and 83 of the Charter.

Article 18

The terms of the present Trusteeship Agreement may not be altered or amended except as provided in Articles 79, 83 or 85 of the Charter.

Article 19

If any dispute whatever should arise between the Administering Authority and another Member of the United Nations relating to the interpretation or the application of the provisions of the present Trusteeship Agreement, such dispute, if it cannot be settled by negotiation or other means, shall be submitted to the International Court of Justice provided for by Chapter XIV of the Charter of the United Nations.

VIII. Trusteeship Agreement for the Territory of Western Samoa

WHEREAS the territory of Western Samoa has been administered in accordance with Article 22 of the Covenant of the League of Nations and pursuant to a mandate conferred upon His Britannic Majesty to be exercised on his behalf by the Government of New Zealand;

AND WHEREAS the Charter of the United Nations signed at San Francisco on 26 June 1945, provides for the establishment of an international trusteeship system for the administration and supervision of such territories as may be the subject of trusteeship agreements;

AND WHEREAS under the said Charter the international trusteeship system may be applied to territories now held under mandate;

AND WHEREAS the Government of New Zealand have indicated their willingness that the said international trusteeship system be applied to Western Samoa;

AND WHEREAS the said Charter provides further that the terms of trusteeship are to be approved by the United Nations;

NOW, THEREFORE, the General Assembly of the United Nations hereby resolves to approve the following terms of trusteeship for Western Samoa, in substitution for the terms of the aforesaid mandate.

Article 1

The Territory to which this Agreement applies is the territory known as Western Samoa comprising the islands of Upola, Savai'i, Manono, and Apolima, together with all other islands and rocks adjacent thereto.

Article 2

The Government of New Zealand are hereby designated as the Administering Authority for Western Samoa.

Article 3

The Administering Authority shall have full powers of administration, legislation and jurisdiction over the territory, subject to the provisions of this Agreement, and of the Charter of the United Nations, and may apply to the Territory, subject to any modifications which the Administering Authority may consider desirable, such of the laws of New Zealand as may seem appropriate to local conditions and requirements.

Article 4

The Administering Authority undertakes to administer Western Samoa in such a manner as to achieve in that Territory the basic objectives of the international trusteeship system, as expressed in Article 76 of the Charter of the United Nations, namely:

"(a) to further international peace and security;

"(b) to promote the political, economic, social and educational advancement of the inhabitants of the trust territories, and their progressive development towards self-government or independence as may be appropriate to the particular circumstances of each territory and its peoples and the freely expressed wishes of the peoples concerned, and as may be provided by the terms of each trusteeship agreement;

"(c) to encourage respect for human rights and for fundamental freedoms for all without distinction as to race, sex, language or religion, and to encourage recognition of the inter-dependence of the peoples of the world; and

"(d) to ensure equal treatment in social, economic, and commercial matters for all Members of the United Nations and their nationals, and also equal treatment for the latter in the administration of justice, without prejudice to the attainment of the foregoing objectives and subject to the provisions of Article 80."

Article 5

The Administering Authority shall promote the development of free political institutions suited to Western Samoa. To this end and as may be appropriate to the particular circumstances of the Territory and its peoples, the Administering Authority shall assure to the inhabitants of Western Samoa a progressively increasing share in the administrative and other services of the Territory, shall develop the participation of the inhabitants of Western Samoa in advisory and legislative bodies and in the government of the Territory, and shall take all other appropriate measures with a view to the political advancement of the inhabitants of Western Samoa in accordance with Article 76 (b) of the Charter of the United Nations.

Article 6

In pursuance of its undertakings to promote the social advancement of the inhabitants of the Trust Territory, and without in any way limiting its obligations thereunder, the Administering Authority shall:

1. Prohibit all forms of slavery and slave-trading;
2. Prohibit all forms of forced or compulsory labour, except for essential public works and services as specifically authorized by the local administration and then only in times of public emergency, with adequate remuneration and adequate protection of the welfare of the workers;
3. Control the traffic in arms and ammunition;
4. Control, in the interest of the inhabitants, the manufacture, importation and distribution of intoxicating spirits and beverages; and
5. Control the production, importation, manufacture, and distribution of opium and narcotic drugs.

Article 7

The Administering Authority undertakes to apply in Western Samoa the provisions of any international conventions and recommendations as drawn up by the United Nations or its specialized agencies which are, in the opinion of the Administering Authority, appropriate to the needs and conditions of the Trust Territory, and conducive to the achievement of the basic objectives of the international trusteeship system.

Article 8

In framing the laws to be applied in Western Samoa, the Administering Authority shall take into consideration Samoan customs and usages and shall respect the rights and safeguard the interests, both present and future, of the Samoan population.

In particular, the laws relating to the holding or transfer of land shall ensure that no native land may be transferred save with the prior consent of the competent public authority and that no right over native land in favour of any person not a Samoan may be created except with the same consent.

Article 9

The Administering Authority shall ensure in the Territory freedom of conscience and the free exercise of all forms of worship, and shall allow missionaries, nationals of any State Member of the United Nations, to enter into, travel and reside in the Territory for the purpose of prosecuting their calling. The provisions of this Article shall not, however, affect the right and duty of the Administering Authority to exercise such control as it may consider necessary for the maintenance of peace, order and good government.

Article 10

The Administering Authority shall ensure that the Trust Territory of Western Samoa shall play its part, in accordance with the Charter of the United Nations, in the maintenance of international peace and security. To this end the Administering Authority shall be entitled:

1. To establish naval, military and air bases and to erect fortifications in the Trust Territory.
2. To station and employ armed forces in the Territory.
3. To make use of volunteer forces, facilities and assistance from the Trust Territory in carrying out the obligations toward the Security Council undertaken in this regard by the Administering Authority, as well as for local defence and the maintenance of law and order within the Trust Territory.
4. To take all such other measures in accordance with the Purposes and Principles of the Charter of the United Nations are in the opinon of the Administering Authority necessary to the maintenance of international peace and security and the defence of Western Samoa.

Article 11

The Administering Authority shall, as may be appropriate to the circumstances of the Trust Territory, continue and extend a general system of education, including post-primary education and professional training.

Article 12

Subject only to the requirements of public order, the Administering Authority shall guarantee to the inhabitants of the Trust Territory, freedom of speech, of the press, of assembly and of petition.

Article 13

The Administering Authority may arrange for the co-operation of Western Samoa in any regional advisory commission, regional technical organization or other voluntary association of states, any specialized international bodies, public or private, or other forms of international activity not inconsistent with the Charter of the United Nations.

Article 14

The Administering Authority shall make to the General Assembly of the United Nations an annual report on the basis of a questionnaire drawn up by the Trusteeship Council in accordance with the Charter of the United Nations and shall otherwise collaborate fully with the Trusteeship Council in the discharge of all the Council's functions in accordance with Articles 87 and 88 of the Charter. The Administering Authority shall arrange to be represented at the sessions of the Trusteeship Council at which the reports of the Administering Authority with regard to Western Samoa are considered.

Article 15

The terms of this Agreement shall not be altered or amended except as provided in Article 79 of the Charter of the United Nations.

Article 16

If any dispute should arise between the Administering Authority and another Member of the United Nations, relating to the interpretation or application of the provisions of this Agreement, such dispute, if it cannot be settled by negotiation or similar means, shall be submitted to the International Court of Justice.

b. Establishment of the Trusteeship Council

Having approved the eight Trusteeship Agreements submitted by the mandatory powers concerned, the General Assembly proceeded to elect Mexico and Iraq as members of the Trusteeship Council and adopted a resolution proposed by the Fourth Committee on the establishment of the Trusteeship Council.[1]

c. Future Status of South West Africa

The delegation of the Union of South Africa submitted a proposal to the second part of the first session of the General Assembly calling for approval by the General Assembly of the annexation of South West Africa by the Union of South Africa.

The General Assembly referred the question to the Fourth Committee (Trusteeship), which discussed it at its 14th, 15th, 16th, 17th, 19th and 20th meetings, held on November 4, 5, 7, 8, 13 and 14 respectively. In the course of the discussion the representative of the Union of South Africa stated that, due to the physical

[1] See p. 184 ff.

contiguity of South West Africa and the Union of South Africa and the former's ethnologic kinship with the rest of South Africa, the Union Government was legitimately concerned in securing the annexation of that territory, which had been awarded to the Union Government as a League of Nations Mandate after the First World War. South West Africa, the South African representative stated, was by now so thoroughly integrated with the Union that its formal incorporation was mainly required to remove doubts and to attract capital and enterprise needed for further development of the territory.

The European population of South West Africa, through the medium of the South West Africa Legislative Assembly, had unanimously expressed its wish to be included in the Union. The South African representative asserted that the wishes of the natives had been ascertained in an equally democratic but rather different form, with due regard to their differing tribal organizations and customs. The task of explaining the purpose of the consultation to the natives had been entrusted to the most experienced officials — native commissioners who had long resided among the natives and who understood fully the native mind. The result of this consultation, according to the South African representative, was as follows:

208,850 in favor of annexation;
33,520 opposed to annexation;
56,790 could not be consulted.

The South African representative expressed confidence that the United Nations would recognize that to give effect to the wishes of the population of South West Africa would be the logical application of the democratic principles of national self-determination.

The majority of the representatives in the Fourth Committee were opposed to the South African proposal for the annexation of South West Africa by the Union Government. The opinion was expressed that such annexation was not likely to be in the interests of the native population in view of the discriminatory policies in force in the Union, which severely restricted the natives' political and economic rights. Moreover, annexation, it was maintained, was contrary to the aims of the Trusteeship System. Approval of annexation on the part of the United Nations would be a step backward.

Most representatives expressed doubt that the natives of South West Africa had fully understood the nature and extent of the consultation conducted by the Union Government, or that the advantages of the trusteeship system had been clearly explained to them. In such circumstances, it was maintained, it was not possible for the natives to express their choice freely. The only appropriate action, therefore, which the United Nations could recommend was that the Union Government should place South West Africa under the United Nations trusteeship system.

After a general discussion in the Fourth Committee, the question was referred to a Sub-Committee of nineteen members for detailed consideration. The representative of the U.S.S.R. submitted the following resolution:

WHEREAS the United Nations Charter in Articles 77 and 79 provides that the Trusteeship System shall apply to territories now under Mandate;

WHEREAS, the possibility of incorporation of territories held under Mandate by Mandatory Powers is not provided for by the Charter but, on the contrary, is inconsistent with its principles which provide for the progressive development of peoples in Trust Territories towards self-government or independence;

WHEREAS, the lack of political autonomy of South West Africa does not give any guarantee for the expression of the actual will of the inhabitants of the territory and that, therefore, the possibility of recognizing the consultations with the peoples of South West Africa, of which the Government of the Union of South Africa informs the General Assembly in its statement, is excluded;

THE GENERAL ASSEMBLY,

REJECTS the proposal of the Union of South Africa regarding the incorporation of the territory of South West Africa, and

RECOMMENDS the Government of the Union of South Africa to submit for consideration by the General Assembly in accordance with Articles 77 and 79 of the Charter a draft Trusteeship Agreement for the territory of South West Africa.

The delegation of the United States submitted a resolution rejecting the South African proposal for annexation of South West Africa. This resolution was subsequently withdrawn in favor of a draft resolution sponsored jointly by the delegations of the United States and Denmark, which read as follows:

THE GENERAL ASSEMBLY,

HAVING CONSIDERED the statements of the delegation of the Union of South Africa regarding the question of incorporating the Mandated Territory of South West Africa into the Union;

NOTING with satisfaction that the Union of South Africa, by presenting this matter to the United Nations, recognizes the interest and concern of the United Nations in the matter of the future status of territories now held under Mandate;

RECALLING that the Charter of the United Nations provides in Articles 77 and 79 that the Trusteeship System shall apply to territories now under Mandate as may be subsequently agreed;

REFERRING to the resolution of the General Assembly of 9 February 1946 with respect to the placing of Mandated Territories under Trusteeship, and inviting the Union of South Africa to give further consideration to this invitation;

HOPEFUL that agreement between the United Nations and the Union of South Africa may hereafter be reached regarding the future status of the mandated territory of South West Africa;

ASSURED by the Delegation of the Union of South Africa that, pending such agreement, the Union Government will continue to administer the territory as heretofore in the spirit of the principles laid down in the Mandate;

CONSIDERS that the data before this General Assembly do not justify action of the General Assembly approving the incorporation into the Union of South Africa of the Mandated Territory of South West Africa.

The representative of Cuba submitted a draft resolution which contained a part of the preamble of the United States resolution and then followed in the main the text of the U.S.S.R. resolution.

The representative of India submitted a draft resolution which recommended that the mandated territory of South West Africa be placed under the International Trusteeship System and that the mandatory power concerned be requested, in accordance with Article 79 of the Charter, to prepare and submit forthwith a Trusteeship Agreement to the United Nations.

The Indian and Cuban resolutions were subsequently withdrawn in favor of the following resolution sponsored jointly by the delegations of India and Cuba:

THE GENERAL ASSEMBLY,

HAVING CONSIDERED the statements of the delegations of the Union of South Africa regarding the question of incorporating the Mandated Territory of South West Africa into the Union;

NOTING with satisfaction that the Union of South Africa, by presenting this matter to the United Nations, recognizes the interest and concern of the United Nations in the matter of the future status of territories now held under Mandate;

WHEREAS it is the intention of the Charter that the Trusteeship System shall apply to territories now under Mandate;

WHEREAS, the possibility of the incorporation of territories held under Mandate by Mandatory Powers is not provided for by the Charter, but, on the contrary, is inconsistent with its principles which provide for the progressive development of peoples in trust territories towards self-government or independence;

WHEREAS, the African inhabitants of South West Africa have not yet secured political autonomy, and further, are unable at the present stage of their political and educational development to express their considered opinions on such an important question as the incorporation of their territory;

THE GENERAL ASSEMBLY,

REJECTS any solution involving the incorporation of the territory of South West Africa in the Union of South Africa; and

RECOMMENDS that the Mandated Territory of South West Africa be placed under the international Trusteeship System and that the Government of the Union of South Africa be requested to submit for the consideration of the General Assembly a Trusteeship Agreement for the aforesaid territory.

When a vote was taken on the three texts which were thus before the Sub-Committee, the U.S.S.R. resolution was rejected by 12 votes to 2, with 5 abstentions. The Indian-Cuban resolution was rejected by 6 votes to 11, with 2 abstentions. The Danish-United States resolution was then accepted by 12 votes to 6, with 1 abstention.

When the Fourth Committee considered the report of the Sub-Committee the Indian delegation reintroduced the Indian-Cuban draft resolution to take the place of the Danish-United States text adopted by the Sub-Committee. The representative of the U.S.S.R. likewise reintroduced his resolution. The Fourth Committee by a vote of 17 to 15, with 4 abstentions, adopted the Indian-Cuban text instead of the text accepted by the Sub-Committee.

The United States and Danish delegations thereupon reintroduced their draft resolution, which had been accepted by the Sub-Committee but rejected by the Fourth Committee, for consideration by the General Assembly in plenary meeting.

At the 64th plenary meeting of the General Assembly on December 14, 1946, however, it was announced that the delegations of the United States, Denmark and India had entered into negotiations and that as a result of these negotiations they had agreed to submit a joint

compromise text in the form of an amendment to the resolution submitted by the Fourth Committee. This new resolution was adopted by the General Assembly by a vote of 37 to 0, with 9 abstentions. The text of the resolution was as follows:

THE GENERAL ASSEMBLY,

HAVING CONSIDERED the statements of the delegation of the Union of South Africa regarding the question of incorporating the mandated territory of South West Africa in the Union;

NOTING WITH SATISFACTION that the Union of South Africa, by presenting this matter to the United Nations, recognizes the interest and concern of the United Nations in the matter of the future status of territories now held under mandate;

RECALLING that the Charter of the United Nations provides in Articles 77 and 79 that the trusteeship system shall apply to territories now under mandate as may be subsequently agreed;

REFERRING to the resolution of the General Assembly of 9 February 1946, inviting the placing of mandated territories under trusteeship;

DESIRING that agreement between the United Nations and the Union of South Africa may hereafter be reached regarding the future status of the mandated territory of South West Africa;

ASSURED BY the delegation of the Union of South Africa that, pending such agreement, the Union Government will continue to administer the territory as heretofore in the spirit of the principles laid down in the mandate;

CONSIDERING that the African inhabitants of South West Africa have not yet secured political autonomy or reached a stage of political development enabling them to express a considered opinion which the Assembly could recognize on such an important question as incorporation of their territory:

THE GENERAL ASSEMBLY, THEREFORE,

IS UNABLE TO ACCEDE to the incorporation of the territory of South West Africa in the Union of South Africa; and

RECOMMENDS that the mandated territory of South West Africa be placed under the international trusteeship system and invites the Government of the Union of South Africa to propose for the consideration of the General Assembly a trusteeship agreement for the aforesaid territory.

The Governments of India and the Union of South Africa were formally notified of the General Assembly's decision in a letter from the Secretary-General dated January 21, 1947. The two Governments concerned subsequently sent to the Secretary-General, for his information, copies of correspondence exchanged between them on the subject of implementing the Assembly's resolution.

d. Submission of Information under Article 73 (e) of the Charter

In its resolution on non-self-governing peoples of February 9, 1946, the General Assembly drew attention to the fact that the obligations of Chapter XI of the Charter were already in full force. It requested the Secretary-General to include in his annual report a statement summarzing any information transmitted to him by Members of the United Nations under Article 73(e) of the Charter.

By a letter of June 29, 1946, the Secretary-General drew the attention of the Members to the resolution and asked for their consideration of certain preliminary problems arising from it. In particular the letter invited the Members to give their opinion on the following matters:

1. The factors to be taken into account in determining which were the Non-Self-Governing Territories referred to in Chapter XI of the Charter;

2. An enumeration of the Non-Self-Governing Territories subject to their jurisdiction;

3. A general indication of the form in which they might desire to supply information or the form in which they thought information might be most usefully transmitted by the Members directly concerned.

On the basis of replies received from Member Governments the Secretary-General submitted a report on the question of information on Non-Self-Governing Territories to the second part of the first session of the General Assembly.

The General Assembly referred the question to the Fourth Committee, which in turn referred it to a Sub-Committee of nineteen members for detailed consideration.

A number of problems were discussed in connection with the Sub-Committee's task of preparing a draft resolution for adoption by the Fourth Committee and the General Assembly. These included the following:

(1) The resolution drafted by the Sub-Committee enumerated the territories in respect of which the governments responsible for their administration had submitted information or had indicated their intention of doing so. Eight Members of the United Nations had transmitted such information or declared their intention of doing so; the territories thus covered numbered 75.

(2) While enumerating these territories, the Committee, after discussion, agreed not to attempt a formal definition of Non-Self-Governing Territories.

(3) The Sub-Committee's resolution stressed the "value of the association of Non-Self-Governing Territories in the work of the specialized agencies."

(4) The Sub-Committee agreed that Member States should be invited to submit by June 30 of each year the most recent information available, but fixed no definite period of time which such information was to cover.

(5) Concerning the nature of information to be transmitted, certain representatives considered that this information should include only "statistical and other information of a technical nature relating to the economic, social and educational conditions" in the Trust Territories in accordance with Article 73(e). Other representatives considered that information on the political advancement of non-self-governing peoples should likewise be submitted. The Sub-Committee generally agreed that although the submission of information on political progress was not mandatory under Article 73(e), it was of great importance and much to be desired.

The paragraphs of the draft resolution concerning the procedure to be followed in the use of the information submitted evoked considerable difference of opinion. The delegations of Denmark, the Netherlands, the United Kingdom and the United States jointly submitted the following draft proposal:

THE GENERAL ASSEMBLY,

1. INVITES the Members transmitting information to send to the Secretary-General by 30 June of each year the most recent information which is at their disposal.

2. RECOMMENDS that the information transmitted in the course of 1947 by Members of the United Nations under Article 73 (e) of the Charter should be summarized, analyzed and classified by the Secretary-General and included in his report to the second session of the General Assembly, in order that in the light of the experience gained the General Assembly may be able to decide whether any other procedure may be desirable for dealing with such information in future years.

3. RECOMMENDS that the Secretary-General communicate to the specialized agencies the information transmitted, with a view to making all relevant data available to their expert and deliberative bodies.

4. RECOMMENDS that the Secretary-General consult the specialized agencies with a view to formulating proposals for consideration by the General Assembly at its second session to ensure that the advice, expert knowledge and experience of the specialized agencies are used to the best advantage.

The Chinese representative, supported by several other members of the Sub-Committee, expressed the view that the Trusteeship Council was the natural and logical authority to receive and examine information transmitted under Chapter XI. The Chinese representative therefore proposed that the General Assembly recommend that the Trusteeship Council, upon its establishment, be invited to receive and examine the Secretary-General's summary and the information on which this summary was based, with a view to aiding the General Assembly in its consideration of the information transmitted under Chapter XI of the Charter.

To this proposal it was objected that the duties of the Trusteeship Council were outlined in Chapters XII and XIII of the Charter and that therefore the Council was not constitutionally qualified to exercise functions concerned with information transmitted under Chapter XI of the Charter. In answer to this objection it was stated that Chapters XI, XII and XIII as a whole had been conceived as parts of general principles of trusteeship and that the Trusteeship Council, as one of the principal organs of the United Nations, should be entrusted with a special mandate by the General Assembly to examine the information transmitted under Chapter XI.

A third draft proposal, submitted by the representative of Cuba, called for the establishment of an *ad hoc* committee to examine, prior to the second session of the General Assembly, the information submitted by Member Governments. In favor of the Cuban proposal it was maintained that the collection and analysis of information submitted under Article 73 (e) might involve political considerations such as should not be entrusted to the Secretariat, but rather to a special body created by the General Assembly.

The Sub-Committee rejected the Chinese and Cuban proposals, the former by a vote of 10 to 9, and the latter by a vote of 10 to 8, with 1 abstention. The joint proposal of the representatives of Denmark, the Netherlands, the United Kingdom and the United States was then adopted by a vote of 10 to 4, with 5 abstentions.

When the Fourth Committee considered the report of the Sub-Committee the question of the procedure to be followed in the use of information submitted in accordance with Article 73(e) was again discussed at some length. The

representative of Cuba reintroduced his proposal for the establishment of an *ad hoc* committee to examine the information, as an amendment to the resolution adopted by the Sub-Committee.

By 21 votes to 12, with 4 abstentions, the Fourth Committee adopted the Cuban amendment. The resolution as a whole was then adopted by 23 votes to 12, with 3 abstentions. The representative of France, who considered that the establishment of an *ad hoc* committee was contrary to the provisions of Article 73 (e) of the Charter, reserved his position as to whether the French Government could undertake to send a representative to the *ad hoc* Committee.

The Fourth Committee recommended that the General Assembly elect the eight members of the *ad hoc* Committee provided for in the resolution.

At its 64th plenary meeting on December 13, 1946, the General Assembly, voting paragraph by paragraph, adopted the resolution recommended by the Fourth Committee. The resolution as a whole was then adopted by a vote of 27 to 7, with 13 abstentions.

At its 65th plenary meeting on December 14, 1946, the General Assembly proceeded to the election of the members of the *ad hoc* Committee. On the first ballot Brazil, China, Egypt, India, the Philippine Republic and the U.S.S.R. were elected. By a second ballot Cuba was chosen a member of the Committee. A third ballot resulted in an indecisive vote between Uruguay and Norway. A further ballot at the 66th plenary meeting of the General Assembly on December 15, 1946, resulted in the election of Uruguay.

Following is the text of the resolution adopted by the General Assembly:

The General Assembly on 9 February 1946, approved a resolution on Non-Self-Governing Peoples. By this Resolution the Secretary-General was requested to include in his annual report on the work of the Organization a statement summarizing such information as may have been transmitted to him by Members of the United Nations under Article 73 e of the Charter relating to economic, social and educational conditions in the territories for which they are responsible, other than those in which Chapters XII and XIII apply.

The General Assembly notes that information has been transmitted by the Governments of Australia concerning conditions in Papua; France concerning conditions in French West Africa, French Equatorial Africa, French Somaliland, Madagascar and Dependencies, French Establishments in Oceania, Indo-China, French Establishments in India, New Caledonia and Dependencies, Saint Pierre et Miquelon, Morocco, Tunisia, the New Hebrides under Anglo-French Condominium, Martinique, Guadeloupe and Dependencies, French Guiana, and Reunion (without prejudice to the future status of these territories); New Zealand concerning conditions in the Cook Islands (without prejudice to any interpretation of the expression "Non-Self-Governing Territories" in view of the fact that the Cook Islands are an integral part of New Zealand); the United Kingdom concerning conditions in Barbados, Bermuda, British Guiana, British Honduras[1], Fiji, Gambia, Gibraltar, Leeward Islands, Mauritius, St. Lucia, and Zanzibar Protectorate; and the United States concerning conditions in Alaska, American Samoa, Guam, Hawaii, Panama Canal Zone,[2] Puerto Rico and the Virgin Islands.

The General Assembly also notes that the following Governments have declared their intention of transmitting information; Belgium on the Belgian Congo; Denmark on Greenland; the Netherlands on the Netherlands Indies, Surinam and Curacao; New Zealand on the Tokelau Islands; and the United Kingdom on Aden (Colony and Protectorate), Bahamas, Basutoland, Bechuanaland Protectorate, British Somaliland Protectorate, Brunei, Cyprus, Dominica, Falkland Islands,[3] Gold Coast (Colony and Protectorate), Grenada, Hong Kong, Jamaica, Kenya (Colony and Protectorate), Malayan Union, Malta, Nigeria, North Borneo, Northern Rhodesia, Nyasaland, St. Helena and Dependencies, St. Vincent, Sarawak, Seychelles, Sierra Leone, Singapore, Swaziland, Trinidad and Tobago, Uganda Protectorate, and the High Commission Territories of the Western Pacific (Gilbert and Ellice Islands Colony, British Solomon Islands Protectorate, Pitcairn Islands).

The value of the association of Non-Self-Governing Territories in the work of the specialized agencies as a means of attaining the objectives of Chapter XI of the Charter has been stressed.

The procedures to be followed by the Organization in connection with the information transmitted by Members regarding Non-Self-Governing Peoples have been carefully examined.

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[1] The Guatemalan representative made a reservation to the effect that the Guatemalan Government did not recognize British sovereignty over this territory.

[2] The Panamanian delegation issued a declaration maintaining that the inclusion of the Panama Canal Zone among the Non-Self-Governing territories mentioned in Article 73 (e) of the Charter was an error, as its sovereignty had never been transferred to the United States.

[3] In regard to the Falkland Islands the delegation of Argentina made a reservation to the effect that the Argentine Government did not recognize British sovereignty in the Falkland Islands. The delegation of the United Kingdom made a parallel reservation, not recognizing Argentine sovereignty in these islands.

THEREFORE, THE GENERAL ASSEMBLY,

1. INVITES the Members transmitting information to send to the Secretary-General by 30 June of each year the most recent information which is at their disposal;

2. RECOMMENDS that the information transmitted in the course of 1947 by Members of the United Nations under Article 73 e of the Charter should be summarized, analysed and classified by the Secretary-General and included in his report to the second session of the General Assembly, in order that in the light of the experience gained, the General Assembly may be able to decide whether any other procedure may be desirable for dealing with such information in future years.

3. RECOMMENDS that the Secretary-General communicate to the specialized agencies the information transmitted, with a view to making all relevant data available to their expert and deliberative bodies;

4. INVITES the Secretary-General to convene, some weeks before the opening of the second session of the General Assembly, an *ad hoc* Committee composed in equal numbers of representatives of the Members transmitting information under Article 73 e of the Charter and of representatives of Members elected, by the General Assembly at this session, on the basis of an equitable geographical distribution;

5. INVITES the Secretary-General to request the Food and Agriculture Organization, the International Labour Organization, the United Nations Educational, Scientific and Cultural Organization, and the World Health Organization and the International Trade Organization, when constituted, to send representatives in an advisory capacity to the meetings of the *ad hoc* Committee;

6. INVITES the *ad hoc* Committee to examine the Secretary-General's summary and analysis of the information transmitted under Article 73 e of the Charter with a view to aiding the General Assembly in its consideration of this information, and with a view to making recommendations to the General Assembly regarding the procedures to be followed in the future and the means of ensuring that the advice, expert knowledge and experience of the specialized agencies are used to the best advantage.

e. Regional Conferences of Representatives of Non-Self-Governing Territories

By a letter of November 1, 1946, the representative of the Philippine Republic submitted for inclusion in the agenda of the second part of the first session of the General Assembly a proposal for the holding of a conference of Non-Self-Governing peoples to which Chapter XI of the Charter applied. A draft resolution submitted by the Philippine representative read in part as follows:

THE GENERAL ASSEMBLY,

1. RESOLVES to authorize the holding of a conference of non-self-governing peoples to which Chapter XI of the Charter applies.

2. REQUESTS the Economic and Social Council to convoke said conference, in accordance with the following guiding principles:

(a) The conference shall be purely informative in character and the discussions shall be conducted with a view to enabling the Economic and Social Council to formulate proper recommendations, and the General Assembly to take appropriate action, to effectively insure the fulfillment of the obligations assumed by the metropolitan powers in the declaration regarding non-self-governing territories embodied in Chapter XI of the Charter.

(b) Delegates shall be elected by the representative organs of each territory entitled to participate in the conference; in the absence of any representative organ, delegates shall be selected in such manner as to ensure proper representation as far as may be permitted by the particular circumstances of the territory concerned.

(c) The conference shall be held in such place as may be determined by the Economic and Social Council and at such time as would enable said Council to submit its report on the proceedings of the conference, together with its recommendations, before the opening of the next regular session of the General Assembly.

3. URGES the Economic and Social Council to initiate studies and to formulate recommendations to the end that the conference may become a permanent body, enlarging the scope of its functions, and defining its relations with other specialized international organizations.

At the 25th meeting of the General Committee of the General Assembly the representatives of the U.S.S.R., the Ukrainian S.S.R. and China spoke in support of the Philippine proposal. The representatives of France and the United Kingdom opposed the inclusion of the proposal in the agenda of the second part of the first session of the General Assembly on the ground that the calling of a conference of non-self-governing peoples by the Economic and Social Council was contrary to the United Nations Charter, which authorized the Economic and Social Council to call only inter-governmental conferences. The representatives of the United States expressed the view that the General Committee was not competent to discuss the merits of the question and that it should be included in the agenda. By a vote of 8 to 2, with 1 abstention, the General Committee recommended inclusion of the proposal in the agenda and recommended that it be referred simultaneously to

the Fourth (Trusteeship) and Sixth (Legal) Committees.

The General Assembly at its 47th plenary meeting on November 9, 1946, adopted the General Committee's recommendation.

The Fourth Committee referred the question to a Sub-Committee of nineteen members, but consideration in the Sub-Committee was deferred until the Sixth Committee had had time to express its views on the legal questions involved.

In view of the legal objections which the Philippine proposal had encountered in the course of the discussion in the General Committee, the representative of the Philippine Republic submitted a revised resolution at the 25th meeting of the Sixth Committee on November 30, 1946. This read as follows:

THE GENERAL ASSEMBLY,

CONSIDERING that the resolution on non-self-governing peoples adopted during the first part of the first session of the General Assembly draws attention to the fact that the obligations accepted by Members of the United Nations under Chapter XI are already in full force;

RECOGNIZING the importance of the declaration contained in Chapter XI of the Charter especially as it concerns the peace and security of the world, and the political, economic, social, and educational advancement of the peoples of non-self-governing territories as well as their just treatment and protection against abuses; and

NOTICING the development of the Caribbean Commission under the auspices of certain Members of the United Nations with responsibilities for the administration of non-self-governing territories in this region, which has taken the initiative in establishing in the Caribbean area regional representative conferences wherein opportunity has been afforded to the peoples of Non-Self-Governing Territories to consult together in matters of common concern;

RECOMMENDS to all Members having or assuming responsibilities for the administration of Non-Self-Governing Territories that the promising steps now being made on a regional basis, particularly in connection with the holding of regional representative conferences, such as in the Caribbean area, be adopted and developed in other areas in order to give effect to the provisions and the spirit of Chapter XI of the Charter to the end that the traditions, wishes and aspirations of non-self-governing peoples may be given expression.

The Philippine representative expressed the view that his revised draft resolution should meet any objection that his proposal was not entirely in accord with the Charter. Instead of calling for a world conference of non-self-governing peoples to be convened by the Economic and Social Council with a view to creating a permanent institution, the revised resolution called for the convening of regional conferences of non-self-governing peoples by the Administering Authorities concerned. No State could honestly claim, the Philippine representative asserted, that a recommendation by the General Assembly to an Administering Authority aimed at carrying out the provisions of Chapter XI of the Charter would be an intrusion on its sovereignty.

The representative of France objected that the second Philippine proposal was not really a revision but was an entirely new proposal and that it was therefore not properly before the Committee, but that it should be referred to the General Assembly for instructions. After a lengthy procedural discussion as to whether the Philippine representative was at liberty to withdraw his original proposal and whether the revised proposal was properly before the Committee, the Sixth Committee voted 24 to 14 that the revised proposal was before it for consideration. By a vote of 27 to 12 the Sixth Committee then decided that there was no legal objection to the revised Philippine proposal.

In the course of the deliberations of the Sub-Committee of the Fourth Committee, amendments to the Philippine proposal were submitted by the delegations of Belgium, Cuba, Egypt, France, the Netherlands, the U.S.S.R. and the United Kingdom. All of these amendments failed to secure adoption and, but for a slight drafting change, the Sub-Committee adopted the resolution as submitted by the Philippine representative and as quoted above.

When the matter came before the Fourth Committee the representative of the U.S.S.R. resubmitted his rejected amendment, which, as subsequently modified by the representative of the Ukrainian S.S.R., was to the effect that the last two paragraphs of the Philippine resolution be omitted and that instead the General Assembly recommend that the Economic and Social Council, together with the Administrative Authorities concerned, organize the convocation of regional conferences of representatives of Non-Self-Governing Territories in order to give the peoples of Non-Self-Governing Territories the opportunity of expressing their wishes and aspirations. The Fourth Committee adopted the U.S.S.R. amendment by a vote of 18 to 15, with 2 abstentions.

The representative of France stated that from the beginning of the discussions the French delegation had reserved the position of its Government, pointing out the irregular character of the circumstances in which the proposal had been introduced and discussed, and stressing that the suggested provisions were not in conformity with the Charter. The French representative declared that the French Government did not consider itself committed by the resolution and that it would be unable to apply stipulations contrary to the provisions of the Charter. The representative of the United Kingdom requested that note should be taken of the fact that the resolution which had been adopted could in no way affect the sovereign rights of States which were the basis of the United Nations. The representatives of Australia, Belgium, Denmark, the Netherlands, New Zealand, the Union of South Africa and the United States made statements to the same effect. The representative of Canada stated that he had voted against the resolution because he considered it was not entirely in accordance with the Charter.

When the Fourth Committee's recommendations came before the General Assembly for consideration at its 64th plenary meeting on December 14, 1946, the representative of the United States appealed to the Members of the Assembly to reject the Fourth Committee's decision. The procedure which the resolution would establish, the United States representative stated, would clearly violate the basic provisions of the Charter. Non-Self-Governing Territories which were not Trust Territories were not under the jurisdiction of the United Nations. Chapter XI depended on the voluntary action of the States concerned for its implementation. The United Nations had no authority to intervene in such territories. Such authority remained with the national governments concerned. The General Assembly could not constitutionally send the Economic and Social Council on a political mission into the national territory of a Member State in order to ascertain the aspirations of the peoples and to convene political conferences amongst the inhabitants. Once it was admitted that conferences might be convened over the heads of governments, there was no reason why in similar circumstances conferences of all kinds of racial or political minorities should not be called.

The representative of the United Kingdom and France expressed similar views. The representative of India, on the other hand, pointed out that the resolution called for the convening of conferences by the Economic and Social Council "together with the Member States concerned." Therefore no conference could be called without the agreement of the Administering Power. It would be a grave mistake, the Indian representative asserted, to oppose the resolution, for the aspirations and wishes of peoples of Non-Self-Governing Territories had to be given a means of expression.

In an effort at compromise the representative of China introduced an amendment to the effect that the Economic and Social Council "invite the Administering Authorities" to organize regional conferences, rather than that the Council should organize such conferences "together with the Administering Authorities concerned."

Likewise in an effort at compromise, the representative of Cuba reintroduced the amendment which he had previously introduced in the Sub-Committee, which provided that the General Assembly recommend to the Administering Authorities concerned the convening of regional conferences of representatives of non-self-governing peoples. The Economic and Social Council would thus have no part in the calling of these conferences.

The Cuban amendment was opposed by certain representatives on the ground that if the General Assembly merely called on States to invite conferences of non-self-governing peoples, this might cause indefinite delay. The General Assembly, however, adopted the Cuban amendment by a vote of 23 to 14, with 7 abstentions. The resolution as a whole was then adopted by 31 votes to 1, with 1 abstention.

Following is the text of the resolution as adopted by the General Assembly:

THE GENERAL ASSEMBLY,

CONSIDERING that the resolution on Non-Self-Governing Peoples adopted during the first part of the first session of the General Assembly draws attention to the fact that the obligations accepted by Members of the United Nations under Chapter XI are already in full force;

RECOGNIZING the importance of the declaration contained in Chapter XI of the Charter especially as it concerns the peace and security of the world, and the political, economic, social and educational advancement of the peoples of Non-Self-Governing Territories as well as their just treatment and protection against abuses;

RECOMMENDS all Members having or assuming responsibilities for the administration of Non-Self-Governing Territories to convene

conferences of representatives of Non-Self-Governing Peoples chosen or preferably elected in such a way that the representation of the people will be ensured to the extent that the particular conditions of the territory concerned permit, in order that effect may be given to the letter and spirit of Chapter XI of the Charter and that the wishes and aspirations of the Non-Self-Governing Peoples may be expressed.

5. Administrative and Budgetary Matters

a. Budgets of the United Nations for the Financial years 1946 and 1947 and Working Capital Fund

The General Assembly at it 46th plenary meeting on October 31, 1946, instructed the Fifth Committee (Administrative and Budgetary) to consider the first and second annual budgets of the organization. The Secretary-General had submitted preliminary budget estimates totaling $19,627,964 for the year 1946 and $23,790,008 for 1947.

In the course of a general discussion on the budget estimates which extended from the 18th meeting through the 26th meeting of the Fifth Committee, held between November 1 and 16, a considerable number of representatives emphasized the need for economy. In particular, it was suggested that the staff of the United Nations Secretariat might be reduced, or at least not further enlarged. The representative of the U.S.S.R. proposed in this connection that the staff of the Secretariat should be reduced by 30 or 40 per cent.

The representative of the United States stated that in case of an unduly large budget the Members would either be so heavily assessed that membership would become burdensome or even impossible for certain governments, or one or two nations would have to pay so large a share of the organization's expenses that the maintenance of universal and equal authority might be jeopardized. He said that he therefore shared the anxiety expressed by other representatives about the mounting cost of the organization and urged the greatest possible economy. He objected to the assessment of nearly 50 per cent of the expenses on the United States Government, as recommended by the Committee on Contributions.[1]

The Secretary-General, in explaining the estimates he had submitted, stressed the fact that the estimates represented the minimum requirements for adequately carrying on the work of the organization. He stated that the increase in expenditure for personnel for 1947 resulted chiefly from the fact that the 1947 figures covered a full year of employment, whereas in 1946 about one half of the total personnel would be employed during the latter part of the year only.

Supporting the Secretary-General's proposals several representatives urged that the question of economy should not be made an obstacle to the work of the United Nations. The primary consideration should be whether the fundamental objectives of the organization would be achieved. The budget was a translation into figures of the program entrusted by the General Assembly to the Secretary-General, so that the program itself would have to be revised if a reduction of the budget was to be achieved.

After the general principles to be followed in the examination of the first and second annual budgets had been determined by the full Committee, it was decided to refer the task of detailed examination to the Advisory Commitee on Administrative and Budgetary Questions which had been elected at the 49th plenary meeting of the General Assembly.[2] Although the regular terms of office of the members of the Advisory Committee were not to begin until January 1, 1947, the Fifth Committee requested that the Advisory Committee furnish information and advice on the first and second annual budgets during the second part of the first session of the General Assembly.

Besides examining the preliminary budget estimates for 1946 and 1947, the Fifth Committee, as well as the Advisory Committee, considered a series of supplementary estimates submitted by the Secretary-General to cover the cost of approved programs. The preliminary estimates and supplementary estimates for 1947 totalled $30,052,028.

On the recommendation of the Advisory Committee, the Fifth Committee at its 44th meeting on December 13, 1946, approved a total budget of $19,390,000 for the year 1946 and a total budget of $27,740,000 for the year 1947. As will be noted, the amount approved for the 1947 budget constituted a reduction of more than $2,300,000 in the total proposed by the Secretary-General for expenditure during 1947.

The Fifth Committee also considered the proposals of the Secretary-General relating to the Working Capital Fund in 1947. The Secretary-General had recommended that the Working

[1] See p. 217 ff.
[2] See pp. 116, 117.

Capital Fund be maintained at $25,000,000, and that, in view of the fact that the 1947 budget contained no provision for unforeseen or extraordinary expenditures, he should be authorized to draw on the Working Capital Fund for such contingencies.

After a preliminary discussion the Fifth Committee referred the question to the Advisory Committe on Administrative and Budgtary Questions. The members of the Advisory Committee were for the most part in favor of maintaining the Working Capital Fund at $25,000,000, as suggested by the Secretary-General, and were opposed to any reduction below $20,000,000.

When the Fifth Committee considered the report of the Advisory Committee at its 44th meeting on December 13, 1946, the representative of the U.S.S.R. stated that the United Nations had not had an approved budget when it had been decided during the first part of the first session to establish a Working Capital Fund of $25,000,000. With the 1946 and 1947 budgets approved, there was no need for such a large Working Capital Fund, as most of the organization's expenses could be met from the regular contributions received by the Member Governments. A reserve of one or two months' normal expenditure would be sufficient. He therefore suggested that the Working Capital Fund be reduced to $3,000,000.

The representative of Norway agreed with the views expressed by the representative of the U.S.S.R., but considered that $3,000,000 might nevertheless prove inadequate. He suggested that the Working Capital Fund be fixed at $10,000,000. Similarly the United States representative expressed the view that a budget which required a reserve of an amount almost equal to its total must be considered defective. Unforeseen contingencies should not reach a hundred per cent margin. He recommended a Working Capital Fund of $15,000,000. The representative of France recommended a Working Capital Fund of $20,000,000.

On the other hand the representatives of China, India, Mexico, and the United Kingdom, among others, considered that it would be dangerous to reduce the Working Capital Fund, because various Member Governments might have difficulty in paying their contributions. The organization should not run the risk of being short of funds pending the receipt of contributions by Member Governments.

The Fifth Committee rejected by a vote of 22 to 16 the proposal that the Working Capital Fund be maintained at $25,000,000. By 20 votes to 18 the Committee decided that the Fund should be maintained at $20,000,000 for the year 1947. The Fifth Committee also decided by 24 votes to 14 that the amount which the Secretary-General should be authorized to draw from the Working Capital Fund to meet unforeseen expenses in 1947 should be $2,000,000. It further decided, by a vote of 24 to 6, that the amount which the Secretary-General should be authorized to draw to meet combined unforeseen and extraordinary expenses should be $3,000,000.

On the recommendation of the Fifth Committee the General Assembly at its 63rd plenary meeting on December 14, 1946, approved the following resolution concerning the 1946 and 1947 budgets and concerning the Working Capital Fund:

(1.) APPROPRIATION RESOLUTION
Financial Year 1946

THE GENERAL ASSEMBLY RESOLVES THAT
For the financial year 1946:

1. An amount of $19,390,000 (U.S.) is hereby appropriated for the following purposes:

Appropriation Section	*Purpose of Appropriation*	*Amount Dollars (U.S.)*
	Part I	
I	For expenses of travel of representatives to the General Assembly and travel of members of Committees and Commissions	885,800
II	For expenses of Personnel Services	6,492,979
III	For expenses of Common Services	4,238,610
IV	For expenses of establishment of Headquarters and initial recruitment of staff	6,143,121
V	For unforeseen expenses	250,000
VI	For expenses of the Preparatory Commission and the cost of the first part of the first session of the General Assembly to 31 January 1946	902,282
	Total, Part I	$18,912,792
	Part II	
VII	For expenses of the International Court of Justice	320,097
VIII	For expenses of the Registry and Common Services of the International Court of Justice	157,111
	Total, Part II	$ 477,208
	Total, Parts I and II	$19,390,000

2. Amounts not exceeding the above are to be available for the payment of obligations incurred prior to 1 January 1947. The Secretary-General may, by written order, transfer credits between Sections within Part I and between Sections within Part II. The Secretary-General shall report to the 1947 session of the General Assembly all such transfers together with the circumstances relating thereto.

(2.) Appropriation Resolution, Financial Year 1947

THE GENERAL ASSEMBLY RESOLVES THAT: For the financial year 1947:

1. An amount of $27,740,000 (U.S.) is hereby appropriated for the following purposes:

Appropriation Section	*Purpose of Appropriation*	*Amount Dollars (U.S.)*
	Part I	
I	For expenses of travel of representatives to the General Assembly and travel of members of Committees and Commissions	1,090,500
II	For expenses of Personnel Services	13,999,223
III	For expenses of contributions to the Staff Provident Fund, Provisional Staff Retirement Scheme, and related benefits	2,301,179
IV	For expenses of Common Services	5,966,500
V	For expenses of establishment of Headquarters and initial recruitment of staff	3,074,000
VI	For expenses of Advisory Social Welfare Functions	670,186
	Total, Part I	$27,101,588
	Part II	
VII	For expenses of the International Court of Justice	387,894
VIII	For expenses of the Registry and Common Services of the International Court of Justice	250,518
	Total, Part II	$ 638,412
	Total, Parts I and II	$27,740,000

2. Amounts not exceeding the above are to be available for the payment of obligations incurred during the period 1 January 1947 to 31 December 1947.

3. The Secretary-General shall make primary allotment of the appropriations voted by objects of expenditure; transfers between the primary allotments within Sections shall be permissible only on the written authority of the Secretary-General.

(3.) Working Capital Fund, and Provision of Working Capital

THE GENERAL ASSEMBLY RESOLVES THAT:

The working capital fund shall be maintained for the financial year 1947 at the amount of $20,000,000 (U.S.).

Members shall make advances to the working capital fund in accordance with the scale adopted by the General Assembly for contribution of Members to the second annual budget.

There shall be set off against this new allocation of advances, the amounts paid as advances to the working capital fund by Members in accordance with the provisional scale adopted by the General Assembly at the first part of the first session; provided, however, that should the advances paid by any Member under the provisional scale exceed the advance due under the scale adopted for contributions to the second annual budget, the excess shall be offset against the contributions due from that Member under the first annual budget and should an excess still remain, against the contributions due from that Member under the second annual budget.

The Secretary-General is authorized:

(a) To advance from the working capital fund such sums as may be necessary to finance the 1946 and 1947 annual budgets, including supplementary appropriations, pending receipt of contributions; sums so advanced shall be reimbursed as soon as receipts from contributions are available for the purpose.

(b) To advance such sums in 1947 as may be necessary to meet unforeseen or extraordinary expenses, provided that the prior concurrence of the Advisory Committee on Administrative and Budgetary Questions is obtained for any advances beyond a total of $2,000,000 (U.S.) to meet unforeseen expenses and for advances beyond a total of $3,000,000 (U.S.) to meet combined unforeseen and extraordinary expenses.

Of these amounts the Secretary-General shall make available to the President of the International Court, at his request, such sums as may be necessary to meet the expenses occasioned by holding sessions of the Court away from The Hague, under Article 22 of the Statute of the Court; provided that the concurrence of the Secretary-General shall be required for the advance of sums in excess of a total of $70,000 (U.S.). The Secretary-General shall report to the next convened General Assembly all advances made under this clause and the circumstances relating thereto and shall make provision in the estimates for reimbursement of the working capital fund, except when such advances are recoverable from some other source;

(c) To advance loans to certain specialized agencies, repayable within two years, for the purpose of financing their initial operations, up to such amounts as may seem necessary and appropriate having regard to the proposed financial resources of the agency concerned;

provided that the concurrence of the Advisory Committee shall be required for loans aggregating more than $2,000,000 (U.S.) or in excess of $1,000,000 (U.S.) for any one agency;

(d) To advance sums not exceeding $675,000 (U.S.) from the working capital fund to establish a staff housing fund for the purpose of financing advance rental payments, guarantee deposits, and working capital requirements for housing the staff of the Secretariat. Such advances shall be reimbursed to the working capital fund following recovery of the rental advances, guarantee deposits and working capital advances;

(e) To advance sums not exceeding $300,000 (U.S.) from the working capital fund to establish a revolving fund for the purchase of motor vehicles for re-sale to staff members to assist them in carrying out their duties. No new obligations shall be incurred from this fund after 31 March 1947, after which date the fund should be liquidated as outstanding loans are repaid, the advances to the fund being then reimbursed to the working capital fund;

(f) To advance sums not exceeding $50,000 (U.S.) from the working capital fund to establish a revolving fund to finance loans to staff members for purchase of furniture and household goods. Such advances shall be reimbursed to the working capital fund at such times as the revolving fund is reduced or terminated;

(g) To advance sums not exceeding $100,000 (U.S.) from the working capital fund to establish a revolving fund to finance other self-liquidating purchases and activities; provided that the concurrence of the Advisory Committee on Administrative and Budgetary Questions shall be required for advances in excess of a total of $50,000 (U.S.).

b. Scale of Contributions to the United Nations for the Financial Years 1946 and 1947 and to the Working Capital Fund

The General Assembly, at its 31st plenary meeting on February 13, 1946, appointed a Committee on Contributions, with instructions to prepare a detailed scale of apportionment of expenses for consideration by the General Assembly at the second part of the first session.[1]

The Committee on Contributions met for three sessions, the first two for approximately one week and the third for more than three weeks. The first session began on June 18, 1946, the second on July 22 and the third on September 9, 1946.

The first session of the Committee was spent on a general discussion and preliminary exploration of the issues involved. During the interval between the first and second sessions of the Committee, a sub-committee, with the assistance of technical consultants, examined in great detail all available data on estimates of national income, population, and per capita income. At the second session, the Committee examined this material and also information bearing on war damage and temporary dislocation of national economies resulting from the war. At the third and final session the Committee reviewed all the material available and prepared its report for submission to the second part of the first session of the General Assembly.

In its report the Committee stated that its final recommendations depended essentially on its judgment, arrived at from consideration of all available economic data bearing on capacity to pay. Having taken into consideration relative national incomes, temporary dislocations of national economies and increases in capacity to pay arising out of the war, availability of foreign exchange and relative per capital national incomes, the Committee felt that the scale of contributions which it had drawn up provided an appropriate estimate of the Members' capacity to pay for the years 1946, 1947 and 1948. The Committee had confined its work to making an estimate of relative capacity to pay, leaving the question of ceiling provisions and other factors which raised political issues to be discussed by the General Assembly, if it so desired.

Following is the scale of contributions as recommended by the Committee on Contributions:

Country	*Relative Apportionments Based on Capacity to Pay*
Argentina	1.50
Australia	1.80
Belgium	1.20
Bolivia	0.07
Brazil	1 20
Byelorussian S.S.R.	0.20
Canada	3.10
Chile	0.40
China	2.75
Colombia	0.33
Costa Rica	0.02
Cuba	0.25
Czechoslovakia	1 05
Denmark	0.70
Dominican Republic	0 04
Ecuador	0.04
Egypt	0.70
El Salvador	0 03
Ethiopia	0 07
France	5.50
Greece	0.15
Guatemala	0.04
Haiti	0.02
Honduras	0.02
India	3.75
Iran	0.40
Iraq	0.15
Lebanon	0.05
Liberia	0.02
Luxembourg	0.04

[1] See pp. 58, 59.

Mexico	0.54
Netherlands	1.40
New Zealand	0.45
Nicaragua	0.02
Norway	0.45
Panama	0.04
Paraguay	0 02
Peru	0.17
Philippines	0 25
Poland	1.10
Saudi Arabia	0.07
Syria	0.10
South Africa	1.02
Turkey	0.90
Ukrainian S.S.R.	0 80
U.S.S.R.	6.00
United Kingdom	10 50
United States	49 89
Uruguay	0.15
Venezuela	0 21
Yugoslavia	0 30
	100.00

In the general discussion which had taken place in the Fifth Committee of the General Assembly on budgetary matters, the representative of the United States had opposed the recommendation of the Committee on Contributions as regards the share of 49.89 per cent to be paid by the United States Government. When the Fifth Committee considered the report of the Committee on Contributions the United States representative reiterated his opposition to this assessment, which in his Government's view threatened to impair the sovereign equality of nations. He declared that a ceiling of 25 per cent should be set on all contributions, and that, as an emergency measure only, his Government would be willing to pay up to 33 per cent of the budget for 1947. The United States representative further recommended that when the Fifth Committee decided upon the 1947 allocation, the decision should be confined to a single year and should not extend to the financial year 1948 as would be the case in accordance with rule 43 of the Provisional Rules of Procedure of the General Assembly. The Fifth Committee should instruct the Committee on Contributions or the Advisory Committee on Administration and Budgetary Questions to re-examine the whole question of assessments and report to the second regular session of the General Assembly in 1947.

Concerning the question of ceilings on contributions the representative of Mexico, who had acted as Chairman of the Committee on Contributions, explained that the Committee had felt that any ceiling should not be such as to permanently obscure the relationship between the contribution of a nation and its capacity to pay. After the scale which the Committee on Contributions had submitted to the General Assembly had been fixed, it had been apparent that a ceiling would violate this principle.

The representative of Canada expressed the view that placing a ceiling on contributions would create difficulties for States other than the United States, since no government could be expected to agree to a contribution higher on a per capita basis than the per capita contribution of the United States. If a ceiling were to be placed on the percentage of the budget to be contributed by the United States, and that ceiling were to be substantially below the present percentage, it would be necessary to extend a ceiling to all Member States whose per capita contribution would otherwise exceed that of the United States taxpayer.

The representative of the United Kingdom stated that if the economic criteria laid down in the terms of reference of the Committee on Contributions were to be considered valid, it would be illogical to reduce the United States contribution. The United States had the highest national and per capita income of any country in the world. There was no problem for the United States of securing foreign currency as the budget was drawn up in United States dollars and most of the money would be spent in the United States. A change in the United States contribution could be only arbitrary, for it could not be decided at what point the sovereign equality of nations was being infringed. The representative of the United Kingdom considered it dangerous to depart from the principle of capacity to pay.

A number of countries which had been devastated by war stated that their assessments were too high. Pre-war figures concerning national income having been the only statistics available, it was felt that the reduction in national income as a result of war devastation had not been taken sufficiently into consideration. Certain countries in the Sterling area suggested that they should be permitted to pay in Sterling instead of in United States dollars.

At its 24th meeting on November 13, 1946, the Fifth Committee agreed to a suggestion of the representative of Mexico that a sub-committee be appointed to consider the report of the Committee on Contributions in the light of the previous discussion. At the 25th meeting of the Fifth Committee on November 15, 1946, it was agreed that Canada, China, Egypt,

France, Mexico, the Netherlands, Poland, the U.S.S.R., the United Kingdom, the United States and Uruguay should compose the Sub-Committee.

The Sub-Committee presented to the Fifth Committee a revised scale which reduced the United States contribution from 49.89 per cent to 39.89 per cent and which increased the percentages to be paid by other countries accordingly. The Sub-Committee also recommended that the question of contributions be reviewed in 1947, as proposed by the representative of the United States. By 33 votes to 0, the Fifth Committee at its 44th meeting on December 13, 1946, adopted the Sub-Committee's recommendations.

On the recommendation of the Fifth Committee the General Assembly at its 63rd plenary meeting on December 14, 1946, unanimously adopted the following resolution:

THE GENERAL ASSEMBLY RESOLVES:

1. That the scales of assessment for (a) the 1946 budget and (b) the 1947 budget and the Working Capital Fund shall be as follows:

Country	*1946 Apportionment Per Cent*	*1947 Budget and Working Capital Fund Apportionment Per Cent*
Argentina	1.94	1 85
Australia	2 00	1 97
Belgium	1.42	1.35
Bolivia	0.08	0.08
Brazil	1.94	1.85
Byelorussian S.S.R.	0.23	0 22
Canada	3.35	3.20
Chile	0.47	0.45
China	6.30	6.00
Colombia	0.39	0 37
Costa Rica	0.04	0 04
Cuba	0.30	0.29
Czechoslovakia	0.95	0 90
Denmark	0.81	0.79
Dominican Republic	0.05	0.05
Ecuador	0.05	0 05
Egypt	0.81	0 79
El Salvador	0.05	0.05
Ethiopia	0 08	0 08
France	6.30	6.00
Greece	0.17	0 17
Guatemala	0.05	0.05
Haiti	0.04	0 01
Honduras	0.04	0.04
India	4.09	3.95
Iran	0.47	0.45
Iraq	0.17	0.17
Lebanon	0.06	0.06
Liberia	0.04	0.04
Luxembourg	0.05	0.05
Mexico	0.66	0.63
Netherlands	1.47	1.40
New Zealand	0.52	0.50
Nicaragua	0.04	0.04
Norway	0.52	0.50
Panama	0.05	0.05
Paraguay	0 04	0.04
Peru	0 21	0.20
Philippines	0.30	0.29
Poland	1.00	0.95
Saudi Arabia	0.08	0.08
South Africa	1.15	1.12
Syria	0.12	0 12
Turkey	0.93	0.91
Ukrainian S.S.R.	0 88	0 84
U.S.S.R	6.62	6 34
United Kingdom	11 98	11.48
United States of America	39.89	39.89
Uruguay	0.18	0.18
Venezuela	0 28	0.27
Yugoslavia	0 34	0.33
Afghanistan	—	0.05
Iceland	—	0 04
Sweden	—	2 35
	100 00	100 00

2. That, notwithstanding the provisions of rule 43 of the provisional rules of procedure, the scale of assessments for the apportionment of expenses of the United Nations shall be reviewed by the Committee on Contributions in 1947 and a report submitted for the consideration of the General Assembly at the session to be held in September 1947.

3. That as it may be more convenient for the United Nations to adopt a unit basis of assessment in lieu of the percentage basis, the Committee on Contributions is directed to give consideration to the relative merits of each method.

4. That new Members be required to contribute to the annual budget of the year in which they are first admitted, at least 33 1/3 per cent of their percentage of assessment determined for the following year, applied to the budget for the year of their admission.

5. That, having regard to the admission of the three new Members in 1946, the advances to the working capital fund be readjusted on the basis of the scale to be adopted for the contributions of Members to the annual budget for 1947.

c. Housing Allowances and Cost of Living Allowances for Staff of the United Nations

In the course of discussions of the Fifth Committee relating to the second annual budget of the United Nations, the representative of Yugoslavia proposed that special attention be given by the Fifth Committee and by the General Assembly to the difficulties of the staff of the United Nations in meeting the cost of living (especially the cost of accommodation) in New York. At the 44th meeting of the Fifth Committee on December 13, 1946, the representative of Yugoslavia submitted a proposal for the payment of housing allowances and cost of living allowances to members of the Secretariat.

In addition to being charged against certain items already appropriated by the General Assembly, the allowances were to be financed, according to the Yugoslav proposal, through:

(1) the saving resulting from the reorganization of the Secretariat;

(2) the saving resulting from the reduction of the present staff;

(3) the saving resulting from the elimination of certain sections or divisions of the Secretariat whose work had been or would be taken over by various specialized agencies.

Moreover, the Secretary-General was to be authorized to pay a bonus to staff members if at the end of six months or more a sufficient saving was made by means of a reorganization of the Secretariat.

At its 45th meeting the Fifth Committee rejected by 21 votes to 6 a motion by the representative of Yugoslavia that his proposal should be sent to the Secretary-General with the Committee's endorsement of its principles. The Committee decided by 23 votes to 0 that the proposal should be referred to the Advisory Committee on Administrative and Budgetary Questions, and unanimously agreed to send it also to the Secretary-General.

At its 66th plenary meeting on December 15, 1946, the General Assembly took note of the Fifth Committee's report on this matter.

d. Travelling Expenses of Members of Commissions of the Economic and Social Council

At the first part of its first session the General Assembly adopted a resolution to the effect that the United Nations should pay the travelling expenses of representatives attending the General Assembly. Moreover, persons serving as members of commissions or sub-commissions of the Economic and Social Council in their personal capacities as experts are paid both cost of transportation and subsistence allowances by the United Nations. No provision was made, however, for the payment of either transportation costs or subsistence allowances to persons attending meetings of the Council or commissions as representatives of governments.

Considering this arrangement unsatisfactory, the Economic and Social Council at its third session adopted a resolution on October 3, 1946, recommending that the General Assembly adopt a resolution providing for payment by the United Nations of actual travel expenses and daily subsistence allowances to members of commissions and sub-commissions of the Economic and Social Council.

The Secretary-General of the United Nations transmitted this resolution to the second part of the first session of the General Assembly, together with a memorandum of his own concerning the budgetary implications of the Economic and Social Council's proposal. The Secretary-General suggested that if travel and subsistence allowances were paid to members of commissions and sub-commissions of the Economic and Social Council, the General Assembly might wish to consider establishing the same terms for members of the commissions or committees of the other two Councils.

The General Assembly referred the matter to the Fifth Committee (Administrative and Budgetary), which considered it at its 24th and 26th meetings held on November 13 and 16 respectively. The delegation of the United States stated that the payment of travel expenses and subsistence allowances was defended as a means of equalizing the financial burden on nations located at varying distances from the seat of the United Nations and in order to ensure the effective participation of the members in the work of the commissions and sub-commissions. This reasoning, according to the United States delegation, was valid insofar as it affected actual transportation expenses, but did not apply to subsistence expenses during sessions, as these expenses were the same for all members. Accordingly, the United States delegation submitted, as a substitute for the resolution of the Economic and Social Council, a resolution to the effect that reimbursement by the United Nations to Member Governments should be restricted to actual transportation expenses.

The Fifth Committee adopted the substitute resolution submitted by the representative of the United States.

On the recommendation of the Fifth Committee, the General Assembly at its 49th plenary meeting on November 19, 1946, unanimously adopted the resolution, which read as follows:

THE GENERAL ASSEMBLY RESOLVES THAT:

The actual travelling expenses of members of Commissions and Sub-Commissions of the Economic and Social Council to and from meetings of the Commissions or Sub-Commissions and actual expenses for travel on business of the Commissions or Sub-Commissions shall be

borne by the budget of the United Nations. The maximum travelling allowances to and from meetings of each Commission or Sub-Commission shall be restricted to the equivalent of first-class accommodation by recognized public transport via an approved route from the capital city of the Member State to the place where the Commission or Sub-Commission is meeting, and shall not include the payment of subsistence except where this is included as an integral part of the regular posted schedule for first-class accommodation for recognized public transport. Actual travelling expenses shall be reimbursed to each Member by means of an adjustment in the Member's annual contribution.

e. Appointment of External Auditors

In its resolution on budgetary and financial arrangements of February 13, 1946, the General Assembly had resolved that "the Secretary-General . . . shall be prepared to recommend to the General Assembly during the second part of its first session necessary action on . . . the scope and method of audit of accounts and the procedure for the submission of the auditor's report to the Advisory Committee and to the General Assembly."

In accordance with this resolution, the Secretary-General submitted a report and a draft resolution to the second part of the first session of the General Assembly on the question of the appointment of external auditors. At its 46th plenary meeting on October 31, 1946, the General Assembly referred the matter to the Fifth Committee (Administrative and Budgetary).

The Secretary-General's proposals were discussed by the Fifth Committee at its 27th meeting on November 18, 1946. Alternative proposals with respect to the length of the term of office of the auditors and the employment of commercial auditing firms were introduced by the delegation of the United States. The Secretary-General accepted the United States proposals with some modifications and the Secretariat presented a new document combining the Secretary-General's suggestions and those of the delegation of the United States. Certain revisions in form suggested by the delegation of the U.S.S.R. at a later meeting were accepted and the resolution as a whole was unanimously adopted at the 30th meeting of the Fifth Committee on November 25, 1946.

On the basis of the plan adopted, the Committee proceeded, at its 30th meeting, to the selection by secret ballot of the members of the Board of Auditors. In this connection several delegations expressed dissatisfaction with the selection of the heads of auditing systems of certain countries, as provided in the resolution, without knowledge of the personal qualifications of the appointees. The delegation of Norway reserved its position on the proposed plan, suggesting that the matter should be reviewed at the next session of the General Assembly. It was the sense of the Committee, however, that the question of personal qualifications was taken care of by the fact that the Committee was choosing the chief audit official of the countries selected.

On the first ballot Canada received 36 votes, Sweden 29, the Ukrainian S.S.R. 18 and the United States 6. On the succeeding ballot, the Ukrainian S.S.R. was chosen by 31 votes as the third representative on the Board. As indicated in the resolution, the term of office for the first country, Canada, was to continue until June 30, 1950; for Sweden until June 30, 1949; and for the Ukrainian S.S.R. until June 30, 1948.

On the recommendation of the Fifth Committee, the General Assembly unanimouly adopted the following resolution at its 50th plenary meeting on December 7, 1947:

THE GENERAL ASSEMBLY RESOIVES,

(a) That the Auditor-General (or other title) of the UKRAINIAN SOVIET SOCIALIST REPUBLIC and the Auditor General (or other title) of SWEDEN and the Auditor-General (or other title) of CANADA be appointed as external Auditors of the accounts of the United Nations and of the International Court of Justice, and of such specialized agencies as may be designated by the appropriate authority. Should the necessity arise, an Auditor may designate a representative to sit on the Board in his absence;

(b) That the term of office of each Auditor shall continue until 30 June 1948, 30 June 1949 and 30 June 1950 in the order in which they are named above;

(c) That in 1947, and every year thereafter, the General Assembly at its regular session shall appoint an Auditor to take office from 1 July of the following year and to serve for a period of three years;

(d) That the Auditors in office shall constitute the Board of Auditors, which shall elect its own Chairman and adopt its own rules of procedure;

(e) That the Board, subject to the budgetary provision made by the General Assembly for the cost of audit, and after consultation with the Advisory Committee on Administrative and Budgetary Questions relative to the scope of the audit, may conduct the audit under the provisions of this resolution in such manner as it thinks fit and may engage commercial public auditors of international repute;

(f) That if any member of the Board ceases to hold the national office described in paragraph (a) of this resolution he shall cease to be a member of the Board, on which he shall be succeeded by his successor in the national office described;

(g) That the Board of Auditors shall submit its report, together with the certified accounts and such other statements as it thinks necessary, to the General Assembly to be available to the Advisory Committee on Administrative and Budgetary Questions not later than 1 June following the end of the financial year to which the accounts relate. The Advisory Committee shall forward to the General Assembly its comments, if any, on the audit report;

(h) That the audit should be carried out by the Board of Auditors having full regard to the following requirements of the General Assembly:

(i) The Auditors should satisfy themselves:

(1) That the accounts, including the balance sheet, represent a correct record of duly authorized financial transactions of the financial year;

(2) That money has not been expended or obligated other than for the purpose or purposes for which the appropriations voted by the General Assembly were intended to provide, except insofar as the Secretary-General has authorized transfers within the budget, and that the expenditure conforms to the authority which governs it;

(3) That transfers from the Working Capital Fund or other funds have received the necessary authority.

(ii) The Auditors, after satisfying themselves that the vouchers have been examined and certified as correct by the accounting organization, may, in their discretion and having regard to the character of the examination within the department, in any particular case admit the sums so certified without further examination, provided however, that, if the General Assembly or the Advisory Committee on Administrative and Budgetary Questions on behalf of the General Assembly, requests that any accounts be examined in greater detail, the Auditors shall take action accordingly.

(iii) The Auditors shall examine such store or stock accounts as are maintained by the organization the financial accounts of which they are auditing.

(iv) The Auditors shall have free access at all convenient times to the books of account and all information relevant to the accounts of the organization concerned. Requests for official files which may deal with matters of policy should only be made through the Assistant Secretary-General for Administrative and Financial Services.

(v) The Auditors should not criticize purely administrative matters, but it is within their discretion to comment upon the financial consequences of administrative action. Audit examination should not be undertaken before accounting effect has been given to transactions, nor should accounts and vouchers be examined until they have been duly rendered available by the department concerned.

(vi) Objections to any items which may arise during audit should be communicated immediately to the accounting department concerned. As a general rule, criticism should not be made in the Auditors' report without first affording the accounting department an opportunity of explanation.

(vii) Documentary or other information obtained from a department should not be published by the Auditors without reference having been made to the duly authorized official of the organization or agency concerned.

(viii) The Auditors certifying the accounts shall prepare a joint report of each account certified, in which they should mention:

(1) The extent and character of their examination or any important changes therein;

(2) Matters affecting the completeness or accuracy of the accounts, such as:

(a) Information necessary to the correct interpretation of the account;

(b) Any amounts which ought to have been received but which have not been brought to account;

(c) Expenditure not properly vouched;

(3) Other matters which should be brought to the notice of the General Assembly, such as:

(a) Cases of fraud or presumptive fraud;

(b) Wasteful or improper expenditure of United Nations' money or stores (notwithstanding that the accounting for the transactions may be correct);

(c) Expenditure likely to commit the United Nations to further outlay on a large scale;

(d) Any defect in the general system or detailed regulations governing the control of receipts and expenditure, or of stores;

(e) Expenditure not in accordance with the intention of the General Assembly, after making allowance for duly authorized transfers within the budget;

(f) Expenditure in excess of appropriations, as amended by duly authorized transfers within the budget;

(g) Expenditure not in conformity with the authority which governs it.

(4) The accuracy or otherwise of the stores records as determined by stock-taking and examination of the records.

In addition, the reports may contain reference to:

(5) Transactions accounted for in a previous year concerning which further information has been obtained, or transactions in a later year concerning which it seems desirable that the General Assembly should have early knowledge.

(ix) The Auditors, or such of their officers as they may delegate should jointly certify each account in the following terms:

"The above accounts have been examined in accordance with our directions. We have obtained all the information and explanations that we have required, and we certify, as the result of the audit, that, in our opinion, the above account is correct";
adding, should it be necessary, "subject to the observations in our report."

(x) The Auditors shall have no power to disallow items in the accounts, but shall recommend to the Secretary-General for appropriate action such disallowances as the Board is prepared to recommend to the General Assembly based on its audit of the accounts and records. The Board shall bring to the attention of the General Assembly any cases where its recommendations for disallowance have not been acted upon by the Secretary-General.

f. Simultaneous Interpretation

The General Assembly during the first part of it first session had recommended that the Secretary-General make a thorough inquiry into the question of the installation of telephonic systems of interpretation and, if possible, arrange for the establishment of such a system for the second part of the first session.

In accordance with this resolution the Secretary-General arranged for studies of various systems of simultaneous interpretation to be made, especially of the system used at the war crimes trials in Nürnberg. On the basis of these studies one large and one small committee room at Lake Success were equipped for simultaneous interpretation.

During the second part of its first session the General Assembly referred the question of simultaneous interpretation to the Fifth Committee (Administrative and Budgetary). The Secretary-General submitted a report to the Fifth Committee of the General Assembly on the studies and experiments which had been conducted, and subsequently submitted his recommendations to the Committee.

The Secretary-General considered that, although simultaneous interpretation was very useful, it was not a panacea solving all interpretation problems. During general debate it was obvious that simultaneous interpretation was adequate and permitted a great economy of time. However, when the deliberations entered the phase of drafting and precise decisions, the successive interpretation method would normally appear preferable. Thus the Secretary-General concluded that in the interest of efficient conduct of affairs both systems should be available.

Specifically the Secretary-General recommended that one more large conference room, one additional small committee room and the Economic and Social Council Chamber at Lake Success be equipped for simultaneous interpretation. The Secretary-General suggested further that it would be most desirable also to purchase one mobile (wireless) simultaneous interpretation unit consisting of about 2,500 sets, for the purpose of servicing meetings held away from headquarters. If required, this unit could also be used to save time during the general debate in plenary sessions of the Assembly.

The question was discussed at length at the 31st meeting of the Fifth Committee on November 27, 1946. The representatives of Denmark, France, Norway, the U.S.S.R. and China were in general agreement that the system should be continued but should not replace entirely the system of successive interpretation. It was pointed out that, while the major advantage of the simultaneous interpretation system was the time saved for committees and Councils, under certain circumstances, when drafting problems or debate necessitated, successive interpretation was preferable.

There was a difference of opinion among the delegations concerning the extent to which the simultaneous system should be developed. The representative of the U.S.S.R. suggested that only one more committee room be equipped until a more thorough study of the cost could be made. The representative of the United Kingdom believed that the delegations would want the system installed in most of the committee rooms prior to the next session of the General Assembly.

The representative of the United Kingdom suggested that special attention be given to the Secretary-General's note on the wireless interpretation system. Since it appeared that such wireless equipment might be available before the next session of the Assembly, he believed it wiser not to take any final decision concerning wired installations.

The following resolution proposed by the Rapporteur of the Fifth Committee was adopted unanimously by the Committee at its 33rd meeting on December 2, 1946, and by the General Assembly at its 50th plenary meeting on December 7, 1946:

THE GENERAL ASSEMBLY

HAVING CONSIDERED the report of the Secretary-General and the observations made by

several representatives in the Fifth Committee:

1. TAKES no decision, for the time being, on the simultaneous interpretation system but recommends the continuation of the present practices until the next session of the General Assembly, when a final decision should be taken.

2. REQUESTS the Secretary-General to equip before the next session a second conference room and a second committee room with simultaneous interpretation apparatus.

3. REFERS the proposal for equipment of a second conference room and of a second committee room for consideration to the Advisory Committee on Administrative and Budgetary Questions, which should also examine the advisability from a budgetary point of view of installing a wireless system of simultaneous interpretation in preference to the present equipment.

q. Tax Equalization

In its resolution concerning administrative and budgetary matters of February 13, 1946, the General Assembly had adopted the following principles concerning tax equalization:

(1) Emoluments of staff members of the United Nations should be immune from income taxation by Member Governments.

(2) Members of the staff subject to national taxation should be reimbursed by the organization.

(3) Consideration of a staff contributions scheme should be postponed pending further study.

In accordance with the General Assembly's resolution the Secretary-General submitted a report on the question of tax equalization to the second part of the first session of the General Assembly, reporting on the action taken by the various Member Governments with a view to exempting their nationals who were members of the United Nations Secretariat from taxation and the administrative measures taken by the Secretariat to reimburse staff members subject to taxation.

The Secretary-General submitted a draft resolution the first part of which recommended that the General Assembly urge all Members to take early action to exempt from taxation salaries and allowances paid out of the budget of the United Nations. The second part of the draft resolution concerned a staff contributions scheme and recommended that the General Assembly appoint a committee to consider whether a staff contributions plan should be established for the United Nations and the specialized agencies and, if so, to outline the principles of such a plan. This Committee should report to the General Assembly before the end of the second part of its first session.

The General Assembly at its 46th plenary meeting on October 31, 1946, referred the Secretary-General's report to the Fifth Committee (Administrative and Budgetary) for consideration. The Fifth Committee considered the matter at its 22nd, 23rd and 33rd meetings on November 8 and 12 and December 2, 1946, respectively.

After review of the decisions and recommendations made by the General Assembly at the first part of its first session and extensive discussion of the principles involved in immunity from taxation, the Fifth Committee voted unanimously to recommend the adoption by the General Assembly of the first part of the Secretary-General's draft resolution urging that Members take early action to exempt from taxation salaries and allowances paid out of the budget of the United Nations.

A draft resolution submitted by the delegation of the U.S.S.R. provided:

(a) that all Members who had not already totally exempted from tax salaries and allowances paid out of the Organization's budget should be invited to take immediate steps in the matter;

(b) that refunds to members of the United Nations Secretariat of national taxes paid by them as from 1 January 1947 should cease; and

(c) that the Secretary-General should seek agreement with the Governments which, by 1 January 1947, had accorded the desired tax exemption, for repayment to the United Nations of tax refunds made by the Organization to their nationals.

The Committee decided to reject the Soviet proposal for the cessation of tax refunds as from January 1, 1947. In the light of this decision the delegation of the U.S.S.R. did not insist on a vote on the third recommendation of the above draft resolution concerning the recovery of tax refunds.

The second part of the Secretary-General's draft resolution concerning the appointment of a committee to study a staff contributions plan was debated at length. The representative of the United Kingdom submitted an amendment to the effect that the committee to be established should report to the second session of the General Assembly and not to the second part of

the first session, thus providing more time for study. The Fifth Committee adopted this amendment, but subsequently rejected the resolution in its revised form by 20 votes to 17.

A proposal made by the Chairman that the entire question of a staff contributions plan be examined by the Advisory Committee on Administrative and Budgetary Questions, which should, if it thought advisable, request the Secretary-General to submit new proposals to the next session of the General Assembly was accepted by 20 votes to 5, with 13 abstentions.

On the recommendation of the Fifth Committee the General Assembly at its 50th plenary meeting on December 7, 1946, unanimously adopted the following resolution:

THE GENERAL ASSEMBLY RESOLVES THAT:

1. In order to achieve full application of the principle of equity among Members and equality among personnel of the United Nations, Members which have not yet completely exempted from taxation salaries and allowances paid out of the budget of the Organization are requested to take early action in the matter.

2 The question of a staff contributions plan in lieu of national taxation is referred to the Advisory Committee on Administrative and Budgetary Questions, which may request the Secretary-General to submit new proposals to the next regular session of the General Asembly.

h Privileges and Immunities of the Staff of the Secretariat of the United Nations

In accordance with Section 17 of Article V of the Convention on the Privileges and Immunities of the United Nations the Secretary-General had to make recommendations as to the categories of officials to which the provisions of Articles V and VII should apply. The Secretary-General submitted a report to the second part of the first session of the General Assembly recommending that the provisions of Articles V and VII should apply to all members of the staff of the United Nations with the exception of those who were recruited locally and were assigned to hourly rates. The Secretary-General submitted a draft resolution for adoption by the General Assembly.

The matter was referred to a Joint Sub-Committee of the Fifth and Sixth Committees. With minor changes the Sub-Committee adopted the resolution submitted by the Secretary-General. The Fifth Committee at its 32nd meeting on November 29, 1946, and the Sixth Committee at its 31st meeting on December 6, 1946, unanimously adopted the report of the Joint Sub-Committee.

On the recommendation of the Fifth and Sixth Committees the General Assembly at its 50th plenary meeting on December 7, 1946, unanimously adopted the following resolution.

THE GENERAL ASSEMBLY

HAVING CONSIDERED the proposal of the Secretary-General that, in accordance with Section 17 of Article V of the Convention on the Privileges and Immunities of the United Nations, the categories of officials to which the provisions of Articles V and VII shall apply should include all members of the staff of the United Nations with the exception of those who are recruited locally and are assigned to hourly rates;

APPROVES the granting of the privileges and immunities referred to in Articles V and VII of the Convention on the Privileges and Immunities of the United Nations, adopted by the General Assembly on 13 February 1946, to all members of the staff of the United Nations with the exception of those who are recruited locally and are assigned to hourly rates.

i. Provisional Scheme for Staff Retirement and Insurance Funds and Related Benefits

In its resolution of February 13, 1946, concerning the organization of the Secretariat, the General Assembly instructed the Secretary-General to prepare schemes for staff retirement, for widows' and orphans' benefits and staff childrens' allowances and education grants and to report thereon to the second part of the first session of the General Assembly.

In order to prepare suitable schemes the Secretary-General arranged for the appointment of an expert Working Party consisting of:

D. Norman Chester, Chairman (United Kingdom)
E. Schoenbaum ..... (Czechoslovakia)
N. E. Sheppard ..... (Canada)
Rainard B. Robbins, Consulting Actuary to the Working Party.

The Working Party submitted detailed recommendations to the Secretary-General, who submitted a report thereon to the second part of the first session of the General Assembly together with his own recommendations for a scheme for staff retirement and related benefits (children's allowances and medical care for members of the staff).

At its 46th plenary session on October 31, 1946, the General Assembly referred the Secretary-General's report to the Fifth Committee

(Administrative and Budgetary), which considered it at its 33rd, 34th, 42nd and 43rd meeting on December 2, 3, and 12.

After considering the general principles involved in the proposed scheme the Fifth Committee referred the proposals to a Joint Sub-Committee of the Fifth and Sixth Committees. The Joint Sub-Committee examined in detail the administrative and legal aspects of the plan and made its recommendations to the Fifth Committee on December 10, 1946.

The Fifth Committee considered the report of the Joint Sub-Committee at its 42nd meeting on December 12, 1946. While the majority of representatives considered it desirable that the proposed staff retirement scheme be extended to the specialized agencies as soon as practicable, a number considered that the proposed plan should apply to the United Nations only and that no provision should be made for its extension to the specialized agencies. An amendment to this effect submitted by the representative of the U.S.S.R. was rejected by the Fifth Committee by a vote of 24 to 5. By a vote of 20 to 9 the Committee rejected a Soviet proposal that approval of the report of the Joint Sub-Committee be deferred to the next session of the General Assembly.

The Fifth Committee by a vote of 28 to 0 decided to recommend the adoption of the proposed pension scheme to take effect as from the date proposed (January 27, 1947) but only on condition that the scheme should be regarded as provisional during its first year and should be open to complete review in the light of experience. A number of representatives expressed the view that the contributions from the United Nations and from the contributors were high in relation to the benefits proposed and considered that this point, in particular, should be thoroughly examined on the review of the scheme. The Committee noted that the draft regulations for the scheme as revised by the Joint Sub-Committee had made it quite clear (Section 37) that any amendments which might be made to the scheme at the next session of the General Assembly would apply to all the participants in the scheme, even though they were participants before the amendments were made. The Committee further noted that on the recommendation of the Sub-Committee it was proposed to draw this point to the particular attention of the members of the staff before they were admitted to the scheme.

The Sixth Committee (Legal), which was charged with the examination of the legal aspects of the question, informed the Fifth Committee that in view of the purely provisional character of the proposed scheme the Sixth Committee did not consider it necessary to raise any legal objections. Certain delegations made some reservations with respect to the extension of the scheme to the specialized agencies.

At its 43rd meeting on December 11, 1946, the Fifth Committee chose three members and three alternate members of the Staff Benefit Committee in accordance with the regulations adopted by the Committee.

On the recommendation of the Fifth Committee the General Assembly at its 66th plenary meeting on December 15, 1946, adopted the following resolutions:

(1) Provisional Staff Retirement Scheme and Provident Fund

In order to have conditions of employment which will attract qualified candidates from any part of the world, a staff retirement scheme, which should be provisional in character for an initial period of operation, must be provided on an adequate basis, with provision for an equitable transition from the Staff Provident Fund established pursuant to the resolution of the General Assembly of 13 February 1946 on the organization of the Secretariat.

THE GENERAL ASSEMBLY, THEREFORE,

ADOPTS the United Nations Joint Staff Pension Scheme Provisional Regulations as set forth in Annex I;

RESOLVES that the Staff Provident Fund be continued in operation so long as there are staff members covered by the Provident Fund who are not admitted to the Pension Scheme under the above regulations; provided, however, that no new members shall be admitted to the Provident Fund after the said regulations come into force;

REQUESTS that, if it has not already done so, each Member Government take steps, in accordance with the recommendation adopted by the General Assembly at its thirty-first plenary meeting on 13 February 1946 to preserve the existing pension rights of persons accepting posts as members of the staff of the Secretariat, pending the conclusion of an agreement with the United Nations under section 12 of the above-mentioned regulations;

RESOLVES that the Secretary-General shall, as soon as practicable, approach Member Governments individually with a view to the negotiation of agreements under this section 12.

(2) Appointment by the General Assembly of certain Members of the Staff Benefit Committee

THE GENERAL ASSEMBLY, having adopted the

United Nations Joint Staff Pension Scheme Provisional Regulations,

DECLARES the persons shown below to be elected for three years as members of the United Nations Staff Benefit Committee established under section 20 of the said regulations:

MEMBER:

Mr. R. Lebeau	(Belgium)
Mr. P. M. Chernyshov	(U.S.S.R.)
Mr. A. J. Altmeyer	(United States)

ALTERNATES:

Mr. S. K. Kirpalani	(India)
Mr. G. Peissel	(France)
Mr. Diego Mejia	(Colombia)

(3) Regulations for payment of Children's Allowances and Education Grants

THE GENERAL ASSEMBLY ADOPTS as additions to the Provisional Staff Regulations, with effect from 1 January 1947, the provisions relating to children's allowances and education grants set out in Annex II

(4) Medical Care for Members of the Staff

RECOGNIZING the necessity for assuring to members of the staff adequate and prompt medical care,

THE GENERAL ASSEMBLY AUTHORIZES the Secretary-General:

1. To enter into arrangements with the Health Insurance Plan of Greater New York and the Associated Hospital Service for the application of the Plan and the Service on a suitable basis to members of the staff;

2. To pay out of the general budget of the United Nations on behalf of each staff member belonging to the Plan and the Service that part of the cost of his membership which exceeds one per cent of his salary or wages in the case of a staff member earning $5,000 (U.S.) or less per annum, and two per cent of his salary or wages in the case of a staff member earning more than $5,000 (U.S.);

RESOLVES that the Secretary-General shall report to the next regular session of the General Assembly on the advisability of continuing the above arrangements as a means of assuring adequate and prompt medical care for members of the staff.

ANNEX I

UNITED NATIONS JOINT STAFF PENSION SCHEME PROVISIONAL REGULATIONS

Section 1

Definitions

"Member organization" means a specialized agency brought into relationship with the United Nations in accordance with the provisions of Articles 57 and 63 of the Charter which has been admitted to the United Nations' Joint Staff Pension Scheme under section 28 of these regulations.

"Age of retirement" means the end of the month in which the participant reaches the age of sixty years or such later age as may be determined in the staff regulations applying to the participant concerned for the termination of appointment by retirement.

"Pensionable remuneration" means the basic remuneration determined by the participant's terms of employment to be pensionable, but excluding all special grants and allowances such as children's allowances, education grants, expense allowances, cost-of-living allowances, payments for over-time, fees, honoraria and payments for any expenses incurred in the service of the United Nations or of a member organization. If part or the whole of the basic pensionable remuneration is paid in kind, the value of such payments, if not stated in the terms of employment, shall be determined by the Joint Benefit Committee.

"Final average remuneration" means the average pensionable remuneration of the participant during the last sixty months of contributory service before the termination of employment, provided that where the participant has less than sixty months of contributory service the final average remuneration shall mean the average pensionable remuneration during the actual period of contributory service.

"Contributory service" means the number of complete months for which contributions have been paid on the pensionable remuneration or counted for this purpose under sections 3, 18 and 19.

Section 2

Participation

Every regular full-time employee of the United Nations, including the Registrar and staff of the International Court of Justice, and of each member organization, under sixty years of age at the time he enters such employment, will be subject to these regulations, provided that his appointment is made without limit of time or that his appointment is for a fixed period and his participation is provided for in the letter of appointment.

Section 3

Reckoning of Temporary Service

When a person who has been in the employment of the United Nations or of a member organization in a non-pensionable capacity accepts an appointment which brings him within the scope of these regulations, his period of service before he became subject to the regulations may be treated as contributory service, provided he pays into the Pension Fund a sum equal to the contributions which he would have paid had he been subject to these regulations throughout this period and provided that this period of service is continuous with his service after the commencement of the appointment which brings him within the scope of these regulations. For the purposes of this section intervals of not more than thirty days in the period of service shall be considered as not breaking the continuity of service but shall not be included in the period of contributory service.

BENEFITS

Section 4

Retirement Benefits

Whenever a participant retires on reaching the age of retirement, or such later age as may have been approved in his case by the competent authority in accordance with the staff regulations applying to him, he will be entitled during the remainder of his life to a retirement benefit, payable on a monthly basis, equal to one-sixtieth of his final average remuneration multiplied by one-twelfth of his contributory service at the date of his retirement.

A participant may elect to receive part of his retirement benefit in the form of a lump sum equal to not more than one-third of the actuarial value of his benefit.

Section 5

Disability Benefits

Whenever the employment of a participant ceases before he has reached the age of retirement because of his inability to perform satisfactorily his duties as a staff member of the United Nations or of a member organization due to physical or mental impairment, and subject to section 8, he shall be entitled, while such disability continues, to disability benefit calculated in the same manner as the retirement benefit, provided that this disability benefit shall not be smaller than one-third of the final average remuneration or than the retirement benefit that he would have been entitled to at the age of retirement (on the assumption that his final average remuneration remained unchanged), whichever is the less.

Section 6

Commencement of Disability Benefit

The Joint Benefit Committee shall determine, in accordance with the procedure described in the administrative rules made under these regulations, when a participant qualifies for disability benefit, provided that the payment of disability benefit shall not begin before the participant has exhausted his right to any larger payment under the staff regulations applying to him.

Until the recipient of a disability benefit reaches the age of retirement, the Joint Benefit Committee may from time to time require evidence of the continuance of disability and review the participant's eligibility to disability benefit in the light of such evidence.

Section 7

Death Benefits

Subject to section 8, the following death benefits shall be payable under these regulations:

(a) If a married male participant dies, his widow shall be entitled to a widow benefit amounting to half of the benefit which would have been paid to the participant had he qualified for a disability benefit at the time of his death. This benefit shall cease on the widow's re-marriage.

(b) If a married man who is a recipient of a retirement or disability benefit dies, his widow, provided she was his wife at the time of the cessation of his service with the United Nations or member organization, shall be entitled to a widow benefit half as large as the benefit being paid to the deceased at the time of his death. This benefit shall cease upon the widow's re-marriage.

(c) Upon ceasing to be entitled to a widow benefit under (a) and (b) by reason of remarriage the widow shall be entitled to a lump sum payment equal to twice the annual amount of her widow pension.

(d) Upon the death of a participant who leaves no widow, there may be paid, at the discretion of the Joint Benefit Committee, for such period as they may determine, a dependent's benefit to one dependent, the benefit to be not greater than that payable to a widow under (a) above.

(e) If a recipient of a retirement or a disability benefit dies, not being a man leaving a widow entitled to a benefit under (b) above, there may be paid, at the discretion of the Joint Benefit Committee, for such period as they may determine, a dependent's benefit to one dependent, the benefit to be not greater than that payable to a widow under (b) above.

Section 8

Initial Medical Examination

The Joint Benefit Committee may require any employee, before admission to the full benefits under these regulations, to undergo a medical examination as prescribed by them.

If the results of this medical examination are not to the satisfaction of the Joint Benefit Committee, the participant concerned shall not be entitled to the benefits under sections 5 and 7 until he has completed five years' employment with the United Nations or a member organization or with two or more of these bodies.

Section 9

Withdrawal Benefits

Where a participant ceases to be employed by the United Nations or by a member organization prior to reaching the age of retirement for reasons other than disability, death or summary dismissal for serious misconduct as provided for in the staff regulations applying to him, he shall be entitled to the following withdrawal benefits:

(a) If the participant has completed less than five years of contributory service, he shall be paid a sum equal to his own contributions to the Pension Fund with the addition of simple interest at the rate of two per cent per annum.

(b) If the participant has completed five or more years of contributory service, he shall continue, for a period equal to one month for each full year of contributory service, to be eligible for the disability or death benefit based on his contributory service at the date

he ceased to be employed by the United Nations or by a member organization. At the end of that period, he shall be entitled to a lump sum payment equal to the actuarial equivalent, at the date service ceased, of the benefit that would have been payable to him if he had reached the age of retirement at the date his service ceased.

A lump sum shall not be payable if during this period the participant had become entitled to the payment of a disability benefit, or his widow or dependent to a widow or dependent's benefit.

(c) At the request of a participant the Joint Benefit Committee may pay the lump sum due under (b) at a date earlier than that prescribed, but the participant shall cease to be eligible for death or disability benefit on the date that such payment is made.

(d) A participant who has reached the age of fifty-five years, has ten or more years of contributory service, and retires before the age of sixty, may elect to be paid, instead of the withdrawal benefit provided for in paragraph (b), a retirement benefit equal to the actuarial equivalent, at the date his service ceased of the benefit that would have been payable to him if he had reached the age of retirement at the date his service ceased.

Where a participant leaves the service by reason of disability or dies without becoming entitled to disability or death benefits under sections 5 and 7, as a result of a decision of the Joint Benefit Committee under section 8, he, or his estate, shall be paid a sum equal to his own contributions to the Pension Fund with the addition of simple interest at the rate of two per cent per annum.

Section 10

Summary Dismissal for Serious Misconduct

If the Secretary-General of the United Nations or the competent authority of the member organization concerned so recommends, the Joint Benefit Committee shall, to the extent so recommended and notwithstanding the provisions of section 9, pay a participant summarily dismissed for serious misconduct under the staff regulations applying to him, or the widow or dependent of such a participant, an amount equal to either the whole or any part of the benefits he would have been entitled to had he ceased to be employed for reasons other than summary dismissal for serious misconduct.

Section 11

Re-employment

If a person to whom a withdrawal benefit has previously been paid under section 9 becomes a participant on a new appointment the following provision shall apply: upon payment into the Pension Fund of the lump sum in respect of withdrawal benefit received under section 9 (a), (b) or (c) or of the amounts received under section 9 (d), together with compound interest at 2½% per annum, his contributory service will be deemed to include the period of contributory service to his credit at the time of his withdrawal.

Section 12

Preservation of Pension Rights

In order to secure continuity of pension and staff benefit rights the Secretary-General of the United Nations may conclude with any Member Government an agreement adjusting the provisions of these regulations so far as the participants covered by the agreements are concerned. These agreements shall in each case be subject to the approval of the General Assembly.

PENSION FUND

Section 13

Establishment of the Pension Fund

A Pension Fund shall be established to meet the liabilities resulting from these regulations. The Pension Fund shall be the property of the United Nations, shall be administered separately from the other assets of the United Nations, and shall be used solely for the purposes provided for in these regulations.

Section 14

Payments into the Pension Fund

The Pension Fund shall be maintained by:

(a) The contributions of the participants;

(b) The payments of the United Nations and of the member organizations;

(c) The income earned by investment;

(d) Any other income appropriate to the purposes of the Fund.

Section 15

Contributions of Participants

Subject to section 19, seven per cent of the pensionable remuneration of each participant shall be deducted from his remuneration and paid each month to the Pension Fund.

During any period of sick leave on full or half pay, participants shall continue to contribute to the Pension Fund by deduction from such payments on the basis of their full pensionable remuneration.

During any period of authorized leave without pay (including sick leave without pay), a participant may continue to contribute to the Pension Fund by paying his own contribution and the contribution that would normally be payable under section 16 or 19 of these regulations by the United Nations or the member organization by which he is employed. Such contributions must be made on the basis of his full pensionable remuneration. In cases approved by the Secretary-General in the case of the United Nations' staff and by the competent authority in the case of the staff of member organizations, the United Nations or the member organization may continue to pay the contribution otherwise due under section 16 or 19 of these regulations notwithstanding that the participant is not in receipt of pensionable remuneration, and in such cases the participant will pay only his own contribution.

Section 16

Payments by the United Nations and each Member Organization

The United Nations and each member organization shall pay to the Pension Fund in respect of the participants employed by them:

(a) Each month a contribution of an amount equal to fourteen per cent of the total monthly pensionable remuneration of these participants;

(b) Each month such additional contributions as are necessary to maintain the Fund in a position to meet the obligations in respect of participants to whom the provisions of Sections 3, 18 and 19 apply;

(c) Any amount necessary under section 11 to bring a participant's payments up to the then actuarial value of the added contributory service.

Section 17

Deficiency Payments

If at any time an actuarial valuation shows that the assets of the Pension Fund may not be sufficient to meet the liabilities under the regulations, there shall be paid into the Fund by the United Nations and each member organization the sum necessary to make good the deficiency. The United Nations and each member organization shall contribute to this sum an amount proportionate to the total contributions which each paid under section 16 during the three years previous to the date chosen for the actuarial valuation through which it was revealed that the assets of the Fund might not be sufficient to meet the liabilities.

Section 18

Service in Unhealthy Areas

Whenever a participant is employed for more than three months in an area classified by the Joint Benefit Committee as being specially detrimental to health, his actual contributory service during the whole of the period he is employed there shall be doubled for any purpose in which contributory service is used in these regulations as a basis for the calculation of benefits.

Section 19

Special Provisions for Persons Entering the Employment of the United Nations or of a Member Organization after the Age of Forty

The Secretary-General in respect of United Nations' employees and the competent authority in respect of employees of member organizations may decide that any person eligible for participation in the Fund who enters the service of the United Nations or of a member organization after the age of forty, may, for the purpose of calculating the number of years of contributory service to be used as a basis of benefits, have his actual number of months of such service multiplied by the figure stated in the second column of the following table. The participant concerned must, however, agree to pay, in lieu of the contribution provided for in section 15, the contribution as stated in the third column corresponding to the multiplier above. No such person, however, shall be authorized to choose an age stated in column (1) higher than his actual age on the date of his appointment.

Chosen Age	*Months of contributory service to count for each month of actual contributory service*	*Percentage contribution to be deducted from participant's pensionable remuneration*
		%
40	1.00	7.00
41	1.05	7 35
42	1.11	7.77
43	1.18	8 26
44	1.25	8.75
45	1.33	9.31
46	1.43	10.01
47	1.54	10.78
48	1.67	11 69
49	1.82	12.74
50 and any year up to the year preceding age of retirement	2.00	14.00

ADMINISTRATION OF THE PENSION FUND

Section 20

United Nations Staff Benefit Committee

The United Nations Staff Benefit Committee shall consist of three members elected for three years by the General Assembly, three members appointed by the Secretary-General and three members, who must be participants, elected for three years by the participants by secret ballot. Where questions directly affecting participants employed in the Registry of the International Court of Justice are under consideration, a member appointed by the Registrar shall be entitled to attend the meetings of the Staff Benefit Committee. The Assembly and the participants shall respectively elect for three years three alternate members.

The members of the United Nations Staff Benefit Committee and their alternates may be re-elected.

Section 21

Agency Staff Benefit Committees

Each member organization shall have a Staff Benefit Committee, which shall include representatives of the body of the member organization corresponding to the General Assembly of the United Nations, of the chief executive officer and of the participants of the organization, selected in accordance with the procedure adopted by the competent body of that organization.

Section 22

Joint Benefit Committee

The Joint Benefit Committee shall consist of three members appointed by the Staff Benefit Committee of the United Nations and three members appointed by each of the Staff Benefit Committees of the member organizations.

Section 23

Secretary of the Joint Benefit Committee

Upon the recommendation of the Joint Benefit Committee, the Secretary-General of the United Nations shall appoint a secretary and other officer or officers to act in the absence of the secretary. Subject to the administrative rules and the decision of the Joint Benefit Committee, the payment of all benefits under these regulations must be certified by the secretary or the officer authorized to act in his absence.

Section 24

Power of Delegation

Subject to section 23, the Joint Benefit Committee may delegate to the Staff Benefit Committees of the United Nations and of each member organization some or all of its discretionary powers relating to the grant of a benefit under these regulations in respect of the application of these powers to the participants and beneficiaries of the bodies concerned.

Section 25

Investment of Assets of the Fund

Subject to the complete separation to be maintained between the Fund's assets and other assets of the United Nations as provided in section 13, the investment of the assets of the Fund shall be decided upon by the Secretary-General, after consultation with an Investments Committee, and after having heard any observations or suggestions by the Joint Benefit Committee concerning the investments policy and the general administration of the Fund's assets. The Investments Committee shall consist of three members appointed by the Secretary-General after consultation with the Advisory Committee on Administrative and Budgetary Questions, subject to the subsequent approval of the General Assembly.

Section 26

Staff

Subject to section 23, the Secretary-General shall provide the staff required by the Joint Benefit Committee as well as the staff necessary for the keeping of the accounts and records of the Fund and the payment of benefits.

Section 27

Administrative Expenses

Expenses incurred in the administration of these regulations by the Joint Benefit Committee and by the Staff Benefit Committee of the United Nations shall be met out of the general budget of the United Nations.

Expenses incurred in the administration of these regulations by the Staff Benefit Committee of a member organization, including travelling expenses and allowances of representatives attending meetings of the Joint Benefit Committee shall be met out of the general budget of that organization.

Section 28

Admission of Specialized Agencies

Subject to its acceptance of these regulations, any specialized agency which has entered into relationship with the United Nations under Articles 57 and 63 of the Charter shall be entitled to become a member organization of the United Nations Joint Staff Pension Scheme, provided that agreement has been reached with the Secretary-General of the United Nations as to any payments necessary to be made by the specialized agency to the Pension Fund in respect of the new obligations incurred by the Fund through its admission, and as to other transitional arrangements that may be necessary, including the extent to which these regulations are to be applied to existing employees of the specialized agency.

GENERAL PROVISIONS

Section 29

Actuarial Equivalents

Equivalents shall be calculated on such assumptions concerning rate of interest, mortality, invalidity and other data as may be adopted by the Joint Benefit Committee after having received advice from a qualified actuary or actuaries. These assumptions may be subject to change from time to time by the Committee.

Section 30

Currency

Contributions and benefits shall be calculated in the currency in which the pensionable remuneration is fixed by the terms of employment.

Payments of benefits may be made in the currency selected from time to time by the recipient at the rate of exchange prevailing at the date of payment.

Section 31

Actuarial Valuations

The Joint Benefit Committee shall have an actuarial valuation of the Pension Fund made not later than one year after the appointed date by a qualified actuary or actuaries and thereafter at least every three years. The actuarial report shall state the assumptions on which the calculations are based, shall describe the method of valuation used, shall state the results of the investigations, and the recommendations, if any, for any appropriate action. The report shall be presented to the Joint Benefit Committee and to the Secretary-General of the United Nations and to the competent authority of each member organization.

Upon the receipt of the actuarial report, the Joint Benefit Committee shall make proposals to the General Assembly and to member organizations as to any action to be taken as a result thereof. Copies of the actuarial report and of any such proposals shall be forwarded to the Advisory Committee on Administrative and Budgetary Questions.

Section 32

Non-assignability of Rights

A participant or a beneficiary may not assign his rights under these regulations to another person.

Section 33

Debts owing to the Fund

Any payment due from a participant to the Pension Fund and unpaid at the date of his becoming entitled to any benefit under these regulations, shall be a first charge upon and be deductible from the benefit.

Section 34

Documentary Evidence

Every participant and every beneficiary under these regulations shall furnish all necessary documentary evidence regarding himself and his wife and dependents in accordance with the administrative rules.

Section 35

Annual Report

The Joint Benefit Committee will present annually to the General Assembly of the United Nations and to the member organizations a report, including a balance-sheet, on the operation of these regulations. The Secretary-General will inform each member organization of any action taken by the General Assembly upon the report.

Section 36

Administrative Rules

The Joint Benefit Committee shall make administrative rules necessary for the carrying out of these regulations. These administrative rules shall be reported by the Secretary-General to the General Assembly and by the Joint Benefit Committee to the member organizations.

Section 37

Amendments

These regulations may be amended by the General Assembly and the regulations so amended shall take effect in regard to the participants in the scheme, including those who were participants before the regulations were amended, as from the date specified by the General Assembly, without prejudice to any benefits to which a participant, or a widow or dependent of a participant, may have become entitled under these regulations, as a result of retirement, disability, death or withdrawal, before the amended regulations took effect.

Section 38

Appointed Date

These regulations, including the following transitional provisions, shall come into force on 27 January 1947.

TRANSITIONAL PROVISIONS RELATING TO THE UNITED NATIONS

Section A

Transfer of Balances

The credit of a participant in the Staff Provident Fund shall be transferred to the Pension Fund on the date on which he becomes a participant in the Pension Fund.

Section B

United Nations Payment

The United Nations shall pay into the Pension Fund a sum equal to seventy-five per cent of the amounts transferred under Section A.

Section C

Transfer of Contributory Service

For the purpose of these regulations, the period in respect of which a participant contributed to the Staff Provident Fund shall be counted as contributory service.

Section D

Former Members of the Provident Fund who Fail to Pass the Medical Examination

If a participant in the Pension Fund, who, as a result of a decision of the Joint Benefit Committee under section 8, is not entitled, during a period of five years, to disability and death benefits under sections 5 and 7, ceases during that period to be employed by the United Nations or by a member organization for any reason, including disability or death, other than summary dismissal for serious misconduct as defined in the staff regulations applying to him, and if that participant was a member of the Provident Fund at the date of his joining the Pension Fund, he (or his estate), shall be paid, in lieu of the sum otherwise due under section 9, an amount equivalent to that which would have been paid had he remained a member of the Provident Fund.

Section E

Administration of the Fund

Until such time as a member organization is admitted to the United Nations Joint Staff Pension Scheme under section 28, the United Nations Staff Benefit Committee shall exercise the powers and perform the functions of the Joint Benefit Committee, and for the time being, the Secretary of the United Nations Staff Benefit Committee, appointed on the recommendation of the Committee by the Secretary-General, shall exercise the powers and perform the functions of the Secretary of the Joint Benefit Committee.

Section F

Election of Members of the Staff Benefit Committee

Notwithstanding the provisions of section 20, the first election of the three members of the United Nations Staff Benefit Committee, and their alternates, elected by the participants, shall be for a one-year term, and the second election shall be for a two-year term.

ANNEX II

ADDITIONAL PROVISIONAL REGULATIONS TO BE ADDED TO THE PROVISIONAL STAFF REGULATIONS AS APPROVED BY THE GENERAL ASSEMBLY AT THE FIRST PART OF THE FIRST SESSION

XII. Children's Allowances and Education Grants

Regulation 30

As from 1 January 1947, every full-time member of the staff with the exception of those specifically excluded by resolution of the General Assembly and of those recruited for a period of service not expected to exceed ninety days, shall be entitled to a children's allowance of $144 (U.S.) per annum in respect of each child under the age of sixteen years, or, if the child is in full-time attendance at a school or a University (or similar educational institution) under the age of eighteen or twenty-two years respectively. A full-time member of the staff excluded on account of the temporary nature of his employment shall begin to be entitled to a children's allowance after he has completed ninety days service. If both parents are members of the staff of the United Nations only one allowance will be paid in respect of each of their children.

Regulation 31

The allowance shall continue to be payable in respect of his children to a full-time member of the staff who becomes entitled under the United Nations Joint Staff Pension Scheme Provisional Regulations to a retirement or a disability benefit and to a widow if in receipt of a widow benefit.

Regulation 32

Upon the death of a person who receives a children's allowance under these regulations and following the death of the other parent, there shall be paid to the legal guardian of each child an allowance of $288 (U.S.) per annum.

Regulation 33

Each full-time member of the staff, with the exception of those specifically excluded by a resolution of the General Assembly, entitled to receive a children's allowance under Regulation 30, who is employed by the United Nations in a country other than his own country as is specified in his letter of appointment shall be entitled to the following education grant:

(a) the sum of $144 (U.S.) per annum for each child, in respect of whom a children's allowance is payable, in full-time attendance at a school or a University in his home country, provided that where a child attended such an educational institution for a period of less than two-thirds of any one scholastic year, the allowance shall be reduced to such proportion of $144 (U.S.) as the period so attended bears to a full scholastic year;

(b) once in each scholastic year the travelling expenses of the outward and return journey of such a child by a route approved by the Secretary-General.

If both parents are members of the staff of the United Nations only one grant will be paid in respect of each of their children.

Regulation 34

The Secretary-General may decide in each case whether allowances or grants under Regulations 30 and 33 shall extend to adopted children or stepchildren.

j. Administrative Tribunal

By resolution of February 13, 1946, the General Assembly authorized the Secretary-General to appoint a small advisory committee possibly including representatives of the staff to draft for submission to the second part of the first session of the General Assembly a statute for an administrative tribunal

In pursuance of this resolution the Secretary-General set up an Advisory Committee composed as follows:

Th. Aghnides (Greece)—Chairman
Manley O. Hudson (United States)
Joseph Nisot (Belgium)
Ladislav Radimsky (Czechoslovakia)
Jean Herbert
M. Perez Guerrero
Marc Schreiber
Isobel Wallace
David M. Levitan
} Members of the Secretariat

The Committee met at Lake Success from September 16 to 26, 1946, and submitted a report to the Secretary-General, together with a draft statute of a United Nations administrative tribunal which would be competent to adjudicate upon appeals alleging non-observance of contracts of employment, including pertinent staff regulations, made by officials of the Secretariat of the United Nations, but which would not deal with matters of internal administration of the Secretariat.

The Secretary-General transmitted this report of the second part of the first session of the General Assembly, which referred it to the Fifth Committee (Administrative and Budgetary). The Fifth Committee considered the matter at its 25th and 26th meetings on November 15 and 16.

The representative of the United States considered that it was difficult to differentiate between disputes involving alleged non-observance of legal rights and disputes arising from normal difference in judgment on problems of internal administration of the Secretariat. The establishment of an administrative tribunal

such as that proposed by the advisory committee would dangerously undermine the authority of the Secretary-General and the sovereignty of the General Assembly. Moreover, as the draft statute provided, *inter alia*, that the tribunal might order the payment to the applicant of compensation for injury sustained, such compensation to be paid by the United Nations, the General Assembly's authority over budgetary matters might be impinged upon.

The representative of the United States considered that the staff of the Secretariat would be protected adequately if it had recourse to a council established within the Secretariat for the purpose of arbitrating disputes. The United States representative therefore submitted the following draft resolution:

THE GENERAL ASSEMBLY RESOLVES:

(a) that the appropriate medium for arbitrating such differences as may arise between the staff and the administration of the Secretariat is an administrative council composed of representatives of the staff and the administration;

(b) that the Secretary-General take the necessary steps at the appropriate time to create facilities within the Secretariat for the settlement of such differences as may arise between the staff and the administration.

A number of other representatives expressed the view that there was no need for an administrative tribunal and that the Secretary-General should have final authority in all matters affecting personnel.

The representatives of the United Kingdom and France, among others, supported the proposed establishment of an administrative tribunal on the ground that an impartial body was needed as a check on the sovereignty of the organization.

After considerable discussion the Fifth Committee at its 26th meeting on November 16, 1946, accepted a proposal of the representative of the United Kingdom to postpone a decision on the question of the establishment of an administrative tribunal until the next session of the General Assembly.

k. Organization and Administration of the Secretariat

The Secretary-General submitted reports to the second part of the first session of the General Assembly on the organization and work of the Secretariat and on the selection and training of staff. The General Assembly at its 46th plenary meeting on October 31, 1946, referred these reports to the Fifth Committee.

At its 20th meeting the Fifth Committee, without discussion, noted the Secretary-General's report on the organization and work of the Secretariat.

Problems relating to the selection and training of staff were discussed at some length at the 20th meeting of the Fifth Committee and were reintroduced at the 42nd meeting by a discussion of a proposed resolution submitted by Venezuela. This resolution reaffirmed the provisions of Articles 100 and 101 of the United Nations Charter regarding the selection of staff, and reasserted the responsibility of the Secretary-General in carrying out these provisions. The Committee voted against presenting a resolution on this subject to the General Assembly, the majority taking the view that such a resolution was not necessary, though expressing general approval of the contents of the resolution under discussion. In a discussion of the basic criteria of selection of staff emphasis was laid upon the necessity of continuing to improve the geographical distribution of the Secretariat staff, while at the same time achieving the highest standards of efficiency, competence and integrity.

At its 66th plenary meeting on December 15, 1946, the General Assembly took note of the Fifth Committee's report concerning the above questions.

l. Provisional Financial Regulations of the United Nations

The Secretary-General of the United Nations submitted a report on the provisional financial regulations of the organization to the second part of the first session of the General Assembly.

In his report the Secretary-General stated that the provisional financial regulations adopted during the first part of the first session of the General Assembly had proved satisfactory from the point of view of initial operations. In general, however, the present regulations were designed to apply to the financial year 1946 and therefore, the Secretary-General suggested, they should be re-enacted with appropriate changes in order to make them applicable to the financial year 1947 and succeeding years. Moreover, some additional rules were necessary to meet the needs of the financial administration. The Secretary-General therefore submitted a list of suggested amendments to the existing regulations.

The Secretary-General's report pointed out that notwithstanding these amendments and additions, it was still desired to regard the regulations as provisional until further experience had been gained, and in the light of that experience, draft proposals for permanent financial regulations would be submitted for the consideration of the General Assembly at its second session in September 1947.

At its 46th plenary meeting on October 31, 1946, the General Assembly referred the question of financial regulations to the Fifth Committee (Administrative and Budgetary), which considered the amendments suggested by the Secretary-General, as well as a number of amendments proposed by the representative of France at its 29th, 30th, and 33rd meetings on November 21, 25 and December 2, 1946, respectively. After discussing certain of the regulations in detail, the Committee unanimously adopted the revised provisional financial regulations as a whole, which were to cover the period from the date of their approval by the General Assembly up to the end of 1947.

On the recommendation of the Fifth Committee the General Assembly at its 55th plenary meeting on December 11, 1946, unanimously adopted the following resolution:

THE GENERAL ASSEMBLY RESOLVES:

That the following provisional financial regulations be adopted and that the Secretary-General be instructed to submit draft financial regulations to the Advisory Committee on Administrative and Budgetary Questions for consideration and final adoption by the General Assembly at its regular annual session in 1947.

PROVISIONAL FINANCIAL REGULATIONS

These provisional financial regulations are to cover the period from the date of their approval by the General Assembly to the end of the year 1947.

THE FINANCIAL YEAR

Regulation 1

The financial year shall be the calendar year, 1 January to 31 December.

THE BUDGET

Regulation 2

The Secretary-General shall submit to the regular annual session of the General Assembly a budget for the following financial year.

Regulation 3

The budget shall be examined, before presentation to the General Assembly, by the Advisory Committee on Administrative and Budgetary Questions, which shall submit a report on the budget to all Members at least four weeks prior to the opening of the regular annual session of the General Assembly.

Regulation 4

The budget shall be divided into parts, sections and chapters, and shall be accompanied by:

(a) A detailed statement of the estimated expenditure provided for under each chapter;
(b) A statement showing the amount to be contributed by each Member in accordance with the approved scale of contributions;
(c) A statement of the estimated additional income under appropriate headings.

Regulation 5

The budget and the report of the Advisory Committee shall be submitted to the General Assembly and referred to the competent Committee for consideration and report to the Assembly.

The General Assembly shall vote the budget by the majority required under the provisions of Article 18, paragraph 2, of the Charter of the United Nations.

PROVISION OF FUNDS

Regulation 6

The budgetary requirements shall be financed from contributions from Members, in amounts to be determined by the General Assembly. Pending the receipt of such contributions the budget may be financed from the Working Capital Fund.

Regulation 7

The General Assembly shall determine the amount of the Working Capital Fund and any sub-divisions thereof.

Regulation 8

After the General Assembly has adopted the budget, and determined the amount of the Working Capital Fund and its subdivisions, the Secretary-General shall:

(a) Transmit all relevant documents to Members;
(b) Inform Members of their commitments in respect of annual contributions and of advances to the Working Capital Fund;
(c) Request them to remit their contributions and advances to the Working Capital Fund.

Regulation 9

Annual contributions and advances to the Working Capital Fund shall be assessed and paid in the currency of the State in which the United Nations has its headquarters.

APPROPRIATION OF FUNDS

Regulation 10

The adoption of the budget by the General Assembly shall constitute an authorization to the Secretary-General to incur obligations and expenditures for the purposes, and during the period, for which credits have been voted and

up to the amounts so voted. The Secretary-General shall cause an allotment in writing to be made from the appropriations approved by the General Assembly to the various headings of expenditures prior to the incurring of obligations, commitments or expenditures therefor. He shall cause a record to be kept of such allotments and all obligations incurred showing at all times the amount available under each heading.

INTERNAL CONTROL

Regulation 11

The Secretary-General shall:

(a) Establish detailed financial rules and procedures in order to ensure effective financial administration and the exercise of economy;

(b) Cause an accurate record to be kept of all capital acquisitions and all supplies purchased and used;

(c) Render to the Auditors with the accounts a statement as at 31 December of the financial year concerned, showing the supplies in hand and the assets and liabilities of the Organization;

(d) Cause all payments to be made on the basis of supporting vouchers and other documents which ensure that the services or commodities have been received and that payment has not previously been made;

(e) Designate the officials who may incur obligations and make payments on behalf of the Organization;

(f) Maintain an internal financial control which shall provide for an effective current examination or review of financial transactions in order:

(i) To ensure the regularity of the receipt, disposal and custody of all funds and other financial resources of the Organization;

(ii) To ensure the conformity of all expenditures with the estimates voted by the General Assembly;

(iii) To obviate any uneconomic use of the resources of the Organization.

Regulation 12

Tenders for equipment, supplies and other requirements shall be invited by advertisement, except where the Secretary-General deems that, in the interest of the United Nations, a departure from the rule is desirable.

THE ACCOUNTS

Regulation 13

The accounts of the Organization shall be kept in the currency of the State in which the United Nations has its headquarters.

Regulation 14

There shall be established one cash control record in which shall be recorded all cash receipts accruing to the benefit of the Organization. The cash control record shall be divided into such subsidiary receipts classifications as may be deemed necessary.

Regulation 15

Cash shall be deposited in one or more bank accounts as required; branch accounts, or special funds which involve a separation of cash assets, shall be established as charges to the cash control record under appropriate regulations as to objects, puposes and limitations of such accounts and funds.

Regulation 16

The accounts shall consist of:

(a) Budget accounts showing within the appropriations:

(i) The original allotments;

(ii) The allotments after modification by any transfers, carried out in accordance with the provisions of regulation 19;

(iii) The obligations incurred;

(iv) The unobligated balances of allotments;

(b) A cash account showing all cash receipts and actual disbursements made;

(c) Separate accounts for the Working Capital Fund and any other fund which may be established;

(d) Property records showing:

(i) Capital acquisitions;

(ii) Equipment and supplies purchased, used, and on hand.

(e) Such records as will provide for a statement of assets and liabilities at 31 December of each financial year.

APPOINTMENT OF EXTERNAL AUDITORS

Regulation 17

Auditors, who shall be persons not in the service of the United Nations, shall be appointed in a manner to be determined by the General Assembly. The Auditors shall be appointed for periods to be determined by the General Assembly.

CUSTODY OF FUNDS

Regulation 18

The Secretary-General shall designate the bank or banks in which the funds of the Organization shall be kept.

TRANSFERS UNDER THE BUDGET DURING THE FINANCIAL YEAR

Regulation 19

Transfers by the Secretary-General within the budget may be made only to the extent permitted by the terms of the budget resolution adopted by the General Assembly.

AVAILABILITY OF APPROPRIATIONS

Regulation 20

The balance of appropriations remaining unobligated at 31 December of the financial year to which they relate shall be surrendered by consequential adjustment made in the budget next presented.

Regulation 21

Payments for outstanding obligations as at 31 December shall be made between 1 January

and the last day of February and charged to the accounts of the previous financial year. At 1 March the unliquidated balance of such obligations shall be carried forward to the accounts of the then current financial year.

Regulation 22

Appropriations shall remain available, to the extent that obligations are incurred under them, for a period not exceeding three years from the first day of the financial year to which they relate. Any part of the appropriation remaining unexpended shall be surrendered, by adjustment in the budget next presented.

TRUST AND OTHER SPECIAL FUNDS

Regulation 23

Appropriate separate accounts shall be maintained for trust or other special funds for the purpose of accounting for unclaimed monies, monies received and held in suspense and for projects where the transactions involve a cycle of operations. The purpose and limits of each trust or other special fund established shall be clearly defined by the appropriate authority.

INVESTMENTS

Regulation 24

The Secretary-General may make short-term investments of monies which are not needed for immediate requirements and will inform the Advisory Committee periodically of the investments which he has made.

COUNCIL RESOLUTIONS INVOLVING UNITED NATIONS EXPENDITURES

Regulation 25

No resolution involving expenditure from United Nations funds shall be approved by a Council unless the Council has before it a report from the Secretary-General on the financial implications of the proposals, together with an estimate of the costs involved in the specific proposal.

6. Legal Matters

a. Administration of the International Court of Justice

At its 46th plenary meeting on October 31, 1946, the General Assembly referred certain questions relating to the administration of the International Court of Justice to the Fifth (Administrative and Budgetary) and Sixth (Legal) Committees for joint consideration. The Fifth and Sixth Committees established a Joint Sub-Committee to consider these questions.

(1.) Currency in which the Emoluments of the Judges and the Registrar of the International Court of Justice should be fixed.

During the first part of its first session the General Assembly decided that the salaries of the judges of the International Court of Justice should be fixed in the Netherlands florins.[1]

By letter of April 13, 1946, the President of the Court informed the Secretary-General that the Court had suggested that the salaries of the judges, as fixed in florins, should be converted into United States dollars at the rate of the day on which the judges were appointed, i.e. February 6, 1946. The salaries of the Registrar and other officials of the Court should be fixed in United States dollars.

The Secretary-General submitted the question to the General Assembly for its consideration. At its second meeting on November 9, 1946, the Joint Sub-Committee of the Fifth and Sixth Committees examined the Court's request.

The Joint Sub-Committee was advised by the President of the International Court of Justice that since the writing of his letter of April 13, 1946, the Government of the Netherlands had established most satisfactory arrangements for the transfer and exchange of funds by the members and Registrar of the Court. Accordingly the President requested that he be permitted to withdraw the request contained in his letter.

In view of this request the Sub-Committee recommended that no further action be taken in this matter.

(2.) Salary of the Registrar of the International Court of Justice

Article 32 (6) of the Statute of the International Court of Justice provides that the salary of the Registrar should be fixed by the General Assembly on the proposal of the Court.

At its session held on April 11, 1946, the Court adopted the recommendation that the salary of the Registrar should be assimilated to that of a Director of the Secretariat of the United Nations and that his salary should be fixed at 25,000 florins per annum, augmented by the sum of 10,000 per annum, in view of the depreciation of the Dutch florins since 1940 and in view of the rise in the cost of living. The total emoluments of the Registrar would thus be 35,000 florins.

At its fifth meeting on November 14, 1946, the Joint Sub-Committee of the Fifth and Sixth Committees unanimously resolved that the annual salary of the Registrar be assimilated to that of a Top-Ranking Director of the United Nations Secretariat, and be fixed accordingly

[1] See pp. 98, 99.

at 29,150 Netherlands florins. The Joint Sub-Committee recommended further that the difference (5,850 florins) between the salary recommended by the Court (35,000 florins) and the salary approved by the Sub-Committee (29,150 florins) be paid to the Registrar as a non-pensionable allowance.

(3.) Conditions under which the Members of the International Court of Justice and the Registrar should have their Travel Expenses refunded

Article 32 (7) of the Statute of the International Court of Justice provides that the General Assembly shall fix the conditions under which the members of the Court and the Registrar shall have their travel expenses refunded Accordingly the Secretary-General submitted to the second part of the first session of the General Assembly a draft resolution which had been drawn up after consultation between the Registrar of the Court and the Secretary-General.

At its 6th and 7th meetings on November 15 and 16 the Joint Sub-Committee of the Fifth and Sixth Committees considered the proposed resolution and made a number of changes. The Sub-Committee unanimously recommended the adoption of the amended resolution.

The Fifth Committee at its 30th meeting on November 25 and the Sixth Committee at its 29th meeting on December 5, 1946, unanimously adopted the report of the Joint Sub-Committee concerning the above three questions.

On the recommendation of the Fifth and Sixth Committees the General Assembly at its 55th plenary meeting on December 11, 1946, unanimously adopted the following resolution:

THE GENERAL ASSEMBLY,

RESOLVES that the decision taken at the first part of the first session fixing the emoluments of the Judges in Netherlands florins remain unchanged;

DIRECTS that the annual salary of the Registrar of the International Court of Justice shall be assimilated to that of a top-ranking director of the Secretariat of the United Nations and shall accordingly be fixed at 29,150 Netherlands florins; and that the difference between the salary recommended by the Court (35,000 florins) and the salary approved by the General Assembly shall be paid to the Registrar as a non-pensionable allowance;

ADOPTS the Travel and Subsistence Regulations of the International Court of Justice, as amended and reproduced in Annex I.

ANNEX I

TRAVEL AND SUBSISTENCE REGULATIONS OF THE INTERNATIONAL COURT OF JUSTICE

Travel Expenses

1. The United Nations shall pay, subject to the conditions of these regulations, the travel expenses of the members and of the Registrar of the International Court of Justice, necessarily incurred on duly authorized official journeys.

The following shall be deemed to be duly authorized official journeys:

(a) Where the person concerned takes up residence at the seat of the Court,

(i) A journey from his home, at the time of appointment, to the seat of the Court, in connection with the transfer of his residence;

(ii) A return journey every second calendar year after the year of appointment from the seat of the Court to his home at the time of appointment;

(iii) A journey upon termination of appointment from the seat of the Court to his home at the time of appointment, or to any other place provided that the cost of the journey is not greater than the cost of a journey to his home at the time of appointment.

The above provisions apply also to members who take up residence in compliance with Article 23 of the Statute of the International Court of Justice.

Where the wife and/or dependent children of a member of the Court or of the Registrar reside with him at the seat of the Court, the United Nations shall reimburse the travel expenses for journeys as above.

(b) Where a member of the Court does not reside at the seat of the Court, one return journey for himself and one near relative each year from his permanent residence to the seat of the Court, provided such journey is necessarily undertaken on official business at the decision of the Court or at the request of the President.

(c) When a session of the Court is held at a place other than the seat of the Court, the journey necessarily performed in attending the session.

(d) Other journeys on official business, undertaken with the authority of the President.

2. Travel expenses shall comprise actual transportation costs by ordinary first class transport on railroads, airlines, steamboat, and other usual means of conveyance, and shall include expenses normally incidental to transportation, e.g., taxicab fares from station, etc.

The cost of transportation of baggage in excess of weight or size carried free by transportation companies will not be allowable as an expense unless the excess is necessarily carried for official business reasons.

3. All travel will be by the most direct route, provided that travel by other routes may be

allowed under written authority of the President when the official necessity therefore is satisfactorily established, but in other cases the travel expenses and subsistence allowance payable shall not exceed the amounts which would have been payable had the journey been by the most direct route.

Subsistence Allowances

4. A per diem allowance in lieu of subsistence expenses shall be paid to members of the Court and to the Registrar while in official travel status under Regulation 1 (a) (i), 1 (a) (iii), 1 (c) or 1 (d) above. The per diem will be regarded as covering all charges for meals, lodging, fees and gratuities, and other personal expenses.

5. The rates of subsistence allowance shall be for each period of twenty-four hours after the time of departure:

(a) For the President $25 (U.S.), or the equivalent thereof in other currency;

(b) For other members of the Court $20 (U.S.), or the equivalent thereof in other currency;

(c) For the Registrar $15 (U.S.), or the equivalent thereof in other currency, provided that where he accompanies a member of the Court he shall receive $20 (U.S.), or the equivalent thereof in other currency.

Where the traveller receives either full subsistence (i.e., breakfast, lunch and dinner) or accommodation (but not both), the cost of which is payable by the United Nations, the rates of allowance shall be reduced to $12 (U.S.), or the equivalent thereof in other currency. Where the traveller receives both full subsistence and accommodation, the cost of which is payable by the United Nations (e.g. where the cost of a passage includes both), he shall be paid a daily allowance of $3 (U.S.), or the equivalent thereof in other currency.

6. (a) Where a member of the Court or the Registrar, undertaking an official journey, is accompanied by his wife and/or dependent children, under Regulation 1 (a) (i) or 1 (a) (iii), a subsistence allowance of one-half of the appropriate rate payable to the member of the Court or to the Registrar in respect of that journey will be payable in respect of each dependent;

(b) Where dependents are travelling unaccompanied on an authorized journey under Regulation 1 (a) (i) or 1 (a) (iii), the full rate of subsistence allowance will be payable in respect of one adult and one-half of that rate to each other dependent.

Application and Duration of Subsistence Allowances

7. Subsistence allowances shall be payable while the traveller is in travel status, i.e., while performing temporary duty at a place to and from which it is impracticable for him to travel daily from his home or from the seat of the Court, provided that no allowance shall be payable in respect of periods of leave or absence taken during periods of temporary duty.

Submission and Payment of Accounts

8. A detailed expense account must be rendered in support of each claim for reimbursement of travel expenses or subsistence allowance as soon as possible after completion of the trip. The claims should show every item of expense except where such expenses are to be covered by a subsistence allowance, and every advance drawn from any United Nations source, and must, as far as possible, be supported by receipts showing the service to which the payment is related. All expenses must be shown in the actual currency in which they were made and must be certified as having been necessarily and solely incurred in the discharge of the official business of the Court.

Effective Date

9. These regulations shall become effective as of 1 January 1947. Journeys completed before that date shall be dealt with under the Travel Regulations of the Permanent Court of International Justice.

b. Pensions of the Judges and the Staff of the International Court of Justice

By resolution of February 6, 1946, the General Assembly had instructed the Secretary-General in consultation with the Registrar of the Court to develop a pension plan for the judges, Registrar and staff of the International Court of Justice for submission to the second part of the first session of the General Assembly.

The question was referred to the Working Party established by the Secretary-General to consider the question of a permanent staff retirement scheme. At the request of the Secretary-General, the Registrar of the Court on June 13, 1946, submitted a memorandum expressing his views on the subject. The Working Party submitted its recommendations in a letter, dated August 20, 1946, addressed to the Assistant Secretary-General for Administrative and Financial Services.

So far as the staff members of the International Court were concerned the Working Party included these in the general scheme for a United Nations Pension Fund. Concerning the Registrar, the Working Party concluded that his position was similar to that of an Assistant Secretary-General of the United Nations and

the Working Party's recommendations concerning Assistant Secretaries-General should therefore apply to the Registrar of the Court.

In the case of the judges of the Court, however, the Working Party pointed out that their term of office was so limited that no normal pension plan could cover them. The Working Party therefore submitted detailed recommendations for a pension scheme for the judges.

On the basis of the Registrar's views as expressed in his memorandum of June 13, 1946 and on the basis of the Working Party's recommendations, the Secretary-General submitted a Proposed Pension Plan for Members of the International Court of Justice to the second part of the first session of the General Assembly.

At its 46th plenary meeting on October 31, 1946, the General Assembly referred the question to the Fifth and Sixth Committees for joint consideration. A Joint Sub-Committee established by the Fifth and Sixth Committees considered the report of the Secretary-General on November 11 and 13. After making certain changes in the proposed plan the Joint Sub-Committee unanimously recommended adoption of the plan in its amended form.

The Fifth Committee at its 30th meeting and the Sixth Committee at its 29th meeting on December 5, 1946, unanimously adopted the report of the Joint Sub-Committee.

On the recommendation of the Fifth and Sixth Committees the General Assembly at its 55th plenary meeting on December 11, 1946, unanimously adopted the following resolution:

THE GENERAL ASSEMBLY ADOPTS the proposed pension plan for members of the International Court of Justice, as amended and reproduced in Annex I.

ANNEX I

PENSION SCHEME REGULATIONS FOR MEMBERS OF THE INTERNATIONAL COURT OF JUSTICE

1. The members of the Court who have ceased to hold office shall be entitled to retiring pensions provided that the members concerned:

(a) Have not resigned;

(b) Have not been required to relinquish their appointment for reasons other than the state of their health;

(c) Have completed at least five years of service.

2. Notwithstanding the provisions of regulations 1 (c) above and 6 below, members elected at the first part of the first session of the General Assembly for a period of three years only, shall, on retirement after completion of that period of service, and provided they are not subsequently re-elected, be entitled to the same pension as though five years' service had been completed.

3. Except as provided in regulation 2, a member who retires before the completion of five years' service shall not be entitled to a pension, provided that the Court may, by a special decision based on the fact that the member concerned is in a precarious state of health and has insufficient means, grant him financial assistance not exceeding the pension to which he would have been entitled had he completed five years' service.

4. If a member resigns after having completed at least five years of service, the Court may, by special decision, grant him such pension as seems equitable, but not exceeding an amount calculated as in regulation 6.

5. The payment of a pension shall not begin until the member concerned has reached the age of sixty. In an exceptional case, however, the pension may, by a decision of the Court, be made payable in whole or in part to the person entitled thereto before he reaches that age.

6. Subject to the provisions above, a member shall be entitled to the payment of a pension equivalent to one three hundred and sixtieth of his salary in respect of each complete month passed in the service of the Court, the amount being calculated:

(a) For members who have held the office of President, on their annual salary and special annual allowance;

(b) For members who have held the office of Vice-President, on their annual salary and special allowances;

(c) For other members, on their annual salary;

averaged in each case over the whole period of service.

If a person entitled to a pension is re-elected to office, the pension shall cease to be payable during his new term of office. At the end of this period, however, the amount of the pension shall be redetermined as provided for above, on the basis of the total period during which he discharged his duties.

7. No pension payable under these regulations shall exceed one-third of the annual salary, excluding any allowances.

8. Pensions shall be calculated in terms of the currency in which the salary of the member concerned is fixed by the General Assembly.

9. Upon the death of a member, his widow may be granted, by decision of the Court, a widow's pension of not less than one-twelfth of the annual salary (excluding allowances) of the member, but amounting to not more than one-half of the pension which would have been payable to the member had he qualified for it at the time of his death. This pension shall cease on the widow's re-marriage.

10. Upon the death of a former member who was in receipt of a retirement pension under these regulations, his widow, provided she was his wife at the time of his retirement from the

Court, may be granted, by decision of the Court, a widow's pension of not less than one-twelfth of the annual salary (excluding allowances) of the former member, but not more than one-half of that being paid to the deceased at the time of his death; or where a partial pension is being paid under regulation 5 above, a widow's pension of one-half of such larger amount as the member would have been entitled to had his pension commenced at the age of sixty. This pension shall cease on the widow's re-marriage.

11. Upon the death of a member or a former member while in receipt of a pension granted under these regulations, who leaves no widow eligible for a pension under regulation 9 or 10 above, there may be paid, by a decision of the Court, for such period as it may determine, a dependent's pension to each dependent child of the deceased, provided that the total amount of pensions so payable shall not exceed the amount which would have been payable to the widow under regulation 9 or 10 above. No payment shall be made to a child over the age of twenty-one, or after the date of marriage, whichever is earlier.

12. All pensions provided for above shall be regarded as expenses of the Court, within the meaning of Article 33 of the Statute of the Court.

c. Privileges and Immunities of Members of the International Court of Justice

By resolution of February 13, 1946, the General Assembly invited the members of the International Court of Justice to consider at their first session the question of the privileges, immunities and facilities which the members of the Court should enjoy and to inform the Secretary-General of their recommendations.

With a view to giving effect to the General Assembly's resolution, negotiations took place between representatives of the Netherlands Foreign Ministry and representatives of the Court. These negotiations led to an agreement on the general principles that should govern the matter.

On the basis of this agreement the Court submitted detailed recommendations to the Secretary-General of the United Nations, which the latter transmitted to the second part of the first session of the General Assembly.

At its 46th plenary meeting on October 31, 1946, the General Assembly referred the question to the Sixth Committee (Legal). A Sub-Committee of the Sixth Committee as well as the Sixth Committee itself examined the Court's recommendations in detail. The President of the Court (J. G. Guerrero) and the Registrar (E. Hambro) took part in the discussions.

Following the discussion in the Sub-Committee, a draft resolution was prepared by the Sub-Committee's Rapporteur. At the 22nd meeting of the Sixth Committee on November 22, 1946, various delegations submitted amendments to the Rapporteur's draft resolution. After consulting with the delegations concerned, the Rapporteur submitted a revised text at the 23rd meeting of the Sixth Committee on November 28, 1946, which the Committee adopted unanimously.

On the recommendation of the Sixth Committee the General Assembly at its 55th plenary meeting on December 11, 1946, unanimously adopted the following resolution:

By a resolution adopted on 13 February 1946, the General Assembly, with a view to insuring that the International Court of Justice should enjoy the privileges, immunities and facilities necessary for the exercise of its functions and the fulfilment of its purposes, in the country of its seat and elsewhere, invited the Court at its first session to consider this question and to inform the Secretary-General of its recommendations.

The Court has accordingly examined the problem in its various aspects during its first session, held at The Hague from 3 April to 6 May 1946, and has transmitted to the General Assembly its conclusions.

The General Assembly considered the recommendations of the Court during the second part of its first session, and the report of its Sixth Committee:

THE GENERAL ASSEMBLY

1. APPROVES the agreements concluded between the International Court of Justice and the Netherlands Government, as recorded in the exchange of letters between the President of the Court and the Minister for Foreign Affairs of the Netherlands (Annex).

2. RECOMMENDS that if a judge, for the purpose of holding himself permanently at the disposal of the Court, resides in some country other than his own, he should be accorded diplomatic privileges and immunities during the period of his residence there.

3. RECOMMENDS that judges should be accorded every facility for leaving the country where they may happen to be, for entering the country where the Court is sitting, and again for leaving it. On journeys in connection with the exercise of their functions, they should, in all countries through which they may have to pass, enjoy all the privileges, immunities and facilities granted by these countries to diplomatic envoys.

This provision should also apply to the Registrar and to any officer of the Court acting as Registrar.

4. RECOMMENDS THAT

(a) Officials of the Court should enjoy in any country where they may be on the business of the Court, or in any country through which they may pass on such business, such privileges, immunities and facilities for residence and travel as may be necessary for the independent exercise of their functions.

The Registrar and any officer of the Court, acting as Registrar, should, while on the business of the Court, be accorded diplomatic privileges and immunities.

(b) Inasmuch as these privileges and immunities are granted to officials of the Court in the interests of the International Court of Justice, and not for the personal benefit of the individuals themselves, the Registrar of the Court, with the President's approval, should have the right and the duty to waive the immunity in any case where, in his opinion, the immunity would impede the course of justice, and can be waived without prejudice to the interests of the Court. In the case of the Registrar, the Court should have the right to waive immunity.

5. RECOMMENDS THAT:

(a) (i) The agents, counsel and advocates before the Court should be accorded, during the period of their missions, including the time spent on journeys in connection with their missions, the privileges and immunities provided for in article IV, sections 11, 12 and 13 of the Convention on the privileges and immunities of the United Nations under the conditions of Article IV, section 15, of that Convention.

(ii) Assessors of the Court should be accorded, during the period of their missions, including the time spent on journeys in connection with their missions, the privileges and immunities provided for in article VI, section 22, of the Convention on the privileges and immunities of the United Nations.

(iii) Witnesses, experts and persons performing missions by order of the Court should be accorded, during the period of their missions, including the time spent on journeys in connection with their missions, the privileges and immunities provided for in article VI, section 22, of the Convention on the privileges and immunities of the United Nations.

(b) Inasmuch as the privileges and immunities referred to above under (a) are granted in the interests of the good administration of justice and not for the personal benefit of the individuals themselves, the appropriate authority should have the right and the duty to waive the immunity in any case where, in its opinion, the immunity would impede, and can be waived without prejudice to the course of justice.

For this purpose, the competent authority in the case of agents, counsel and advocates representing a State will be the State concerned. In other cases (including those of assessors of the Court, persons performing missions by order of the Court and the witnesses or experts), the competent authority will be the International Court of Justice or, when the Court is not sitting, the President of the Court.

6. RECOMMENDS THAT:

(a) The authorities of Members should recognize and accept United Nations *laissez-passer*, issued by the International Court of Justice to the members of the Court, the Registrar and the officials of the Court, as valid travel documents, taking into account the provisions of sub-paragraph (b).

(b) Applications for visas (where required) from the judges of the Court and the Registrar should be dealt with as speedily as possible. All other holders of *laissez-passer* should receive the same facilities when the applications for visas are accompanied by a certificate that they are travelling on the business of the Court. In addition, all holders of *laissez-passer* should be granted facilities for speedy travel.

(c) Similar facilities to those specified in subparagraph (b) should be accorded to experts and other persons who, though not the holders of United Nations *laissez-passer* delivered by the International Court of Justice, have a certificate that they are travelling on the business of the Court.

ANNEX

EXCHANGE OF LETTERS BETWEEN THE PRESIDENT OF THE INTERNATIONAL COURT OF JUSTICE AND THE MINISTER FOR FOREIGN AFFAIRS OF THE NETHERLANDS

1. *Letter from the President of the International Court of Justice to the Minister for Foreign Affairs of the Netherlands.*

The Hague, 26 June 1946

Monsieur le Ministre,

As Your Excellency is aware, the General Assembly of the United Nations, on 19th January 1946, instructed its Sixth Committee to consider the question of the privileges, immunities and facilities to be granted to the United Nations. In accordance with these instructions, the Sixth Committee prepared a number of draft resolutions. One of these relates to the adoption of a General Convention containing an Article V, in which the privileges, immunities, exemptions and facilities to be enjoyed as a general rule by the officials of the Organization are set out.

As regards the International Court of Justice, the Sixth Committee devoted to it a special resolution. After considering the question of the privileges and immunities to be accorded to members of the Court, to the Registrar and the Court's staff, and to the agents, counsel and advocates of the parties, the resolution recommended that, to ensure that the Court shall

enjoy the privileges, immunities and facilities necessary for the exercise of its functions and the fulfilment of its purpose, in the country of its seat and elsewhere, the Court shall make recommendations, to be forwarded to the Secretary-General.

The Assembly's reason for dealing separately with the case of the International Court of Justice and for asking it to formulate proposals was that the Court's Statute, which is annexed to, and forms an integral part of, the Charter, provides in Article 19, that, when engaged on the business of the Court the members of the Court shall enjoy diplomatic privileges; while Article 42 lays down that the agents, counsel and advocates of the parties before the Court shall enjoy the privileges and immunities necessary to the independent exercise of their duties. Another reason was, doubtless, that the Court is an organism whose members with their small staff, perform duties of a special character and whose requirements are consequently different from those of the other organs of the United Nations.

In any case, as regards Netherlands territory, negotiations have taken place between representatives of the Netherlands Foreign Ministry and representatives of the Court, with a view to giving effect in the most satisfactory way possible to the above-mentioned Assembly resolution. In accordance with the excellent relations that have always existed between international judicial bodies and the Government of the Netherlands, these conversations led to an agreement on the general principles that should govern the matter.

These principles are set out in the Appendix to the present note. In communicating this document to Your Excellency, I have the honour to ask you to confirm that its content is in accordance with the agreement reached.

I would add the following: In the report in which the Court forwards its recommendations on privileges and immunities, the Secretary-General is requested to ask the General Assembly to declare the agreement reached between the Netherlands Government and the Court to be satisfactory. Special mention is made of the traditional liberality of the Netherlands in this matter.

On the other hand, I trust that you will agree with me that the questions of precedence, formerly dealt with in paragraph IV of the General Principles annexed to the letters exchanged on 22 May 1928, between the President of the Permanent Court of International Justice and the Netherlands Minister for Foreign Affairs, remains outside the present agreement. I should be grateful if you would confirm your agreement on this point.

I have etc.

(signed) J. G. Guerrero
President of the International
Court of Justice

APPENDIX

1. As concerns the privileges, immunities, facilities and prerogatives, within the territory of the Netherlands, of members and staff of the International Court of Justice, of other than Dutch nationality:

(a) The members of the Court will, in a general way, be accorded the same treatment as heads of diplomatic missions accredited to Her Majesty the Queen of the Netherlands. As regards the privileges, immunities and facilities above-mentioned, this provision applies also to the Registrar of the Court and to the Deputy Registrar when acting for the Registrar.

(b) The Deputy Registrar of the Court will, in a general way, be accorded the same treatment as counsellors attached to diplomatic missions at The Hague.

The higher officials of the Court - first secretaries and secretaries will, in a general way, be accorded the same treatment as secretaries attached to diplomatic missions at The Hague.

(c) The other officials of the Court will be treated as officials of comparable rank attached to diplomatic missions at The Hague.

2. Members of the Court, the Registrar and higher officials of the Court who are of the Netherlands nationality, are not answerable to the local jurisdiction for acts performed by them in their official capacity and within the limits of their duties.

Netherlands nationals of whatever rank are exempt from direct taxation on the salaries allotted to them from the Court's budget.

3. The wives and unmarried children of members of the Court, the Registrar and the higher officials of the Court, when of non-Netherlands nationality shall receive the same treatment as the head of the family if they live with him and are without profession. The household of the family (governesses, private secretaries, servants, etc.) occupy the same position as is accorded in each case to the domestic staff of diplomatic persons of comparable rank.

4. Privileges and immunities are granted in the interests of the administration of international justice and not in the personal interest of the beneficiary.

As concerns officials of the Registry, the Registrar, with the President's approval, may withdraw their immunities, with due regard to the principle laid down in the previous paragraph. In the case of the Registrar, this duty shall rest with the Court.

5. The assessors of the Court and the agents, counsel and advocates of the parties, shall be accorded such privileges, immunities and facilities for residence and travel as may be required for the independent exercise of their functions.

Witnesses and experts shall be accorded the immunities and facilities necessary for the fulfilment of their mission.

2. Letter from the Minister for Foreign Affairs of the Netherlands to the President of the International Court of Justice

The Hague, 26 June 1946

Monsieur le Président,

I have the honour to acknowledge receipt of Your Excellency's letter of 26th June, in which you draw my attention to the resolution of the Sixth Committee of the United Nations General Assembly, concerning privileges and immunities to be granted to the International Court of Justice.

I was much pleased to note that Your Excellency was good enough to mention that the conversations that took place between representatives of the Court and representatives of my Ministry were marked by a continuance of the excellent relations that prevail by tradition between international judicial organizations and Her Majesty's Government, and I hasten to assure Your Excellency that Her Majesty's Government also has a happy recollection of the relations that existed between it and the Permanent Court of International Justice.

In accordance with Your Excellency's request, I wish to confirm that the Appendix attached to your above-mentioned letter fully corresponds to the agreement reached during the conversations and exactly reproduces the Netherlands Government's views on the subject.

I note with much satisfaction that in the report in which the Court forwards its recommendations concerning privileges and immunities—requesting the Secretary-General of the United Nations to beg the General Assembly to declare the agreement reached between the Netherlands Government and the Court entirely satisfactory—special mention is made of the liberal traditions of the Netherlands in this matter.

With reference to the last paragraph of Your Excellency's letter above-mentioned, I beg to confirm that it is understood that the question of precedence formerly dealt with in paragraph IV of the General Principles attached to the letters exchanged between the President of the Permanent Court of International Justice and the Netherlands Minister for Foreign Affairs, dated 22 May 1928, remains outside the present agreement.

I have, etc.

(signed) J. H. van Royen
Minister for Foreign Affairs

d. Agreement Concerning the Premises of the Peace Palace at The Hague

By resolution of February 10, 1946, the General Assembly had instructed the Secretary-General to conduct preliminary negotiations with the Board of Directors of the Carnegie Foundation in order to fix the conditions on which the premises in the Peace Palace at The Hague, which were required by the International Court of Justice, could be placed at the Court's disposal. The General Assembly approved the establishment of a small negotiating committee to assist the Secretary-General in negotiations with the Carnegie Foundation.

Two agreements were concluded with the Carnegie Foundation. The first provided that the premises in the Peace Palace were to be rented to the International Court of Justice as from April 1, 1946, at a rent of 48,000 florins per year on certain conditions laid down in detail in the agreement. The second agreement concerned the repayment of two loans which had been granted by the Netherlands Government to the Carnegie Foundation to meet the expenses of alterations to the Peace Palace. It was agreed that the United Nations should take over the liability for the refunding of these two loans, making certain yearly payments to the Carnegie Foundation until such time as the loans were completely paid off.

The Secretary-General and the negotiating committee submitted to the second part of the first session of the General Assembly a joint report on their negotiations with the Carnegie Foundation.

At its 46th plenary meeting on October 31, 1946, the General Assembly referred the matter to the Fifth and Sixth Committees for joint consideration. A Joint Sub-Committee established by the Fifth and Sixth Committees considered the joint report of the Secretary-General and the negotiating committee and recommended to the Fifth and Sixth Committee the approval of both agreements.

The representatives of Chile and of the U.S.S.R. joined in the Sub-Committee's recommendation insofar as it applied to the first agreement relating to the use of the Peace Palace, but reserved their position concerning the second agreement, relating to the repayment of the loans.

The Fifth Committee at its 32nd meeting held on November 29, 1946, considered the report of the Joint Sub-Committee. The representative of the U.S.S.R., supported by the representative of the Ukrainian S.S.R., maintained that the second agreement should not be approved because such approval amounted to an assumption of liabilities in connection with the winding up of the assets and liabilities of the League of Nations.

On the other hand, the representatives of China, Norway, the Netherlands and the Union of South Africa maintained that the agreement for repayment of loans was part of the use charge for the premises of the Peace Palace. These representatives maintained that it was impossible to separate the rental charges and the repayment of loans, both of which were part of the same agreement. The Fifth Committee decided by 29 votes to 9 to consider the two agreements as a whole and not as two parts and approved both agreements by a vote of 35 to 6.

The Sixth Committee considered the report of the Joint Sub-Committee at its 29th and 30th meetings, held on December 5 and 6, 1946. The representatives of the U.S.S.R. and of Chile reiterated, on behalf of their respective delegations, the objections which they had raised in respect of the second agreement. In this they were supported by the representative of Yugoslavia. At the request of the Soviet representative the Committee voted separately on each of the two agreements. The first agreement, relating to the use of the Peace Palace, was approved unanimously. The second, concerning the repayment of loans, was approved by 26 votes to 4, with 1 abstention.

On the recommendation of the Fifth and Sixth Committees, the General Assembly at its 55th plenary meeting on December 11, 1946, unanimously adopted the following resolution:

THE GENERAL ASSEMBLY

APPROVES the agreement between the United Nations and the Carnegie Foundation concerning the use of the Peace Palace at The Hague and concerning the repayment of loans as set forth in Annexes A and B.

ANNEX A

AGREEMENT BETWEEN THE UNITED NATIONS AND THE CARNEGIE FOUNDATION CONCERNING THE USE OF THE PREMISES OF THE PEACE PALACE AT THE HAGUE

Article I

The Carnegie Foundation shall allow the International Court of Justice, for so long as the said Court shall be sitting at The Hague, the use of the Peace Palace as from 1 April 1946, subject to the following conditions.

Article II

The annual contribution payable by the International Court of Justice in respect of the use of the Peace Palace, is hereby fixed at 8,000 Netherlands florins.

Article III

The said contribution shall be payable in quarterly instalments, each of one quarter of the total sum, on 1 July, 1 October, 1 January and 1 April. The first payment shall be made on 1 July 1946.

Article IV

The Court shall have the permanent and exclusive use of the following rooms:

Nos. 8, 9, 10, 11, 13, 27, 28, 38, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 301, 302, 303 and 306, as well as the room known as the "Refectory" and the adjacent premises appertaining thereto.

Whilst the Court and its Chambers are in session, the Court shall have the use of the Great Court Room (No. 2) with the ante-chamber (No. 3) as well as of rooms Nos. 1 and 25. On days on which the Court is not meeting in public, the said premises may be used by other institutions.

The Court shall be entitled to the joint use of all the other premises of the Palace necessary for its work, in accordance with agreements to be concluded in each particular case with the Foundation.

Members of the Court and its officials shall enjoy on the same footing as the other members and officials of the other institutions occupying the Peace Palace:

(1) The entrances and exits, vestibules, corridors and stairways;

(2) The cloak-rooms and lavatories adjacent to the premises occupied;

(3) The lifts and similar parts of the Palace intended for general use.

Article V

The existing Library shall be kept carefully up-to-date and supplied with additions as necessary. The Foundation will give favourable consideration to any suggestion on this subject from the Court or its members.

The Secretary-General expresses the hope that the Foundation will assign adequate funds for bringing and keeping the library at the Peace Palace up-to-date.

Members and officials of the Court may consult books in the Library at all times provided they comply with the regulations in force; apart from the hours during which the Library is open to the public, they shall have access thereto from 9 a.m. until 6:30 p.m. on every working day during or immediately before meetings of the Court or its Chambers.

Article VI

Furniture and other objects bought by the League of Nations on behalf of the Permanent Court of International Justice, and now intended for the use of the International Court of Justice, shall be the property of the United Nations and shall, where necessary, be replaced at the expense of the United Nations.

Should any pieces of furniture belonging to the Foundation and installed in premises of which the Court has the permanent or temporary use become unusable, they shall be replaced at the Foundation's expense.

Article VII

The costs of rental and maintenance of telephones connecting the premises of which the Court has the permanent or temporary use, both with one another and with the town, as well as the costs of using the telephone exchange which is not directly connected with the town, shall be borne by the Foundation.

In the absence of an agreement to the contrary in each particular case, the said exchange shall be in operation until 6 p.m. and, whilst the Court or its Chambers are in session, until 7 p.m.

It is understood that the expenses referred to above are entirely covered by the United Nations contribution referred to in Article II above.

Article VIII

The United Nations assumes no responsibility for the maintenance of the building and the grounds appertaining thereto.

The heating, lighting and cleaning of those parts of the building of which the Court has the permanent or temporary use shall be defrayed by the Foundation. The temperature of the premises used as offices or conference rooms shall not be below 18° Centigrade. The cleaning shall be carried out in such conditions and at such hours that the occupants are not disturbed in their work.

The Foundation shall bear the costs arising out of the municipal water supply used by members or officials of the Court.

It is understood that the sum referred to in Article II above constitutes full and complete payment of the charges herein referred to.

Article IX

The service personnel hired by the Foundation shall be at the Court's disposal under the same conditions as it is at the disposal of any other institution established in the Peace Palace.

It is agreed that the working hours of at least one member of this personnel shall be determined with due regard, so far as possible, to the service requirements of the International Court of Justice.

The Court shall be free to engage at its own cost and for its own exclusive service officials belonging to the category of service personnel. Such officials shall in no way be under the authority of any other institution.

It is agreed that the expenses in respect of additional service personnel engaged as a result of the establishment of the International Court of Justice at the Peace Palace are fully covered by the contribution referred to in Article II above.

Article X

The officials of the Foundation shall hand without delay to the chief registry clerk of the Court or his deputy any postal or telegraphic communication delivered to the Peace Palace and addressed to the Court or to one of its members or officials.

Article XI

While the Court or its Chambers are in session, paying or other visitors not connected with one of the institutions established at the Palace may not, without agreement to the contrary in each particular case, enter the Peace Palace except between 1 p.m. and 3 p.m. They may not enter rooms which they have been forbidden to enter by the competent officials of the Court.

Article XII

Any payment which may be required and levied by the Netherlands authorities, whether governmental or municipal, out of funds paid to the Foundation by the United Nations or on the occasion of the payment of such funds, or in respect of the Peace Palace or the grounds appertaining thereto, shall be defrayed by the Foundation.

Article XIII

The present agreement is concluded for a period of three years and shall be automatically renewable for further periods of one year unless prior notice of termination is given by one of the Parties within three months preceding the expiration of each period.

In cases of differences of opinion regarding the possible modification of Article II, the Parties shall have recourse to arbitration.

Article XIV

It is expressly understood that the question of the establishment of the International Court of Justice at the Peace Palace exclusively concerns the United Nations and the Carnegie Foundation, and is consequently outside the jurisdiction of any other organization; the Foundation declares its readiness to accept all the responsibilities arising out of this principle.

Article XV

The present agreement shall enter into force immediately upon its approval by the General Assembly of the United Nations.

ANNEX B

AGREEMENT BETWEEN THE UNITED NATIONS AND THE CARNEGIE FOUNDATION CONCERNING THE REPAYMENT OF LOANS

To enable the Carnegie Foundation to refund to the Netherlands Government the balances of the loans contracted by it in 1927 and 1932 for the purpose of making certain alterations to the premises of the Permanent Court of International Justice, which are now to be used by the International Court of Justice, the United Nations shall pay to the Carnegie Foundation the following sums:

1. On 1 July 1946, and thereafter every six months, a sum of 5,000 Netherlands florins until the total amount of 125,000 florins has been refunded;
2. On 1 July 1946, and thereafter every six months, a sum of 5,000 Netherlands florins, until the total amount of 170,000 florins has been refunded, followed by a final instalment of 1,249.26 florins, payable on 1 July 1963.

This obligation shall cease if the Carnegie Foundation gives the International Court of Justice notice of termination, in accordance with Article XIII, paragraph 1 of the Agreement concerning the use of the Peace Palace.

The present agreement shall come into force on the date of its approval by the General Assembly of the United Nations.

e. Application of Articles 11 and 12 of the Statute of the International Court of Justice

During the election of the members of the International Court of Justice differences of opinion had arisen as to the proper procedure to be followed by the General Assembly (and the Security Council) under the Statute of the Court.[1] These differences had led to a suggestion that the Court itself should be asked to give an advisory opinion as to the requirements of Articles 11 and 12. The General Assembly, however, had decided to refer the question to the second part of the first session of the General Assembly for consideration by the Sixth Committee (Legal).

Accordingly, the General Assembly at its 46th plenary meeting on October 31, 1946, referred the matter to the Sixth Committee. The representative of the United States submitted an interpretation of Articles 11 and 12 and recommended that the Sixth Committee adopt this interpretation. A number of representatives expressed their willingness to accept the United States interpretation if the Committee would agree to it unanimously, in which case they would not insist that the matter be referred to the International Court of Justice for an advisory opinion. Other representatives considered that it would be preferable in any case to ask the Court for an advisory opinion.

At its 17th meeting on November 11, 1946, the Sixth Committee unanimously adopted the United States interpretation and drafted a rule of procedure for adoption by the General Assembly. The Committee recommended that the General Assembly should adopt this rule provisionally and subject to the concurrence of the Security Council. At the present stage, the Committee recommended, no action should be taken to request an advisory opinion on the matter from the International Court of Justice.

On the recommendation of the Sixth Committee the General Assembly unanimously adopted the following resolution:

THE GENERAL ASSEMBLY

APPROVES the report on the application of Articles 11 and 12 of the Statute of the International Court of Justice presented by the Sixth Committee.

RESOLVES to adopt provisionally and subject to the concurrence of the Security Council the following rule of procedure:

Rule 99A

Any meeting of the General Assembly held in pursuance of the Statute of the International Court of Justice for the purpose of the election of members of the Court shall continue until as many candidates as are required for all the seats to be filled have obtained in one or more ballots an absolute majority of votes.

TRANSMITS the foregoing rule to the Security Council for its consideration.

By a letter of June 10, 1947, the President of the Security Council requested the Secretary-General to transmit to the General Assembly, at its next session, a resolution concerning the application of Articles 11 and 12 of the Statute of the Court adopted by the Security Council at its 130th meeting on June 4, 1947.

f. Conditions on which Switzerland may become a Party to the Statute of the International Court of Justice

By a letter of October 26, 1946, from the Head of the Swiss Federal Political Department, the Swiss Federal Council expressed a desire to be informed of the conditions on which Switzerland could become a party to the Statute of the International Court of Justice. According to Article 93, paragraph 2, of the United Nations Charter the conditions must be determined by the General Assembly upon the recommendation of the Security Council.

At its 80th meeting on November 15, 1946, the Security Council adopted the recommendations of its Committee of Experts concerning this matter.

At its 50th plenary meeting on December 7, 1946, the General Assembly referred the Security Council's report to the Sixth Committee

[1] See p. 62.

(Legal). At its 32nd meeting on December 9, 1946, the Sixth Committee decided to recommend to the General Assembly the adoption of the Security Council's recommendations and also submitted a draft resolution for adoption by the General Assembly.

At it 56th plenary meeting on December 11, 1946, the General Assembly unanimously adopted the resolution recommended by the Sixth Committee, which read as follows:

The Chief of the Swiss Federal Political Department, in a letter forwarded to the Secretary-General of the United Nations on 26 October 1946, by the Swiss Consul-General in New York, expressed the desire of the Swiss Federal Council to ascertain the conditions on which Switzerland could, in pursuance of Article 93, paragraph 2, of the Charter, become a party to the Statute of the International Court of Justice.

Article 93, paragraph 2, of the Charter provides that a State which is not a Member of the United Nations may become a party to the Statute of the Court on conditions to be determined in each case by the General Assembly upon the recommendation of the Security Council.

The Security Council considered and adopted at its eightieth meeting, held on 15 November 1946, a report and recommendation on this matter from its Committee of Experts.[1]

The General Assembly has considered and adopted, on the recommendation of its Sixth Committee, the report and recommendation of the Security Council.

THE GENERAL ASSEMBLY THEREFORE DETERMINES, in pursuance of Article 93, paragraph 2, of the Charter, and upon the recommendation of the Security Council, the conditions on which Switzerland may become a party to the Statute of the International Court of Justice, as follows:

Switzerland will become a party to the Statute of the Court on the date of the deposit with the Secretary-General of the United Nations of an instrument, signed on behalf of the Government of Switzerland and ratified as may be required by Swiss constitutional law, containing:

(a) Acceptance of the provisions of the Statute of the International Court of Justice;

(b) Acceptance of all the obligations of a Member of the United Nations and under Article 94 of the Charter;

(c) An undertaking to contribute to the expenses of the Court such equitable amount as the General Assembly shall assess from time to time after consultation with the Swiss Government.

g. Authorization of the Economic and Social Council to request Advisory Opinions of the International Court of Justice

On October 21, 1946, during its third session, the Economic and Social Council had adopted a resolution recommending that in accordance with Article 96, paragraph 2, of the Charter the General Assembly authorize the Council to request the International Court of Justice to give an advisory opinion on any legal question arising within the scope of its activities.

At its 46th plenary meeting on October 31, 1946, the General Assembly referred the Economic and Social Council's resolution to the Sixth Committee (Legal), which considered it at its 20th meeting on November 18, 1946.

The representative of Saudi Arabia expressed the view that the principal function of the Court was to dispense international justice rather than to give advisory opinions. The General Assembly should be careful not to overburden the Court with requests for advisory opinions. The General Assembly, therefore, should not, the representative of Saudi Arabia considered, give blanket authorization to request advisory opinions to the Economic and Social Council or any other body, but authorization should be granted for each individual case.

A number of representatives pointed out that on the other hand the Court itself could refuse to give an advisory opinion and that under the Charter the Economic and Social Council (or any other organ) could ask for advisory opinions only on matters arising within the scope of its activities.

By 34 votes to 0, the Sixth Committee adopted a resolution authorizing the Economic and Social Council to request advisory opinions from the International Court of Justice. The General Assembly at its 55th plenary meeting on December 11, 1946, unanimously adopted the resolution, which read as follows:

The General Assembly, under Article 96, paragraph 2, of the Charter, is empowered to authorize other organs of the United Nations and specialized agencies to request advisory opinions of the International Court of Justice on legal questions arising within the scope of their activities.

The Economic and Social Council, as one of the principal organs of the United Nations and by virtue of the functions and powers conferred upon it under Chapter X of the Charter of the United Nations, has wide responsibilities

in diverse fields of economic and social co-operation, in the fulfilment of which it may need to request advisory opinions of the International Court of Justice.

In addition, by virtue of the terms of Article 63 of the Charter, the function of co-ordinating the activities of specialized agencies brought into relationship with the United Nations has been conferred upon the Economic and Social Council. To enable the Council adequately to discharge its co-ordinating responsibility, it should be authorized to request advisory opinions on all legal questions within its scope, including legal questions concerning mutual relationships of the United Nations and the specialized agencies.

THE GENERAL ASSEMBLY THEREFORE AUTHORIZES the Economic and Social Council to request advisory opinions of the International Court of Justice on legal questions arising within the scope of the activities of the Council.

h. Accessions to the Convention on the Privileges and Immunities of the United Nations

During the first part of its first session the General Assembly had adopted a Convention on the Privileges and Immunities of the United Nations. The Secretary-General submitted a report to the second part of the first session of the General Assembly on the state of accessions to the Convention, which the General Assembly referred to the sixth Committee (Legal).

The question was discussed by a Sub-Committee of the Sixth Committee, which through its Rapporteur submitted a draft resolution which the Sixth Committee adopted unanimously.

On the recommendation of the Sixth Committee the General Assembly unanimously adopted the resolution, which read as follows:

The General Assembly, on 13 February 1946, approved the Convention on the Privileges and Immunities of the United Nations and proposed it for accession by all Members.

During the second part of its first session, the General Assembly considered a report by the Secretary-General on the state of accessions to this Convention.

It is essential for the efficient exercise of the functions of the Organization and the fulfilment of its purposes that the provisions of the Convention be brought into force in all Member States. So long as the Convention is not fully in effect there is danger of confusion, of a lack of co-ordination between the rules applied in various States, and the probability of judicial decisions and administrative acts adversely affecting the position of the United Nations in the country of the headquarters and elsewhere.

THE GENERAL ASSEMBLY, THEREFORE,

INVITES Members of the United Nations to accede at as early a date as possible to the Convention on the Privileges and Immunities of the United Nations;

RECOMMENDS that Members, pending their accession to the Convention, should follow, so far as possible, the provisions of the Convention in their relations with the United Nations, its officials, the representatives of its Members and experts on missions for the Organization.

i. Interim Arrangement on the Privileges and Immunities of the United Nations concluded with the Swiss Federal Council and Agreement Concerning the Ariana Site

The Secretary-General had submitted to the second part of the first session of the General Assembly a report on the negotiations with the Swiss Federal authorities in connection with the transfer to the United Nations of the Geneva buildings and certain other assets of the League of Nations.

The Secretary-General's report contained the Interim Arrangement on Privileges and Immunities of the United Nations in Switzerland and the Agreement Concerning the Ariana Site which were drawn up in April 1946 by the United Nations Negotiating Committee on League of Nations Assets and the Swiss Federal Council, and which entered into force on the date of their signature by the Secretary-General, i.e. July 1, 1946.

The report also contained a review of later discussions between the Secretary-General and the Swiss Federal authorities and the text of two letters dated October 22, 1946, from the Head of the Swiss Political Department, the first dealing with a point of interpretation concerning the Interim Arrangement on Privileges and Immunities and the second dealing with the question of radio facilities for the United Nations in Switzerland.

The General Assembly, at its 46th plenary meeting on October 31, 1946, referred the Secretary-General's report to the Sixth Committee (Legal). The report was given detailed consideration by a Sub-Committee of the Sixth Committee.

The Sub-Committee was of the opinion that the Interim Arrangement on Privileges and Immunities and the Agreement on the Ariana Site were entirely satisfactory, and that an expression of the General Assembly's appreciation of the results obtained should be conveyed

to the Secretary-General and to the Negotiating Committee on League of Nations Assets, as well as to the Swiss Federal authorities. The Sub-Committee further considered that it could recommend approval of the interpretation of the Interim Arrangement contained in the letter from the Head of the Federal Political Department referred to above.

The Sub-Committee did not feel it necessary to discuss the matter of radio facilities for the United Nations in Switzerland at this stage, in the hope that assurances concerning the transfer to the United Nations of wave-lengths previously registered for the use of Radio-Nations might shortly be received from the Swiss Federal authorities, as requested by the Secretary-General. Once the assurances had been received, the matter of radio facilities would fall entirely within the competence of the Fifth Committee (Administrative and Budgetary).

At its 23rd meeting on November 28, 1946, the Sixth Committee unanimously approved the report of the Sub-Committee.

On the recommendation of the Sixth Committee the General Assembly at its 65th plenary meeting on December 14, 1946, unanimously adopted the following resolution:

THE GENERAL ASSEMBLY,

HAS TAKEN NOTE with satisfaction of the report by the Secretary-General on the negotiations with the Swiss Federal Council;

CONSIDERS that the documents set out in that report, including the letter of 22 October 1946 from the Head of the Swiss Federal Political Department relating to the use of the United Nations buildings in Geneva, constitute a satisfactory basis for the activities of the United Nations in Switzerland;

APPROVES THEREFORE the arrangements concluded with the Swiss Federal Council.

j. Arrangements required as a result of the Establishment of the Permanent Headquarters of the United Nations in the United States of America

By resolution of February 13, 1946, the General Assembly had entrusted the Secretary-General with the task of negotiating with the competent authorities of the United States of America the arrangements required as a result of the establishment of the permanent headquarters of the United Nations in the United States.

The resolution of February 13, 1946, also provided that in these negotiations the Secretary-General should be assisted by a committee of ten members.

The General Assembly referred to the Sixth Committee a joint report by the Secretary-General and the Negotiating Committee on the negotiations that had taken place with the authorities of the United States of America. The negotiations had resulted in a draft agreement making the necessary arrangements for the immunities, privileges and facilities required by the United Nations.

In its report to the General Assembly the Sixth Committee stated that these negotiations had been based on the assumption that the permanent headquarters of the United Nations would be located in a rural area. The decision of the General Assembly, however, that the permanent headquarters should be located in the City of New York would necessitate some modification of the draft agreement in order to adapt it to the circumstances of an urban site. Further negotiations would therefore be necessary, and the agreement could not be submitted for the approval of the General Assembly until its second session.

The Sixth Committee therefore recommended and the General Assembly at its 65th plenary meeting on December 14, 1946, adopted the following resolution:

THE GENERAL ASSEMBLY TAKES NOTE of the joint report by the Secretary-General and the Negotiating Committee on the negotiations with the authorities of the United States of America concerning the arrangements required as a result of the establishment of the seat of the United Nations in the United States of America:

THE GENERAL ASSEMBLY, having decided that the permanent headquarters of the United Nations shall be located in the City of New York, recognizes that any agreement with the United States relating to the permanent headquarters will need to be adapted to the circumstances of this site.

RESOLVES, THEREFORE:

1. That the Secretary-General be authorized to negotiate and conclude with the appropriate authorities of the United States of America an agreement concerning the arrangements required as a result of the establishment of the permanent headquarters of the United Nations in the City of New York;

2. That in negotiating this agreement the Secretary-General shall be guided by the provisions of the draft agreement set forth in document A/67;

3. That the agreement referred to in paragraph 1 shall not come into force until approved by the General Assembly;

4. That, pending the coming into force of the agreement referred to in paragraph 1, the Secretary-General be authorized to negotiate and conclude arrangements with the appropriate authorities of the United States of America to determine on a provisional basis the privileges, immunities and facilities needed in connection with the permanent headquarters of the United Nations. In negotiating these arrangements, the Secretary-General shall be guided by the provisions of the draft agreement set forth in document A/67;

5. That the Government of the United States of America be requested to take the necessary steps as soon as possible to put into effect the Convention on the Privileges and Immunities of the United Nations, and to give effect to such arrangements as may be reached in accordance with paragraph 4 of this resolution.

In February 1947 negotiations took place between officials of the United Nations and representatives of the United States Federal authorities and of the City and State of New York which resulted in agreement on most of the provisions of the arrangements.

An exchange of views took place later on a small number of remaining points. On June 26, 1947, the text of an agreement between the United Nations and the United States was signed by the Secretary-General and the Secretary of State of the United States. This agreement was to be submited by the Secretary-General to the General Assembly for approval during the second regular session.

k. Official Seal and Emblem of the United Nations

The Secretary-General of the United Nations submitted a report to the second part of the first session of the General Assembly on the official seal and emblem of the United Nations.

The General Assembly referred the report to the Sixth Committee (Legal), which considered it at its 21st and 25th meeting on November 20 and 30, 1946. The Secretary-General's report stated that the symbol which at present appeared on the Charter of the United Nations, as well as on badges, passes, letterheads, etc., of the United Nations was a modification of the design created by members of the Presentation Branch of the United States Office of Strategic Services in April 1945 in response to a request for a button design for the San Francisco Conference.

The Secretary-General urged that it was desirable for the General Assembly to adopt this or any other design of its choice as the official seal and emblem of the United Nations. He further recommended that the General Assembly take appropriate measures for the legal protection of whatever emblem it might choose against use by unauthorized private persons or societies. The Secretary-General therefore submitted a draft resolution recommending appropriate national legislative action by the governments of all the Member States.

The Sixth Committee after due consideration recommended that the General Assembly adopt, with slight modifications, the seal and emblem of the United Nations presently in use, the design of which was described as follows:

A map of the world representing an azimuthal equidistant projection centered on the North Pole, inscribed in a wreath consisting of crossed conventionalized branches of the olive tree; in gold on a field of smoke blue with all water areas in white.

The projection of the map extends to 60° south latitude and includes five concentric circles.

On the basis of the Secretary-General's recommendations, the Sixth Committee further adopted a resolution concerning the legal protection of the seal and emblem of the United Nations.

On the recommendation of the Sixth Committee the General Assembly at its 50th plenary meeting on December 7, 1946, unanimously adopted the following resolution:

THE GENERAL ASSEMBLY

1. RECOGNIZES that it is desirable to approve a distinctive emblem of the United Nations and to authorize its use for the official seal of the Organization;

1. REGONIZES that it is desirable to approduced below shall be the emblem and distinctive sign of the United Nations and shall be used for the official seal of the Organization.

2. CONSIDERS that it is necessary to protect the name of the Organization and its distinctive emblem and official seal;

RECOMMENDS THEREFORE:

(a) that Members of the United Nations should take such legislative or other appropriate measures as are necessary to prevent the use, without authorization by the Secretary-General of the United Nations, and in particular for commercial purposes by means of trade marks or commercial labels, of the emblem, the official seal and the name of the United Nations, and of abbreviations of that name through the use of its initial letters;

(b) that the prohibition should take effect as soon as practicable but in any event not later than the expiration of two years from the adoption of this resolution by the General Assembly;

(c) that each Member of the United Nations, pending the putting into effect within its territory of any such prohibition, should use its best endeavours to prevent any use, without authorization by the Secretary-General of the United Nations, of the emblem, name, or initials of the United Nations, and in particular for commercial purposes by means of trade marks or commercial labels.

OFFICIAL SEAL AND EMBLEM OF THE UNITED NATIONS

l. Registration and Publication of Treaties and International Agreements

By a resolution of February 10, 1946, the General Assembly had instructed the Secretary-General "to submit to the General Assembly proposals for detailed regulations and other measures designed to give effect to the provisions of Article 102 of the Charter."[1] Accordingly the Secretary-General submitted to the second part of the first session of the General Assembly draft regulations for the registration, filing and publication of treaties and international agreements. These draft regulations were referred to the Sixth Committee (Legal) for consideration.

The Sixth Committee referred these draft regulations to a Sub-Committee and delegations not represented on this Sub-Committee were invited to submit in writing any amendments they wished to propose to the regulations. Proposed amendments were received and considered by the Sub-Committee, from the delegations of Argentina, France, Poland, Saudi Arabia, Uruguay, Venezuela and Yugoslavia.

At its 33rd meeting on December 13, 1946, the Sixth Committee considered and unanimously adopted the report of the Sub-Committee and the revised regulations which the latter had submitted.

Acting upon the recommendation of the Sixth Committee the General Assembly at its 65th plenary meeting on December 14, 1946, unanimously adopted the following resolution and regulations:

THE GENERAL ASSEMBLY

CONSIDERING it desirable to establish rules for the application of Article 102 of the Charter of the United Nations which provides as follows:

"1. Every treaty and every international agreement entered into by any Member of the United Nations after the present Charter comes into force shall as soon as possible be registered with the Secretariat and published by it.

"2. No party to any such treaty or international agreement which has not been registered in accordance with the provisions of paragraph 1 of this Article may invoke that treaty or agreement before any organ of the United Nations."

RECOGNIZING, in making provision therefor, the importance of orderly registration and publication of such treaties and international agreements and the maintenance of precise records;

ADOPTS accordingly, having given consideration to the proposals of the Secretary-General submitted pursuant to the resolution of the General Assembly of 10 February 1946, the following regulations:

PART ONE
REGISTRATION

Article 1

1. Every treaty or international agreement, whatever its form and descriptive name entered into by one or more Members of the United Nations after 24 October 1945, the date of the coming into force of the Charter, shall as soon as possible be registered with the Secretariat in accordance with these regulations.

2. Registration shall not take place until the treaty or international agreement has come into force between two or more of the parties thereto.

3. Such registration may be effected by any party or in accordance with Article 4 of these regulations.

4. The Secretariat shall record the treaties and international agreements so registered in a Register established for that purpose.

Article 2

1. When a treaty or international agreement has been registered with the Secretariat, a certified statement regarding any subsequent action which effects a change in the parties thereto, or the terms, scope or application thereof, shall also be registered with the Secretariat.

2. The Secretariat shall record the certified statement so registered in the Register established under article 1 of these regulations.

Article 3

1. Registration by a party, in accordance with article 1 of these regulations, relieves all other parties of the obligation to register.

2. Registration effected in accordance with article 4 of these regulations relieves all parties of the obligation to register.

Article 4

1. Every treaty or international agreement subject to article 1 of these regulations shall be registered *ex officio* by the United Nations in the following cases:

[1] See p. 109.

(a) Where the United Nations is a party to the treaty or agreement;
(b) Where the United Nations has been authorized by the treaty or agreement to effect registration.

2. A treaty or international agreement subject to article 1 of these regulations may be registered with the Secretariat by a specialized agency in the following cases:

(a) Where the constituent instrument of the specialized agency provides for such registration;
(b) Where the treaty or agreement has been registered with the specialized agency pursuant to the terms of its constituent instrument;
(c) Where the specialized agency has been authorized by the treaty or agreement to effect registration.

Article 5

1. A party or specialized agency, registering a treaty or international agreement under article 1 or 4 of these regulations, shall certify that the text is a true and complete copy thereof and includes all reservations made by parties thereto.

2. The certified copy shall reproduce the text in all the languages in which the treaty or agreement was concluded and shall be accompanied by two additional copies and by a statement setting forth, in respect of each party:

(a) The date on which the treaty or agreement has come into force;
(b) The method whereby it has come into force (for example: by signature, by ratification or acceptance, by accession, etc.).

Article 6

The date of receipt by the Secretariat of the United Nations of the treaty or international agreement registered shall be deemed to be the date of registration, provided that the date of registration of a treaty or agreement registered *ex officio* by the United Nations shall be the date on which the treaty or agreement first came into force between two or more of the parties thereto.

Article 7

A certificate of registration signed by the Secretary-General or his representative shall be issued to the registering party or agency and also to all signatories and parties to the treaty or international agreement registered.

Article 8

1. The Register shall be kept in the five official languages of the United Nations. The Register shall comprise in respect of each treaty or international agreement a record of:

(a) The serial number given in the order of registration;
(b) The title given to the instrument by the parties;
(c) The names of the parties between whom it was concluded;
(d) The dates of signature, ratification or acceptance, exchange of ratifications, accession, and entry into force;
(e) The duration;
(f) The language or languages in which it was drawn up;
(g) The name of the party or specialized agency which registers the instrument and the date of such registration;
(h) Particulars of publication in the treaty series of the United Nations.

2. Such information shall also be included in the Register in regard to the statements registered under article 2 of these regulations.

3. The texts registered shall be marked *ne varietur* by the Secretary-General or his representative, and shall remain in the custody of the Secretariat.

Article 9

The Secretary-General, or his representative, shall issue certified extracts from the Register at the request of any Member of the United Nations or any party to the treaty or international agreement concerned. In other cases he may issue such extracts at his discretion.

PART TWO

FILING AND RECORDING

Article 10

The Secretariat shall file and record treaties and international agreements, other than those subject to registration under article 1 of these regulations, if they fall in the following categories:

(a) Treaties or international agreements entered into by the United Nations or by one or more of the specialized agencies;
(b) Treaties or international agreements transmitted by a Member of the United Nations which were entered into before the coming into force of the Charter, but which were not included in the treaty series of the League of Nations;
(c) Treaties or international agreements transmitted by a party not a Member of the United Nations which were entered into before or after the coming into force of the Charter which were not included in the treaty series of the League of Nations, provided, however, that this paragraph shall be applied with full regard to the provisions of the resolution of the General Assembly of 10 February 1946 set forth in the Annex to these regulations.[1]

Article 11

The provisions of articles 2, 5, and 8 of these regulations shall apply, *mutatis mutandis*, to all treaties and international agreements filed and recorded under article 10 of these regulations.

[1] The Annex consisted of the resolution of the General Assembly reproduced on p. 109.

PART THREE
PUBLICATION

Article 12

1. The Secretariat shall publish as soon as possible in a single series every treaty or international agreement which is registered, or filed and recorded, in the original language or, languages followed by a translation in English and in French. The certified statements referred to in article 2 of these regulations shall be published in the same manner.

2. The Secretariat shall, when publishing a treaty or agreement under paragraph 1 of this article, include the following information: the serial number in order of registration or recording; the date of registration or recording; the name of the party or specialized agency which registered it or transmitted it for filing, and in respect of each party the date on which it has come into force and the method whereby it has come into force.

Article 13

The Secretariat shall publish every month a statement of the treaties and international agreements registered, or filed and recorded, during the preceding month, giving the dates and numbers of registration and recording.

Article 14

The Secretariat shall send to all Members of the United Nations the series referred to in article 12 and the monthly statement referred to in Article 13 of these regulations.

In accordance with the above regulations adopted by the General Assembly 48 treaties and agreements were received for registration up to May 31, 1947 and 28 for filing and recording. As of June 30, 1947, the first volume of treaties was in process of publication.

m. Affirmation of the Principles of International Law Recognized by the Charter of the Nurnberg Tribunal

In a draft resolution submitted to the Sixth Committee in the course of its consideration of the question of the progressive development of international law and its codification, the representative of the United States proposed that the General Assembly reaffirm the principles of international law recognized by the Charter of the Nürnberg Tribunal and the Judgment of the Tribunal and that the General Assembly should direct the Committee on the Codification of International Law (which it was proposed to establish) to treat as a matter of primary importance the formulation of the principles of the Charter of the Nurnberg Tribunal and of the Tribunal's judgment in the context of a general codification of offences against the peace and security of mankind or in an international code.

On the recommendation of its Sub-Committee which was considering the progressive development of international law the Sixth Committee at its 32nd meeting on December 9, 1946, adopted a resolution based in the main on the draft resolution submitted by the representative of the United States.

At its 55th plenary meeting on December 11, 1946, the General Assembly unanimously adopted the resolution, which read as follows:

THE GENERAL ASSEMBLY,

RECOGNIZES the obligation laid upon it by Article 13, paragraph 1, sub-paragraph a, of the Charter, to initiate studies and make recommendations for the purpose of encouraging the progressive development of international law and its codification;

TAKE NOTE of the Agreement for the establishment of an International Military Tribunal for the prosecution and punishment of the major war criminals of the European Axis signed in London on 8 August 1945, and of the Charter annexed thereto, and of the fact that similar principles have been adopted in the Charter of the International Military Tribunal for the trial of the major war criminals in the Far East, proclaimed at Tokyo on 19 January 1946.

THEREFORE,

AFFIRMS the principles of international law recognized by the Charter of the Nürnberg Tribunal and the judgment of the Tribunal;

DIRECTS the Committee on the codification of international law established by the resolution of the General Assembly of 11 December 1946, to treat as a matter of primary importance plans for the formulation, in the context of a general codification of offences against the peace and security of mankind, or of an International Criminal Code, of the principles recognized in the Charter of the Nürnberg Tribunal and in the judgment of the Tribunal.

n. The Crime of Genocide

The General Assembly at its 47th plenary meeting on November 9, 1946, referred to the Sixth Committee a draft resolution submitted by the representatives of Cuba, India and Panama, drawing the attention of the Economic and Social Council to the crime of genocide and inviting the Council to study the problem and to report on the possibility of declaring genocide an "international crime".

The Sixth Committee discussed the question at its 22nd, 23rd and 24th meetings on

November 22, 28 and 29 respectively. The representative of Cuba stated that at the Nürnberg trials it had not been possible to punish certain cases of genocide because they had been committed before the beginning of the war. Fearing that such crimes might remain unpunished in the future owing to the principle of *non crimen sine lege,* the representative of Cuba urged that genocide be declared an international crime.

The representative of the United Kingdom expressed the view that the General Assembly should not merely recommend to the Economic and Social Council that it study the matter, but should clearly state at once that aggressive war and genocide constituted punishable crimes. International law should limit the omnipotence of certain States over their citizens and in certain cases protect the citizens against their own government. The representative of the United Kingdom therefore submitted an amendment to the draft resolution before the Committee to the effect that the General Assembly "declares that genocide is an international crime for which the principal authors, accomplices and States concerned will be held responsible."

The representative of France stated that French law did not recognize criminal responsibility on the part of States. He therefore wished to amend the United Kingdom text to read as follows: "The General Assembly . . . declares that genocide is an international crime for which the principal authors and accomplices, whether statesmen or private individuals, should be punished."

The representative of India proposed that a recommendation should be added to the United Kingdom text to the effect that:

The General Assembly requests Members to call upon their Governments to ensure that national laws treat the crime of genocide on an equal footing with piracy, traffic in women, children and slaves, and other crimes which have always been recognized as violating the dignity of human beings.

The representative of the U.S.S.R. proposed that the Economic and Social Council be asked to undertake preparatory studies with a view to drafting an international convention against attacks on particular racial groups.

The representative of Saudi Arabia urged the desirability of agreeing to a protocol on genocide similar to the protocols dealing with narcotics and piracy. He submitted to the Sixth Committee a draft protocol to serve as a basis of consideration. Such a protocol, the Saudi-Arabian representative stated, should contain:

(1) a definition of genocide;
(2) an enumeration of all the acts that fall within the definition;
(3) provisions for assuring the prevention and repression of genocide.

The representative of Poland submitted a proposal for the punishment of those responsible for the propagation and dissemination of hatred against national, racial, or religious groups as a step preparatory to the crime of genocide. The representative of Chile submitted an amendment combining several of the amendments submitted by other representatives.

At its 24th meeting on November 29, 1946, the Sixth Committee decided to entrust a Sub-Committee with the task of drafting a unanimously acceptable resolution on the basis of various proposals submitted. The report and draft resolution submitted accordingly by the Sub-Committee were unanimously adopted by the Sixth Committee at its 32nd meeting on December 9, 1946.

On the recommendation of the Sixth Committee the General Assembly at its 55th plenary meeting on December 11, 1946, unanimously adopted the following resolution:

Genocide is a denial of the right of existence of entire human groups, as homicide is the denial of the right to live of individual human beings; such denial of the right of existence shocks the conscience of mankind, results in great losses to humanity in the form of cultural and other contributions represented by these human groups, and is contrary to moral law and to the spirit and aims of the United Nations.

Many instances of such crimes of genocide have occurred when racial, religious, political and other groups have been destroyed, entirely or in part.

The punishment of the crime of genocide is a matter of international concern.

THE GENERAL ASSEMBLY, THEREFORE,

AFFIRMS that genocide is a crime under international law which the civilized world condemns, and for the commission of which principals and accomplices—whether private individuals, public officials or statesmen, and whether the crime is committed on religious, racial, political or any other grounds—are punishable;

INVITES the Member States to enact the necessary legislation for the prevention and punishment of this crime;

RECOMMENDS that international co-operation be organized between States with a view to facilitating the speedy prevention and punishment of the crime of genocide, and, to this end,

REQUESTS the Economic and Social Council to undertake the necessary studies with a view to drawing up a draft convention on the crime of genocide to the submitted to the next regular session of the General Assembly.

o. Progressive Development of International Law and its Codification

(1.) Resolution of the General Assembly

Under Article 13, paragraph 1a, of the Charter of the United Nations the General Assembly is to "initiate studies and make recommendations for the purpose of encouraging the progressive development of international law and its codification." An item relating to the implementation by the General Assembly of its obligations under this article was placed on the agenda of the second part of the first session of the General Assembly. The Secretariat prepared a memorandum surveying previous efforts in the field of codification of international law under the League of Nations and under the Inter-American System and giving the history of Article 13, paragraph 1, sub-paragraph (a) of the Charter.

The matter was referred to the Sixth Committee (Legal) of the General Assembly, which at its 21st meeting on November 20, 1946, referred it to a Sub-Committee. The Sub-Committee regarded it as desirable that a committee be established to prepare a report on the methods which might suitably be adopted by the General Assembly in implementation of its obligations under Article 13, paragraph 1 a, of the Charter. The Sub-Committee was agreed that a considered and comprehensive report on these methods should be available to the General Assembly before it formulated any definite plan for the progressive development of international law and its codification. The Sub-Committee was further agreed that a study of existing projects and of the methods followed by official and unofficial bodies engaged in promoting the development and formulation of public and private international law was necessary to the work of the proposed committee and that it might be helpful to such a committee to have the written comments of any Member of the United Nations which cared to submit them.

The Sub-Committee recommended that the General Assembly establish a committee of government representatives of fourteen members to study the most appropriate method of procedure. It considered that a committee of fourteen was not so large as to impair its efficiency, nor so small as to prevent the principal legal systems of the world from being represented. The Sub-Committee recommended that the General Assembly appoint the members of the committee on the codification of international law on the recommendation of the President of the Assembly.

When the Sixth Committee considered the Sub-Committee's report at its 31st meeting on December 6, 1946, the question of the number of members of which the proposed committee was to be composed aroused some discussion. Several representatives advocated a larger membership. Finally a membership of sixteen was approved. Several members stressed that the text of the draft resolution approved by the Sub-Committee implied that the governments should appoint experts in international law as their representatives on the proposed committee. Subject to the amendment as to the number of the membership, the Sixth Committee unanimously adopted the report and draft resolutions submitted by its Sub-Committee.

At the 55th plenary meeting of the General Assembly on December 11, 1946, the President of the Assembly recommended that the following countries be included in the Committee on International Law: Argentina, Australia, China, Colombia, Egypt, France, India, the Netherlands, Panama, Poland, Sweden, the U.S.S.R., the United Kingdom, the United States, Venezuela and Yugoslavia. The President then proposed that the membership be increased to seventeen by the addition of Brazil to the list. The General Assembly unanimously approved the list of seventeen members suggested by the President and then unanimously adopted the following resolution:

THE GENERAL ASSEMBLY

RECOGNIZES the obligation laid upon it by Article 13, paragraph 1, sub-paragraph a, of the Charter to initiate studies and make recommendations for the purpose of encouraging the progressive development of international law and its codification;

REALIZES THE NEED for a careful and thorough study of what has already been accomplished in this field as well as of the projects and activities of official and unofficial bodies

engaged in efforts to promote the progressive development and formulation of public and private international law, and the need for a report on the methods whereby the General Assembly may most effectively discharge its obligations under the above mentioned provision:

THEREFORE,

RESOLVES to establish a Committee of seventeen Members of the United Nations to be appointed by the General Assembly on the recommendation of the President, each of these Members to have one representative on the Committee;

DIRECTS the Committee to study:

(a) The methods by which the General Assembly should encourage the progressive development of international law and its eventual codification;

(b) Methods of securing the co-operation of the several organs of the United Nations to this end;

(c) Methods of enlisting the assistance of such national or international bodies as might aid in the attainment of this objective;

and to report to the General Assembly at its next regular session.

REQUESTS the Secretary-General to provide such assistance as the Committee may require for its work.

(2.) Work of the Committee on the Progressive Development of International Law and Its Codification

The Committee on the Progressive Development of International Law and its Codification met for its first session at Lake Success, New York, from May 12 to June 17, 1947. It consisted of the following members:

MEMBER COUNTRIES	
Argentina	
Representative	Enrique Ferrer Vieyra
Australia	
Representative	W. A. Wynes
later replaced by	A. H. Body
Brazil	
Representative	Gilberto Amado
China	
Representative	Shuhsi Hsü
Colombia	
Representative	Antonio Rocha
later replaced by	R. S. Guerreiro
Egypt	
Representative	Wabid Rafaat
France	
Representative	Henri D. de Vabres
Alternate	Michel Leroy Beaulieu
India	
Representative	Sir Dalip Singh
Netherlands	
Representative	J. G. de Beus
Panama	
Representative	Roberto de la Guardia
Poland	
Representative	Alexander Rudzinski
Alternate	Alexander Bramson
Sweden	
Representative	Erik Sjoborg
Alternate	B. Q. S. Petrén
U.S.S.R.	
Representative	Vladimir Koretsky
United Kingdom	
Representative	J. L. Brierly
Alternates	M. E. Bathurst
	Richard Best
United States of America	
Representative	P. C. Jessup
Venezuela	
Representative	Carlos Eduardo Stolk
Alternate	Perez Perozo
Yugoslavia	
Representative	Milan Bartos

Officers of the Committee were: Sir Dalip Singh (India), Chairman; Professor Vladimir Koretsky (U.S.S.R.) and Dr. Antonio Rocha (Colombia), who was later replaced by Professor Yepes, Vice-Chairmen; Professor J. L. Brierly (U.K.), Rapporteur.

Several representatives on the Committee submitted memoranda or written statements containing suggestions for the methods to be followed in the task of development and codification of international law (Argentina, Brazil, China, the Netherlands, Poland, Sweden, the U.S.S.R., the United Kingdom and the United States).

The Committee after a thorough discussion made a number of recommendations to the General Assembly.

(a) Establishment of an International Law Commission (ILC)

The Committee agreed that effect could best be given to the provisions of Article 13, paragraph 1 a, of the Charter by the establishment of a commission, composed of persons of recognized competence in international law, for the purpose of carrying out the progressive development of international law and its eventual codification. They discussed the question whether it would be desirable to establish separate commissions for public, for private and for penal international law, but decided unanimously to recommend to the General Assembly the establishment of a single commission to be called the International Law Commission (ILC). The Committee decided by a majority that the Commission should consist of fifteen members.

Two main methods for the selection of the members of the International Law Commission were suggested: one that the judges of the International Court of Justice should be invited to make the appointments; the other was a plan based, with some slight modifications, on the method prescribed for the election of the judges of the Court. A large majority of the Committee preferred the second of these methods, and the Committee therefore recommended the following procedure:

(a) The government of each State Member of the United Nations should nominate, as candidates for membership of the ILC, not more than two of its own nationals, and not more than eight persons of other nationalities. In making their nominations, the Governments are recommended to consult their highest courts of justice, their legal faculties and schools of law, their national academies and national sections of international academies devoted to the study of law and, where such exist, the national groups in the Permanent Court of Arbitration.

(b) The Secretary-General of the United Nations should submit this panel of candidates to the Security Council and the General Assembly, which would elect fifteen persons following the principle laid down in Article 3 and the procedure contained in Articles 8-12 of the Statute of the International Court of Justice. The Committee desires to recommend that special emphasis be laid on the provisions of Article 9 of the Statute.

(c) In the event of a casual vacancy occurring in the membership of the Commission, a majority of the Committee thought that the Commission itself might nominate a certain number of persons from among those whose names were on the panel of candidates, and that the Security Council might choose from among the persons so nominated a member of the Commission to hold office until the next General Assembly, when the vacancy could be filled by the same procedure as that followed in the election of the original fifteen members.

(d) All the members of the Committee were agreed that the members of the International Law Commission should receive a salary proportionate to the dignity and importance of their office, but there was some difference of opinion on the question whether they should be required to render full-time service. By a majority of nine votes to five the Committee thought that this would be both desirable and necessary. It was agreed that the Commission should have its headquarters at the seat of the United Nations, though it might decide from time to time to hold its sessions at other places; and that the Secretary-General should be requested to make available to it the services of the Division for the Development and Codification of International Law of the Secretariat. The budget of the Commission should include items for the salaries of members, for the expenses of meetings, travel, etc.

The Committee hoped that the ILC might be a permanent body, but they also felt that it might be desirable, in the first instance, to establish it on a provisional basis. They recommended, therefore, that its members be elected for a term of three years, but that they be eligible for re-election if the commission was continued in being after this experimental period.

The various recommendations on the task of the International Law Commission were for the most part the result of majority decisions. The Committee distinguished between the two parts of the task of the proposed ILC: (a) the development of international law, by which was understood the drafting of conventions on subjects which had not yet been regulated by international law or in regard to which the law had not yet been developed or formulated in the practice of States; and (b) codification involving the more precise formulation and systematization of the law in areas where there had been extensive State practice, precedent and doctrine. The Committee recognized that the terms employed were not mutually exclusive, as, for example, in cases where the formulation and systematization of the existing law might lead to the conclusion that some new rule should be suggested for adoption by States in order to fill gaps or make necessary corrections. The Committee decided that the ILC should present all of its drafts to the General Assembly in the form of multipartite conventions. It also decided that with regard to development of international law the governments should be consulted both at the initial and at the final stage of the procedures before a draft convention be put before the General Assembly. However, with regard to codification the governments should only be requested to submit any comments after the ILC considered a draft to be in satisfactory form.

In recommending different procedures to be followed by the ILC with regard to the two parts of its task the Committee also had in mind that the field of international law was so vast that the members of the ILC could not be experts on all subjects and therefore it recommended that for the development of

international law Rapporteurs and sub-committee members might be appointed from outside the ILC membership. However, for the task of codification this was not considered necessary as there would already be a vast documentation on any subjects which the ILC would undertake, so that its members could easily form their opinion. Both with regard to development of international law and its codification the ILC should be authorized to consult scientific institutions, and if necessary individual experts, and also in both cases the drafts which the Commission considered to be in satisfactory form should be given the widest possible publicity and the governments should be requested to submit any comments within a reasonable time.

For the field of development of international law the Committee decided to recommend that the ILC should be authorized to consider projects and draft conventions recommended by governments, other United Nations organs, specialized agencies and those official bodies established by intergovernmental agreement to further the progressive development of international law and its codification, transmitted to it through the Secretary-General and for these projects it recommended a procedure distinguishing between projects not yet formulated and projects already formulated as draft conventions.

With regard to codification of international law the Committee decided to recommend to the General Assembly that it adopt a resolution instructing the ILC to survey the whole field of customary international law together with any relevant treaties with a view to selecting topics for codification, having in mind previous governmental and non-governmental projects; that if the ILC found that to take over a particular topic was desirable or necessary, it should present its recommendations to the General Assembly in the form of draft articles of multipartite conventions; and that, if the General Assembly should request the ILC to prepare a draft convention on any subject or to explore the necessity or desirability of preparing such a draft convention, the ILC should give precedence to complying with such request. The Committee decided on a procedure for codification and agreed that after its various stages one or more sets of draft articles of multipartite conventions with an explanatory report should be submitted to the General Assembly with recommendations which might be either: (a) that no further action be taken in view of the fact that the report has already been published, or (b) that the General Assembly should adopt all or part of the report by resolution, or (c) that the General Assembly should recommend the draft to States for the conclusion of a convention, or (d) that the General Assembly should convoke a special conference to consider the conclusion of the convention.

The Committee then considered a number of suggested means of encouraging the progressive development of international law by improvements in the technique of multipartite instruments.

Another matter considered by the Committee was the utility and importance of encouraging the ratification of and accession to multipartite conventions already concluded.

The Committee recommended that the ILC consider ways and means of making the evidence of customary international law more readily available by the compilation of digests of State practice, and by the collection and publication of the decisions of national and international courts on international law questions.

(b) Co-operation of the ILC with United Nations Organs

The Committee was also asked by the General Assembly to study methods of securing the co-operation of the several organs of the United Nations in the task of the progressive development of international law and its eventual codification. On this point the Committee recommended:

(a) That the ILC should be authorized, if need be, to consult with any of the organs of the United Nations on any draft or project the subject matter of which is relevant to the functions of the particular organ.

(b) That in projects referred to it by a competent organ of the United Nations the ILC should be authorized, if it thinks it desirable, to make interim reports to the concerned prior to submitting its final report to the General Assembly. This resolution was carried by a majority in the Committee. A minority of the members dissented from it on the ground that, in their view, it would not be in accordance with the provisions of the Charter for any organ of the United Nations, other than the General Assembly, to refer a project to the ILC.

(c) That all ILC documents which are circulated to governments should also be circulated to the organs of the United Na-

tions for their information, and that such organs should be free to supply any data or make any suggestions to the Commission.

(c) Co-operation of the ILC with National or International Bodies

The Committee was also asked to study methods of enlisting the assistance of such national or international bodies as might aid it in the attainment of its objective of encouraging the progressive development of international law and its eventual codification. On this point the Committee recommended:

(a) That the ILC should be authorized to consult any national or international organization, official or non-official, on any matter entrusted to it, if and when it believes that such a procedure might aid it in the attainment of its objectives. A minority of the members of the Committee were of the opinion that such consultation should be limited to organizations included in the list referred to in the sub-paragraph following.

(b) That for the purpose of the distribution of ILC documents the Secretary-General, after consultation with the ILC, should draw up a list of national and international organizations dealing with questions of international law. In drawing up this list the Secretary-General would take into account the necessity of having the national organizations of all the members of the United Nations represented on the list.

(c) That, in the consultations referred to in sub-paragraph (a) and in the compilation of the list referred to in sub-paragraph (b) of this paragraph, the Commission and the Secretary-General should take into account the resolutions of the General Assembly and of the Economic and Social Council concerning relations with Franco Spain, and that organizations which collaborated with the Nazis and Fascists should be excluded both from consultation and from the list.

(d) By a majority, the Committee decided to refer specially to the necessity and importance of frequent consultation between the ILC and the organs of the Pan-American Union whose task is the codification of international law in the Inter-American System, without, however, disregarding the claims of other systems of law. Three members of the minority dissenting from this resolution desire it to be recorded that in their opinion this resolution, by singling out the Pan-American Union for special mention, creates for that Union a privileged position, and thereby violates the principle of equality between nations and between systems of law. They are of the opinion that the resolution might be taken to imply that the work of States, other than those represented in the Pan-American Union, is of less importance for the ILC, and that the ILC need not maintain equally close contact with such other States.[1]

(d) Incorporation of the Principles of the Nürnberg Charter into International Penal Law

The Committee noted that the General Assembly had requested it to propose plans for the formulation of the Nürnberg principles. It decided not to undertake the actual formulation of those principles, which would clearly be a task demanding careful and prolonged study. The Committee therefore concluded that it was not called upon to discuss the substantive provisions of the Nurnberg principles, and that such a discussion would be better entrusted to the ILC.

The Committee recommended that the ILC should be invited to prepare:

(a) a draft convention incorporating the principles of international law recognized by the Charter of the Nürnberg Tribunal and sanctioned by the judgment of that Tribunal, and

(b) a detailed draft plan of general codification of offences against the peace and security of mankind in such a manner that the plan should clearly indicate the place to be accorded to the principles mentioned in sub paragraph (a) of this paragraph.

The Committee further recorded its opinion that this task would not preclude the ILC from drafting in due course a code of international penal law.

The Committee also decided by a majority to draw the attention of the General Assembly to the fact that the implementation of the principles of the Nürnberg Tribunal and its Judgment, as well as the punishment of other international crimes which might be recognized as such by international multipartite conventions, might render desirable the existence of an international judicial authority to exercise jurisdiction over such crimes.

The representatives of Egypt, Poland, the United Kingdom, the U.S.S.R. and Yugoslavia asked that their dissent from this decision be recorded. In their opinion the

[1] As it was felt that the ILC should not do anything which might detract from the work being done in the field of the development and codification of private international law by the Hague Conference on Private International Law, the Committee recommended that the ILC when dealing with questions in the field of private international law should consider the appropriateness of consultation with the Netherlands Government.

question of establishing an international court fell outside the terms of reference from the General Assembly to the Committee.

(e) Draft Declaration on the Rights and Duties of States

By a resolution of December 11, 1946, the General Assembly instructed the Secretary-General of the United Nations to transmit to all Member States of the United Nations, and to national and international bodies concerned with international law, the text of a Draft Declaration on the Rights and Duties of States presented by Panama with the request that they should submit their comments and observations to the Secretary-General before June 1, 1947. The resolution also referred the Declaration to the Sixth Committee, and requested the Secretary-General to transmit to it the comments and observations as they were received.

The Committee, noting that a very limited number of comments and observations from the Member States and national and international non-governmental bodies had been received, and considering that the majority of these comments and observations recommended postponement of the study of the substance of this question, recommended that the General Assembly entrust further studies concerning this subject to the ILC and that the ILC should take the Draft Declaration presented by Panama as one of the bases of its study.

(f) The Crime of Genocide

The Committee had before it, under cover of a letter from the Secretary-General of the United Nations, the text of the draft convention for the prevention and punishment of the crime of genocide, drawn up by the Secretariat with the assistance of experts in the field of international and criminal law.

In a letter to the Secretary-General of the United Nations, the Committee pointed out that it fully realized the urgency, which was expressed in the recommendations contained in the resolution of the General Assembly of December 11, 1946,[1] of organizing co-operation between States with a view to facilitating the speedy prevention and punishment of the crime of genocide.

The Committee noted, however, that the text prepared by the Secretariat of the United Nations, owing to lack of time, had not yet been referred to the Member Governments for their comments, as was contemplated in the Resolution of the Economic and Social Council; it regretted that, in the absence of information as to the views of the governments, it felt unable at present to express any opinion on the matter.

7. Transfer of Functions, Activities and Assets of the League of Nations

a. *Transfer to the United Nations of Certain Non-Political Functions and Activities of the League of Nations*

By resolution of February 12, 1946, the General Assembly had requested the Economic and Social Council "to survey the functions and activities of a non-political character which have hitherto been performed by the League of Nations, in order to determine which of them should, with such modifications as are desirable, be assumed by the organs of the United Nations or be entrusted to specialized agencies brought into relationship with the United Nations." The Council was further instructed to assume provisionally the technical activities of certain departments of the League of Nations Secretariat[2]

By resolution of February 16, 1946, the Economic and Social Council requested the Secretary-General to undertake the survey called for by the General Assembly and to take the steps necessary for the provisional assumption and continuance of the work hitherto done by certain departments of the League of Nations Secretariat.

In a report to the Economic and Social Council dated September 26, 1946, the Secretary-General stated that once the commissions of the Economic and Social Council and the Secretariat of the United Nations and the specialized agencies were fully organized, it was probable that the economic and social activities of the League would have been absorbed insofar as this was appropriate. This process would not be complete for some time, however. In the meantime the conveyance, on August 1, 1946, of the assets of the League of Nations to the United Nations[3] had made it possible for the United Nations Secretariat to assume provisionally and to the extent called for the work previously performed by

[1] See pp. 254-256.
[2] See p. 110.
[3] See pp. 111, 112.

the various branches of the League of Nations Secretariat dealing with non-political activities. Moreover, a number of commissions of the Economic and Social Council had already made proposals to the Council concerning the assumption of the functions formerly fulfilled by the League organs in their respective fields and the Council had adopted resolutions on these proposals. In his report the Secretary-General submitted a detailed survey of these proposals.

The Secretary-General recommended that where it had not yet been done the commissions of the Economic and Social Council and the specialized agencies should study and report on the conditions under which the functions of the League of Nations might be assumed, insofar as it was desirable and did not involve any overlapping of activities.

On October 2, 1946, the Economic and Social Council took note of the Secretary-General's report and transmitted it to the second part of the first session of the General Assembly for consideration. The Secretary-General submitted a draft resolution to the General Assembly to the effect that the General Assembly should (1) authorize and request the Secretary-General to assume and continue the non-political functions and activities of the League of Nations Secretariat; (2) authorize and request the Economic and Social Council to assume and continue the non-political functions and activities of the League of Nations previously performed by the various committees and commissions of the League, in each case this authorization to exclude (a) functions and activities exercised pursuant to international agreements, and (b) functions and activities entrusted to specialized agencies.

At its 46th plenary meeting on October 31, 1946, the General Assembly referred the question of the transfer of certain non-political functions and activities of the League of Nations to the Joint Second and Third Committee with instructions to consult with the Sixth Committee on any legal questions involved.

In the course of the discussion which took place at the ninth meeting of the Joint Second and Third Committee on December 4, 1946, the representative of the U.S.S.R. expressed the view that the draft resolution submitted by the Secretary-General was too vague, as it did not define the non-political functions and activities of the League of Nations which were to be assumed by the Secretary-General, by the Economic and Social Council and by the specialized agencies respectively. The General Assembly, the representative of the U.S.S.R. considered, had instructed the Economic and Social Council to make a study of the functions to be assumed by the United Nations. The Council, however, had merely transmitted the Secretary-General's report to the General Assembly without any recommendations of its own. The representative of the U.S.S.R. therefore proposed that the whole question be referred back to the Economic and Social Council for further study.

The Joint Second and Third Committee rejected the U.S.S.R. proposal. The Committee then adopted the resolution as submitted by the Secretary-General and referred it to the Sixth Committee for its opinion.

During the discussion which took place at the 31st and 32nd meetings of the Sixth Committee on December 6 and 9 the representative of the U.S.S.R. reiterated his objections. His proposal that the whole matter be referred back to the Economic and Social Council for further study was supported by the representatives of France, India and Yugoslavia. By a vote of 19 to 4, with 6 abstentions, the Sixth Committee, however, adopted the following resolution proposed by the representative of the United Kingdom:

The Sixth Committee advises the Joint Second and Third Committee that the resolution proposed by the Secretary-General does not present any legal difficulty and that it is entirely proper from a legal point of view.

On the recommendation of the Joint Second and Third Committee, the General Assembly at its 65th plenary meeting on December 14, 1946, unanimously adopted the following resolution:

In accordance with the resolution adopted by the General Assembly on 12 February 1946 and the resolution adopted by the Economic and Social Council on 16 February 1946, the Secretary-General submitted to the Economic and Social Council, at its third session, a report dated 26 September 1946 concerning the provisional assumption and continuation of certain non-political functions and activities of the League of Nations, other than those exercised pursuant to international agreements.

The Economic and Social Council took note of the Secretary-General's report on 2 October 1946 and has transmitted it to the General Assembly.

The General Assembly recognizes that it is desirable for the United Nations to assume and continue the non-political functions and activities of the League of Nations which are described in the report of the Secretary-General dated 26 September 1946.

THE GENERAL ASSEMBLY, THEREFORE,

AUTHORIZES AND REQUESTS the Secretary-General to assume and continue the non-political functions and activities of the League of Nations previously performed by the League of Nations Secretariat, with the exception of:

(a) those functions and activities exercised pursuant to international agreements;
(b) those functions and activities entrusted to specialized agencies which have been, or are to be, brought into relationship with the United Nations, under Articles 57 and 63 of the Charter.

The Secretary-General shall exercise the functions and activities authorized by this paragraph, subject to such policies as may be established by the Economic and Social Council.

AUTHORIZES AND REQUESTS the Economic and Social Council to assume and continue the non-political functions and activities of the League of Nations previously performed by the various committees and commissions of the League with the exception of:

(a) those functions and activities exercised pursuant to international agreements;
(b) those functions and activities entrusted to specialized agencies, which have been, or are to be, brought into relationship with the United Nations, under Articles 57 and 63 of the Charter.

This resolution shall not affect any decision of the General Assembly with respect to functions and activities exercised by the League of Nations pursuant to international agreements.

b. *Transfer to the United Nations of Powers exercised by the League of Nations under the International Agreements and Conventions and Protocols on Narcotic Drugs*

The Economic and Social Council submitted to the second part of the first session of the General Assembly a report on the transfer to the United Nations of powers exercised by the League of Nations under the international agreements and conventions and protocols on narcotic drugs. This report contained:

(1) a resolution adopted by the Economic and Social Council recommending that the General Assembly approve the assumption by the United Nations of the functions and powers exercised by the League of Nations in respect to narcotic drugs;

(2) a draft resolution recommended by the Economic and Social Council for adoption by the General Assembly;

(3) a draft protocol to be signed by the Members of the United Nations who were parties to the six agreements, conventions and protocols dated between 1912 and 1936 by which international control of narcotic drugs was provided for, this protocol to effect, as between the signatories, the necessary alterations in the earlier instruments. The draft protocol contained an annex showing the necessary amendments to be made in these instruments.

The draft protocol, which had been originally drawn up by the Secretariat, had been revised by a Drafting Committee appointed by the Economic and Social Council. The Economic and Social Council invited the Secretariat to scrutinize the work of the Drafting Committee and to suggest further alterations, if necessary. The Secretariat accordingly examined the draft protocol and its annex and in a memorandum to the General Assembly the Secretary-General suggested a certain number of modifications and corrections.

The General Assembly referred the Economic and Social Council's report and the Secretary-General's memorandum to the Third Committee (Social, Humanitarian and Cultural), which examined these documents at its 14th meeting on November 2, 1946. The Chairman of the Committee, as well as several of the members, addressed an urgent appeal to the Members of the United Nations to sign the protocol in question during the current session of the Assembly, in order to avoid any interruption of the international control of narcotics. In this connection it was pointed out that the Secretary-General, acting on the instructions of Economic and Social Council, had asked those Members of the United Nations which were parties to the agreements, conventions and protocols on narcotic drugs, to give their representatives to the present session of the General Assembly full powers to sign the protocol.

The Third Committee unanimously adopted the draft protocol and annex with the

amendments suggested by the Secretariat and likewise adopted the draft resolution recommended by the Economic and Social Council. The relevant documents were then referred to the Sixth Committee, which at its 18th and 19th meetings on November 12 and 14 examined the legal questions involved in detail and submitted to the Third Committee a report which the latter decided to include in its report to the General Assembly.

At its 49th plenary meeting on November 19, 1946, the General Assembly, on the recommendation of the Third Committee, unanimously adopted the following resolution:

THE GENERAL ASSEMBLY,

DESIROUS of continuing and developing the international control of narcotic drugs,

APPROVES the Protocol which accompanies this resolution;

URGES that it shall be signed without delay by all the States who are Parties to the Agreements, Conventions and Protocols mentioned in the Annex;

RECOMMENDS that, pending the entry into force of the aforesaid Protocol, effect be given to its provisions by the Parties to any of these Agreements, Conventions and Protocols,

INSTRUCTS the Secretary-General to perform the functions conferred upon him by the Protocol, signed on 11 December 1946, amending the international Agreements, Conventions and Protocols relating to narcotic drugs which were concluded in the years 1912, 1925, 1931 and 1936;

DIRECTS the Economic and Social Council and the Secretary-General in view of the General Assembly's resolution on the relations of Members of the United Nations with Spain, adopted on 9 February 1946, to suspend all action under this Protocol and the abovementioned Agreements, Conventions and Protocols with respect to the Franco Government in Spain so long as this Government is in power.

PROTOCOL AMENDING THE AGREEMENTS, CONVENTIONS AND PROTOCOLS ON NARCOTIC DRUGS CONCLUDED AT THE HAGUE ON 23 JANUARY 1912, AT GENEVA ON 11 FEBRUARY 1925, AND 19 FEBRUARY 1925, AND 13 JULY 1931, AT BANKOK ON 27 NOVEMBER 1931, AND AT GENEVA ON 26 JUNE 1936

The States Parties to the present Protocol, considering that under the international Agreements, Conventions and Protocols relating to narcotic drugs which were concluded on 23 January 1912, 11 February 1925, 19 February 1925, 13 July 1931, 27 November 1931 and 26 June 1936, the League of Nations was invested with certain duties and functions for whose continued performance it is necessary to make provision in consequence of the dissolution of the League, and considering that it is expedient that these duties and functions should be performed henceforth by the United Nations and the World Health Organization or its Interim Commission, have agreed upon the following provisions:

Article I

The States Parties to the present Protocol undertake that as between themselves they will, each in respect of the instrument to which it is a party, and in accordance with the provisions of the present Protocol, attribute full legal force and effect to, and duly apply the amendments to those instruments which are set forth in the Annex to the present Protocol.

Article II

1. It is agreed that, during the period preceding the entry into force of the Protocol in respect of the International Convention relating to Dangerous Drugs of 19 February 1925, and in respect of the International Convention for limiting the Manufacture and regulating the Distribution of Narcotic Drugs of 13 July 1931, the Permanent Central Board and the Supervisory Body as at present constituted shall continue to perform their functions. Vacancies in the membership of the Permanent Central Board may during this period be filled by the Economic and Social Council.

2. The Secretary-General of the United Nations is authorized to perform at once the duties hitherto discharged by the Secretary-General of the League of Nations in connection with the Agreements, Conventions and Protocols mentioned in the Annex to the present Protocol.

3. States which are Parties to any of the instruments which are to be amended by the present Protocol are invited to apply the amended texts of those instruments so soon as the amendments are in force, even if they have not yet been able to become Parties to the present Protocol.

4. Should the amendments to the Convention relating to Dangerous Drugs of 19 February 1925, or the amendments to the Convention for limiting the Manufacture and regulating the Distribution of Narcotic Drugs of 13 July 1931, come into force before the World Health Organization is in a position to assume its functions under these Conventions, the functions conferred on that Organization by the amendments shall, provisionally, be performed by its Interim Commission.

Article III

The functions conferred upon the Netherlands Government under articles 21 and 25 of the International Opium Convention signed

at The Hague on 23 January 1912, and entrusted to the Secretary-General of the League of Nations with the consent of the Netherlands Government, by a resolution of the League of Nations Assembly dated 15 December 1920, shall henceforward be exercised by the Secretary-General of the United Nations.

Article IV

As soon as possible after this Protocol has been opened for signature the Secretary-General shall prepare texts of the Agreements, Conventions and Protocols revised in accordance with the present Protocol and shall send copies for their information to the Government of every Member of the United Nations and every non-member State to which this Protocol has been communicated by the Secretary-General.

Article V

The present Protocol shall be open for signature or acceptance by any of the States Parties to the Agreements, Conventions and Protocols on narcotic drugs of 23 January 1912, 11 February 1925, 19 February 1925, 13 July 1931, 27 November 1931 and 26 June 1936 to which the Secretary-General of the United Nations has communicated a copy of the present Protocol.

Article VI

States may become Parties to the present Protocol by

(a) Signature without reservation as to approval,

(b) Signature subject to approval followed by acceptance or

(c) Acceptance.

Acceptance shall be effected by the deposit of a formal instrument with the Secretary-General of the United Nations.

Article VII

1. The present Protocol shall come into force in respect of each Party on the date upon which it has been signed on behalf of that Party without reservation as to approval, or upon which an instrument of acceptance has been deposited.

2. The amendments set forth in the Annex to the present Protocol shall come into force in respect of each Agreement, Convention and Protocol when a majority of the Parties thereto have become Parties to the present Protocol.

Article VIII

In accordance with Article 102 of the Charter of the United Nations, the Secretary-General of the United Nations will register and publish the amendments made in each instrument by the present Protocol on the dates of the entry into force of these amendments.

Article IX

The present Protocol, of which the Chinese, English, French, Russian and Spanish texts are equally authentic, shall be deposited in the archives of the United Nations Secretariat. The Agreements, Conventions and Protocols to be amended in accordance with the Annex being in the English and French languages only, the English and French texts of the Annex shall equally be the authentic texts and the Chinese, Russian and Spanish texts will be translations. A certified copy of the Protocol, including the Annex, shall be sent by the Secretary-General to each of the States Parties to the Agreements, Conventions and Protocols on narcotic drugs of 23 January 1912, 11 February 1925, 19 February 1925, 13 July 1931, 27 November 1931 and 26 June 1936, as well as to all Members of the United Nations and non-member States mentioned in article IV.

IN FAITH WHEREOF the undersigned, duly authorized, have signed the present Protocol on behalf of their respective Governments on the dates appearing opposite their respective signatures.

DONE at Lake Success, New York, this eleventh day of December one thousand nine hundred and forty-six.

ANNEX

1. AGREEMENT CONCERNING THE MANUFACTURE OF, INTERNAL TRADE IN, AND USE OF PREPARED OPIUM, WITH PROTOCOL AND FINAL ACT, SIGNED AT GENEVA ON 11 FEBRUARY 1925

In articles 10, 13, 14 and 15 of the Agreement "the Secretary-General of the United Nations" shall be substituted for "the Secretary-General of the League of Nations" and "the Secretariat of the United Nations" shall be substituted for "the Secretariat of the League of Nations".

In articles 3 and 4 of the Protocol, "the Economic and Social Council of the United Nations" shall be substituted for "the Council of the League of Nations".

2. INTERNATIONAL CONVENTION RELATING TO DANGEROUS DRUGS, WITH PROTOCOL, SIGNED AT GENEVA ON 19 FEBRUARY 1925

For article 8 the following article shall be substituted:

"In the event of the World Health Organization, on the advice of an expert committee appointed by it, finding that any preparation containing any of the narcotic drugs referred to in the present chapter cannot give rise to the drug habit on account of the medicaments with which the said drugs are compounded and which in practice preclude the recovery of the said drugs, the World Health Organization shall communicate this finding to the Economic and Social Council of the United Nations. The Council will communicate the finding to the Contracting Parties, and thereupon the provisions of the present Convention

will not be applicable to the preparation concerned."

For article 10, the following article shall be substituted:

"In the event of the World Health Organization, on the advice of an expert committee appointed by it, finding that any narcotic drug to which the present Convention does not apply is liable to similar abuse and productive of similar ill-effects as the substances to which this chapter of the Convention applies, the World Health Organization shall inform the Economic and Social Council accordingly and recommend that the provisions of the present Convention shall be applied to such drugs.

"The Economic and Social Council shall communicate the said recommendation to the Contracting Parties. Any Contracting Party which is prepared to accept the recommendation shall notify the Secretary-General of the United Nations, who will inform the other Contracting Parties.

"The provisions of the present Convention shall thereupon apply to the substance in question as between the Contracting Parties who have accepted the recommendation referred to above."

In the third paragraph of article 19 "the Economic and Social Council of the United Nations" shall be substituted for "the Council of the League of Nations."

The fourth paragraph of article 19 shall be deleted.

In articles 20, 24, 27, 30, 32 and 38 (paragraph 1) "the Economic and Social Council of the United Nations" shall be substituted for "the Council of the League of Nations" and "the Secretary-General of the United Nations" shall be substituted for "the Secretary-General of the League of Nations" wherever these words occur.

In article 32 "the International Court of Justice" shall be substituted for "the Permanent Court of International Justice."

Article 34 shall read as follows:

"The present Convention is subject to ratification. As from 1 January 1947 the instruments of ratification shall be deposited with the Secretary-General of the United Nations, who shall notify their receipt to all the Members of the United Nations, and the non-member States to which the Secretary-General has communicated a copy of the Convention."

Article 35 shall read as follows:

"After the 30th day of September 1925 the present Convention may be acceded to by any State represented at the Conference at which this Convention was drawn up and which has not signed the Convention, by any Member of the United Nations, or by any non-member State mentioned in article 34.

"Accessions shall be effected by an instrument communicated to the Secretary-General of the United Nations to be deposited in the archives of the Secretariat of the United Nations. The Secretary-General shall at once notify such deposit to all the Members of the United Nations signatories of the Convention and to the signatory non-member States mentioned in article 34 as well as to the adherent States."

Article 37 shall read as follows:

"A special record shall be kept by the Secretary-General of the United Nations showing which States have signed, ratified, acceded to or denounced the present Convention. This record shall be open to the Contracting Parties and shall be published from time to time as may be directed."

The second paragraph of article 38 shall read as follows:

"The Secretary-General of the United Nations shall notify the receipt of any such denunciations to all the Members of the United Nations and to the States mentioned in article 34."

3. International Convention for limiting the Manfacture and regulating the Distribution of Narcotic Drugs with Protocol of Signature, signed at Geneva on 13 July 1931

In article 5, paragraph 1, the words "to all the Members of the League of Nations and to the non-member States mentioned in article 27" shall be replaced by the words "to all the Members of the United Nations and to the non-member States mentioned in article 28."

For the first sub-paragraph of paragraph 6 of article 5, the following sub-paragraph shall be substituted:

"The estimates will be examined by a Supervisory Body consisting of four members. The World Health Organization shall appoint two members and the Commission on Narcotic Drugs of the Economic and Social Council and the Permanent Central Board shall each appoint one member.

"The Secretariat of the Supervisory Body shall be provided by the Secretary-General of the United Nations who will ensure close collaboration with the Permanent Central Board."

In article 5, paragraph 7, the words "December 15th in each year" shall be substituted for the words "November 1st in each year", and the words "through the intermediary of the Secretary-General of the United Nations to all the Members of the United Nations and non-member States referred to in article 28" shall be substituted for the words "through the intermediary of the Secretary-General, to all the members of the League of Nations and non-member States referred to in article 27."

For paragraphs 2, 3, 4 and 5 of article 11, the following paragraphs shall be substituted:

"2. Any High Contracting Party permitting trade in or manufacture for trade of any such product to be commenced shall immediately send a notification to that effect to the Secretary-General of the United Nations, who shall advise the other High Contracting Parties and the World Health Organization.

"3. The World Health Organization, acting on the advice of an expert committee appointed by it, will thereupon decide whether the product in question is capable of producing addiction (and is in consequence assimilable to the drugs mentioned in sub-group (a) of Group I), or whether it is convertible into such a drug (and is in consequence assimilable to the drugs mentioned in sub-group (b) of Group I or in Group II).

"4. In the event of the World Health Organization, on the advice of the expert committee appointed by it, deciding that the product is not itself a drug capable of producing addiction, but is convertible into such a drug, the question whether the drug in question shall fall under sub-group (b) of Group I or under Group II shall be referred for decision to a body of three experts competent to deal with the scientific and technical aspects of the matter, of whom one member shall be selected by the Government concerned, one by the Commission on Narcotic Drugs of the Economic and Social Council, and the third by the two members so selected.

"5. Any decision arrived at in accordance with the two preceding paragraphs shall be notified to the Secretary-General of the United Nations, who will communicate it to all States Members of the United Nations and the non-member States mentioned in article 28."

In paragraphs 6 and 7 of article 11, "the Secretary-General of the United Nations" shall be substituted for "the Secretary-General."

In articles 14, 20, 21, 23, 26, 31, 32, and 33, "the Secretary-General of the United Nations" shall be substituted for "the Secretary-General of the League of Nations."

In article 21 for the words "by the Advisory Committee on Traffic in Opium and other Dangerous Drugs" shall be substituted the words "by the Commission on Narcotic Drugs of the Economic and Social Council."

For the second paragraph of article 25, the following paragraph shall be substituted:

"In case there is no such agreement in force between the Parties, the dispute shall be referred to arbitration or judicial settlement. In the absence of agreement on the choice of another tribunal, the dispute shall, at the request of any one of the Parties, be referred to the International Court of Justice, if all the Parties to the dispute are Parties to the Statute, and, if any of the Parties to the dispute is not a Party to the Statute, to an arbitral tribunal constituted in accordance with the Hague Convention of 18 October 1907, for the Pacific Settlement of International Disputes."

For the last paragraph of article 26 the following paragraph shall be substituted:

"The Secretary-General shall communicate to all Members of the United Nations or non-member States mentioned in article 28 all declarations and notices received in virtue of the present article."

Article 28 shall read as follows:

"The present Convention is subject to ratification. As from 1 January 1947, the instruments of ratification shall be deposited with the Secretary-General of the United Nations, who shall notify their receipt to all the Members of the United Nations and to the non-member States to which the Secretary-General has communicated a copy of the Convention."

Article 29 shall read as follows:

"The present Convention may be acceded to on behalf of any Member of the United Nations or any non-member State mentioned in article 28. The instruments of accession shall be deposited with the Secretary-General of the United Nations, who shall notify their receipt to all the Members of the United Nations and to the non-member States mentioned in article 28."

In the first paragraph of article 32, the last sentence shall read as follows:

"Each denunciation shall operate only as regards the High Contracting Party on whose behalf it has been deposited."

The second paragraph of article 32 shall read as follows:

"The Secretary-General shall notify all the Members of the United Nations and non-member States mentioned in article 28 of any denunciation received."

In the third paragraph of article 32, the words "High Contracting Parties" shall replace the words "Members of the League and non-member States bound by the present Convention."

In article 33, the words "High Contracting Party" and "High Contracting Parties" shall replace the words "'Member of the League of Nations or non-member State bound by this Convention" and "Members of the League of Nations or non-member States bound by this Convention."

4. Agreement for the Control of Opium Smoking in the Far East, with Final Act, Signed at Bangkok on 27 November 1931

In articles V and VII "the Secretary-General of the United Nations" shall be substi-

tuted for "the Secretary-General of the League of Nations."

5. INTERNATIONAL CONVENTION FOR THE SUPPRESSION OF ILLICIT TRAFFIC IN DANGEROUS DRUGS SIGNED AT GENEVA ON 26 JUNE 1936

In articles 16, 18, 21, 23 and 24, "the Secretary-General of the United Nations" shall be substituted for "the Secretary-General of the League of Nations."

For article 17, second paragraph, the following paragraph shall be substituted:

"In case there is no such agreement between the Parties the dispute shall be referred to arbitration or judicial settlement. In the absence of agreement on the choice of another tribunal, the dispute shall, at the request of any one of the Parties, be referred to the International Court of Justice, if all the Parties to the dispute are Parties to the Statute, and, if any of the Parties to the dispute is not a Party to the Statute, to an arbitral tribunal constituted in accordance with the Hague Convention of 18 October 1907, for the Pacific Settlement of International Disputes."

Paragraph 4 of article 18 shall read as follows:

"The Secretary-General shall communicate to all the Members of the United Nations and to the non-member States mentioned in article 20 all declarations and notices received in virtue of this article."

Article 20 shall read as follows:

"The present Convention is subject to ratification. As from 1 January 1947, the instruments of ratification shall be deposited with the Secretary-General of the United Nations, who shall notify their receipt to all the Members of the United Nations, and the non-member States to which the Secretary-General has communicated a copy of the Convention."

Paragraph 1 of article 21 shall read as follows:

"The present Convention shall be open to accession on behalf of any Member of the United Nations or non-member state mentioned in article 20."

In paragraph 1 of article 24, the words "High Contracting Party" shall be substituted for the words "Member of the League or non-member State."

The second paragraph of article 24 shall read as follows:

"The Secretary-General shall notify all the Members of the United Nations and non-member States mentioned in article 20 of any denunciations received."

In paragraph 3 of article 24 the words "High Contracting Parties" shall replace the words "Members of the League or non-member States bound by the present Convention."

Article 25 shall read as follows:

"Request for the revision of the present Convention may be made at any time by any High Contracting Party by means of a notice addressed to the Secretary-General of the United Nations. Such notice shall be communicated by the Secretary-General to the other High Contracting Parties and, if endorsed by not less than one-third of them, the High Contracting Parties agree to meet for the purpose of revising the Convention."

c. *Utilization by UNESCO of the Property Rights of the League of Nations in the International Institute of Intellectual Cooperation*

By resolution of April 17, 1946, the 21st and last Assembly of the League of Nations had transferred its property rights in the Intertional Institute of Intellectual Cooperation, to the United Nations.

With a view to transferring to UNESCO the functions and activities of the International Institute of Intellectual Cooperation, the Economic and Social Council, by resolution of October 3, 1946, recommended that the Secretary-General report to the next session of the General Assembly on the conditions under which it would be appropriate to utilize the assets of the League of Nations in the Institute. The Secretary-General accordingly made a study of the assets of the Institute and submitted a report and a draft resolution to the second part of the first session of the General Assembly.

The Fifth Committee (Administrative and Budgetary), to which the matter was referred, considered the Secretary-General's report at its 24th meeting on November 13, 1946, and unanimously adopted the draft resolution proposed by the Secretary-General.

On the recommendation of the Fifth Committee the General Assembly at its 49th plenary meeting on November 19, 1946, unanimously adopted the following resolution:

THE GENERAL ASSEMBLY,

1. RECOMMENDS that as soon as possible after UNESCO has been definitely established, it shall take over, in accordance with Article XI, paragraph 2, of its Charter, such of the functions and activities of the International Institute of Intellectual Co-operation as may be performed within the scope of the program adopted at the UNESCO General Conference, as set forth in the draft agreement between the United Nations and

UNESCO, under the terms of Article 63 of the United Nations Charter;

2. FURTHER RECOMMENDS that an agreement be concluded between UNESCO and the Institute before 31 December 1946, in order to facilitate the assumption by UNESCO of the functions and activities referred to in paragraph 1 of the present resolution;

3. INVITES the Secretary-General, in order to ensure, under the auspices of UNESCO, the continuity of the work performed by the International Institute of Intellectual Co-operation, to authorize UNESCO to utilize the assets of the Institute transferred by the League of Nations to the United Nations.

d. *Transfer of the Assets of the League of Nations*

The "Common Plan" for the transfer of assets of the League of Nations to the United Nations approved by the General Assembly of the United Nations on February 12, 1946, and by the Assembly of the League of Nations on April 18, 1946, had provided, *inter alia* for the transfer to the United Nations of the buildings and properties of the League of Nations in Geneva.

In a report to the second part of the first session of the General Assembly the Secretary-General stated that the detailed arrangements for the transfer of the ownership of the assets in question, apart from the financial conditions mentioned in the Common Plan, were embodied in an "Agreement Concerning the Execution of the Transfer to the United Nations of Certain Assets of the League of Nations" signed on July 19, 1946, by Sean Lester, Secretary-General of the League of Nations, and Wlodzimierz Moderow, representative of the Secretary-General of the United Nations in Geneva. A "Protocol Concerning the Execution of Various Operations in the Transfer to the United Nations of Certain Assets of the League" was signed on August 1, 1946. The United Nations was registered in the Geneva land register on August 1, 1946, as the owner of the properties concerned. The legal transfer of all of the properties of the League of Nations in Geneva thus took place on August 1, 1946.

The remaining task, according to the Secretary-General's report, was to establish a final valuation of the assets, in accordance with the terms of the Common Plan. The Secretary-General recommended that he be authorized by the General Assembly to prepare a definite schedule in consultation with the Advisory Committee on Administrative and Budgetary Questions and the League authorities, and that the schedule so prepared should be considered as final.

The General Assembly at its 46th plenary meeting on October 31, 1946, referred the question of the transfer of the assets of the League of Nations to the Fifth Committee. At its 34th meeting on December 3, 1946, the Fifth Committee by 34 votes to 0 approved the conclusions of the report presented by the Secretary-General, together with the Agreement and the Protocol mentioned above.

On the recommendation of the Fifth Committee the General Assembly at its 50th plenary meeting on December 7, 1946, unanimously adopted the following resolution:

THE GENERAL ASSEMBLY RESOLVES THAT,

1. The Agreement concerning the execution of the transfer to the United Nations of certain assets of the League of Nations and the Protocol concerning the execution of various operations in the transfer to the United Nations of certain assets of the League of Nations, arrived at in accordance with the provisions of the Common Plan with respect to the transfer of certain assets of the League of Nations, are approved as they appear in Annexes I and II of this resolution.

2. The Secretary-General is authorized to prepare a definite schedule for establishing a final valuation of these assets, in accordance with the terms of the Common Plan, in consultation with the Advisory Committee on Administrative and Budgetary Questions and the League authorities; and therefore that such a schedule agreed upon by the Advisory Committee, the League authorities and the Secretary-General shall be considered as final.

ANNEX I

AGREEMENT CONCERNING THE EXECUTION OF THE TRANSFER TO THE UNITED NATIONS OF CERTAIN ASSETS OF THE LEAGUE OF NATIONS, SIGNED ON 19 JULY 1946

Whereas the General Assembly of the United Nations, by a resolution adopted on 12 February 1946, and the Assembly of the League of Nations, by a resolution adopted on 18 April, 1946, respectively approved the Common Plan for the transfer to the United Nations of certain assets of the League of Nations, on the financial conditions mentioned in the aforesaid Plan.

The League of Nations, represented by Mr. Sean Lester, Secretary-General, and the

United Nations represented by M. Wlodzimierz Moderow, Director, representative of the Secretary-General of the United Nations at Geneva, have concluded the present Agreement for the purpose of determining the details of the transfer of the ownership of the assets in question, apart from the financial conditions mentioned in the Common Plan.

Article 1

The transfer of rights in respect of immovable property shall relate to the following items:

1. All transferable rights which, in virtue of the Agreement concluded on 26 March 1929 between the Swiss Confederation and the League of Nations, the latter possesses over the Ariana site and the buildings erected by it on that site;

2. The rights possessed by the League of Nations in respect of the Sécheron property, as defined in the Agreement of 26 March 1929, referred to in paragraph 1 above;

3. The full ownership enjoyed by the League of Nations in properties situated in Geneva and at Pregny, with an area of 203,446 square metres, consisting of various plots of land with four villas and their outbuildings;

4. The following rights:

(a) The servitudes constituted in favour of the League of Nations in the Bill of Sale dated 14 June 1938, by which the Latvian Government acquired a property situated in the Commune of Geneva (Petit-Saconnex district), and the right of pre-emption reserved to the League of Nations;

(b) The servitudes constituted in favour of the League of Nations in the Bill of Sale dated 7 March 1940, concluded between the *Société immobilière de la Place des Nations* and the League of Nations, and the right of purchase reserved to the League of Nations.

Article 2

The transfer of rights in respect of movable property shall relate to the following items:

(a) The fittings, furniture, office equipment and books, and the stock of supplies which are in the aforementioned premises and which are the property of the League of Nations;

(b) The books and collections of the Library;

(c) The fittings, furniture, office equipment and books, and the stock of supplies for the use of the Permanent Court of International Justice which are the property of the League of Nations;

(d) The fittings, furniture, office equipment and books and the stock of supplies which are or were in the branch offices of the League of Nations and which have remained the property of the League of Nations;

(e) Any fittings, furniture, office equipment, books and stock of supplies which would become the property of the League of Nations in consequence of the dissolution of organizations or institutes subsidiary thereto;

(f) The stocks of supplies held by suppliers, which are the property of the League of Nations;

(g) The archives of the League of Nations and of the Permanent Court of International Justice;

(h) All other corporeal property belonging to the League of Nations.

Article 3

It is understood that gifts presented to the League of Nations by Governments, public bodies or private individuals, whether they have become part of the buildings or whether they have retained the character of movable property, shall be transferred to the United Nations on the same terms as those on which the said gifts were presented.

Article 4

It is recalled that, in accordance with the terms of the Common Plan:

(a) The International Labour Organization may use the Assembly Hall together with the necessary committee rooms, office accommodation and other facilities connected therewith at times and on financial terms to be agreed from time to time between the United Nations and the International Labour Organization; and

(b) The International Labour Organization may use the Library under the same conditions as other official users thereof.

Article 5

The United Nations shall assume the following obligations which the League of Nations has undertaken to transfer to the acquirers of certain of its immovable property, namely:

(a) As provided in the Act of 2 July 1940, by which the Republic and Canton of Geneva sold to the League of Nations the landed property situated in the Commune of Geneva, Petit-Saconnex district (plot 7033, sheet 4, with an area of 19 acres and 91 metres), the buyer, in the event of re-sale, shall undertake not to exercise his right to build on the said plot otherwise than in conformity with the legal provisions relevant in the matter;

(b) As provided in Article 3 of the Agreement of 20 February 1941, between the *Services industriels de Genève* and the League of Nations, obligations in respect of underground mains shall be transferred to the acquirer of the land;

(c) As provided in Article 6 of the Arrangement of 18 July 1942, between the Swiss Postal and Telegraph Services and the League of Nations, obligations in respect of underground mains shall be transferred to the acquirer of the land.

Article 6

The movable objects transferred shall be listed in an inventory drawn up by the League of Nations and verified jointly by the United Nations at the time of the transfer.

Article 7

The transfers provided for in the present Agreement shall take place on 1 August 1946.

Article 8

1. In conformity with item 8 of the report by the Committee of the United Nations accompanying the Common Plan (United Nations document A/18, 28 January 1946), the United Nations shall, during the liquidation of the League of Nations, allow the latter to use without any charge the premises and the furniture and equipment with which they are provided, together with the supplies necessary for the continuation of its activities until the date of the transfer of the said activities to the United Nations or of their termination.

2. Subsequently, for the work of liquidation of the League of Nations, until the completion of that liquidation, the United Nations shall grant, free of charge, the use of the premises and the furniture and equipment with which they are provided and available supplies in reasonable quantities.

Article 9

A protocol shall be drawn up between the League of Nations and the United Nations in order, if need be, to supplement the present Agreement and to settle any practical questions arising out of the transfer.

Article 10

The present Agreement shall enter into force on the date on which it shall have been signed by the Secretary-General of the League of Nations and the Secretary-General of the United Nations, or by their representatives.

DONE AND SIGNED AT GENEVA ON 19 JULY 1946, in four copies, two in French and two in English, the texts in both languages being equally authentic, of which two texts, one French and one English, were handed to the representatives of the League of Nations and the two remaining texts to the representatives of the United Nations.

For the League of Nations:
(signed) Sean Lester

For the United Nations
(signed) W. Moderow

ANNEX II

PROTOCOL CONCERNING THE EXECUTION OF VARIOUS OPERATIONS IN THE TRANSFER TO THE UNITED NATIONS OF CERTAIN ASSETS OF THE LEAGUE OF NATIONS, SIGNED 1 AUGUST 1946

Mr. Sean Lester, Secretary-General of the League of Nations, and Mr. Wlodzimierz Moderow, Director, Representative of the Secretary-General of the United Nations in Geneva:

NOTE that, in application of the Common Plan, approved by a resolution of the General Assembly of the United Nations, dated 12 February 1946, and by a resolution of the Assembly of the League of Nations, dated 18 April 1946, and of a subsequent Agreement dated 19 July 1946, concerning the execution of the transfer to the United Nations of certain assets of the League of Nations, the following operations were effected on 1 August 1946:

1. The transfer of rights in respect of the League of Nations buildings and other immovable property was effected on 1 August 1946, and the necessary entries having been made this day in the Land Register of the Republic and Canton of Geneva.

2. The transfer of the ownership and possession of the movable property was also eèected on 1 August 1946.

In accordance with Article 6 of the Agreement of 19 July 1946, the movable objects transferred have been listed in an inventory drawn up by the League of Nations which is in course of being verified by the United Nations. A Protocol will be drawn up placing on record the completion of this operation.

3. A final valuation of the assets will be made in accordance with the terms of the Common Plan. It will be the subject of a special protocol.

(signed) Sean Lester
W. Moderow

Geneva, 1 August 1946.

The Common Plan provided that the valuation of the assets transferred should be based on the original cost to the League of Nations, the credit so established to be apportioned in accordance with percentages to be established by the League. The shares thus established of States Members of the United Nations were to be credited to them in the accounts of the United Nations, those of non-Member States to be dealt with by the League.

In accordance with the terms of the above resolution adopted by the General Assembly the valuation of the League assets transferred was established in consultation with the Advisory Committee on Administrative

and Budgetary Questions and the League authorities at 46,194,569.29 Swiss francs, which, converted at the rate of exchange effective on the date of transfer (August 1, 1946), represented $10,809,529.21. This sum was entered in the accounts as of December 31, 1946, as credit due to Member States, but as of June 30, 1947, no information had been received from the League of Nations as to its apportionment.

Assets which had been acquired by the League of Nations by gift, or purchased from endowment funds were transferred to the United Nations without charge. These included furnishings at the Palais des Nations and books in the library, as well as the library building itself, which cost $1,312,545.39; also the assets of the International Institute of Intellectual Cooperation, which were not shown in the League's accounts nor in the accounts of the Institute, but which are shown in the United Nations accounts at the nominal value of $1. The League of Nations further transferred or agreed to transfer to the United Nations the assets of certain trust funds held for specific purposes, with a total value of approximately $527,000.

8. Headquarters of the United Nations

The General Assembly during the first part of its first session had decided to locate the permanent headquarters of the United Nations in the Westchester-Fairfield region near New York City and to establish a Headquarters Commission of nine members to make an exhaustive study of the area and to recommend possible sites of from two to 40 square miles for consideration at the second part of the first session of the General Assembly.[1]

Having completed its studies, the Headquarters Commission submitted a detailed report to the General Assembly. The Commission had chosen five alternative sites in the Westchester-Fairfield area, one each of two, five, ten, twenty and 40 square miles and had examined them in detail. The two and five square mile sites recommended were located in the White Plains-Harrison area. The ten square mile site was located east of Peekskill in the Yorktown-Cortlandt region. The twenty and 40 square mile sites were located in the Somers-Yorktown area. The Commission had collected all possible information which might facilitate a decision by the General Assembly as to the exact location of the United Nations headquarters, but had not made any recommendations of its own concerning the site of the headquarters.

The agenda of the second part of the first session of the General Assembly included an item concerning the "Report of the Headquarters Commission and appointment of a Planning Commission of Experts." At the 24th meeting of the General Committee of the General Assembly, on November 5, 1946, the representative of the United States announced that, due to the difficulty of finding a suitable site for the headquarters of the United Nations, the United States delegation felt compelled to abandon its previous position of neutrality in the matter. The United States representative therefore proposed to amend the above agenda item to include "consideration of possible alternative sites for permanent headquarters in the New York area and in the San Francisco Bay area which may be available without cost or at reasonable cost." An offer received from New York City of Flushing Meadow Park and a three square mile site offered by San Francisco in the Crystal Springs area should be taken into consideration, the United States representative urged.

The representative of the Ukrainian S.S.R. proposed to amend the agenda item further to include "consideration of the possibility of fixing the temporary or permanent headquarters of the organization in Europe." The representatives of the United States and China objected that this amendment would reverse the decision taken in London to locate the headquarters of the United Nations in the United States. The representative of the United Kingdom raised the same objection in regard to the United States proposal, as the General Assembly in London had voted against locating the headquarters of the United Nations on the West Coast of the United States and had chosen the Westchester-Fairfield region.

The General Committee by a vote of 7 to 2, with 3 abstentions, rejected the Ukrainian amendment. The United States amendment was adopted by a vote of 8 to 3, with 1 abstention.

When the General Assembly considered the proposed modification of the agenda item at its 47th plenary meeting on November 9, 1946,

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[1] See pp. 113, 114.

the representative of the United Kingdom moved an amendment to authorize the Headquarters Committee to consider sites in the United States other than New York or San Francisco. This amendment was adopted by a vote of 28 to 15, with 2 abstentions. The amended United States proposal was adopted by 33 votes to 2, with 1 abstention.

At the 15th meeting of the Headquarters Commitee on November 11, 1946, a number of members urged that speed was essential in the choice of a site for the permanent headquarters and urged that consideration of additional sites in the United States be limited and that the Committee should not examine a large number of new offers. After discussion the Committee agreed to limit consideration to the four following areas: New York, San Francisco, Boston and Philadelphia.

At its 17th meeting on November 14, 1946, the Committee by a vote of 39 to 2, with 2 abstentions, then adopted a proposal of the representative of the United States to establish a sub-commitee consisting of the Chairman, the Vice-Chairman, the Rapporteur of the Headquarters Committee and the representatives of Australia, Belgium, Bolivia, China, Cuba, Egypt, France, Iraq, the Netherlands, Poland, the U.S.S.R., the United Kingdom, the United States, Uruguay and Yugoslavia. This sub-committee was to consider the relative merits of alternative sites in the four areas mentioned which might be available without cost or at reasonable cost and was to report to the Headquarters Committee in ample time for debate by the Committee and report to the General Assembly.

The Sub-Committee visited three sites in the New York area (the White Plains-Harrison area, Mohansic Park and Flushing Meadow Park), two sites in the San Francisco Bay area (the Presidio, a federal military reservation and the Crystal Springs area), three sites in the Boston area (the Blue Hills site, the Framingham site and the North Shore site) and the Belmont-Roxborough area in Philadelphia. On the basis of the data it had gathered on each of these sites the Sub-Committee recommended to the Headquarters Committee the following sites: in the first instance the site of Belmont-Roxborough in Philadelphia and the site of the Presidio in San Francisco, these two sites being regarded by the Sub-Committee as of equal merit; in the second instance the White Plains-Harrison site near New York.

The Headquarters Committee discussed the Sub-Committee's report at its 18th to 24th meetings, held from December 4 to December 9. A large number of representatives expressed themselves in favor of the Presidio site in San Francisco. These included notably the States members of the Arab League, a number of Central and South American States and certain States of the Far East and the Pacific area. The representatives of Cuba, New Zealand, Poland, South Africa and the United Kingdom, among others, favored the Philadelphia site. Among the countries expressing themselves in favor of New York City were Czechoslovakia, Norway, the U.S.S.R. and Yugoslavia.

Many European countries opposed a site in the San Francisco area because of the distance from most of the capitals of the world. At the 20th meeting of the Headquarters Committee on December 5, 1946, the representative of the United States announced that the President of the United States intended to put the Presidio site at the disposal of the United Nations free of charge, subject to the ratification of Congress. This statement was interpreted by some representatives to imply United States support for the San Francisco site.

The representative of the U.S.S.R. stated that under no condition would the U.S.S.R. delegation go to San Francisco. Although the U.S.S.R. delegation favored New York, it was willing to accept Philadelphia as a compromise. The United States in turn should, he urged, withdraw the San Francisco offer.

To clarify his position, the representative of the United States stated that the offer of the Presidio site had been made in response to inquiries from the Headquarters Committee and was not intended to influence the views of the Committee members. His Government, the representative of the United States announced, was in favor of a site on the Atlantic coast, for it considered that the Headquarters of the United Nations should not be too far removed from Europe.

After further discussion the representative of the United States, at the 23rd meeting of the Headquarters Committee on December 9, 1946, proposed that the Committee recommend to the General Assembly that the permanent headquarters of the United Nations

be located on the eastern seaboard of the United States and that the choice between the various possible sites proposed in the Philadelphia, Boston and New York areas be postponed until the next session of the General Assembly. Meanwhile a thorough investigation should be made of any new sites which might be proposed in those areas.

A number of representatives maintained that if a final decision was to be postponed, San Francisco should not be excluded from further consideration. Other representatives opposed further delay as being detrimental to the prestige of the United Nations.

At the 24th meeting of the Headquarters Committee on December 9, 1946, the representative of the United States submitted his proposal for postponement of a decision in revised form. According to this resolution, which was offered as an amendment to the report of the Sub-Committee, (1) consideration of the question of which site in the United States should be the permanent headquarters of the United Nations would be postponed to the next session of the General Assembly; (2) the Secretary-General was to suggest the best site available (without cost or at reasonable cost) in the New York and Boston areas, these sites to be considered together with the Presidio site in San Francisco and the Belmont-Roxborough site in Philadelphia; (3) the Secretary-General was to distribute his report concerning the various proposed sites to the Members of the United Nations on or before July 1, 1947.

At the 25th meeting of the Headquarters Committee on December 11, 1946, the representative of the United States announced an offer of a gift from John D. Rockefeller, Jr., to be used for the purchase of a headquarters site in Manhattan. Mr. Rockefeller was ready to give $8,500,000 if the United Nations accepted an offer for the sale of property in Manhattan between First Avenue and Franklin D. Roosevelt Drive and between 42d and 48th streets. Certain conditions were enumerated, notably that the gift was to be made at the time of the closing of the purchase of the property. Several of the conditions would require the City of New York to give to the United Nations streets included in the prospective site, certain other parcels of land, bulkheads, piers, etc. Another condition was that the gift should not be taxed. The United Nations would have to make a decision regarding the acceptance or rejection of the offer within 30 days from December 10, 1946. The representative of the United States proposed that the Headquarters Committee should appoint a small sub-committee which would study the offer, inspect the site and report on the following day.

A number of representatives considered that the United States proposal to postpone a decision should be voted on first, and that no new offers should be considered at such a late stage in the proceedings of the General Assembly. Other representatives considered that Mr. Rockefeller's offer had modified the situation considerably and that the Committee could not arrive at a satisfactory decision without studying that offer. The representative of the U.S.S.R., in supporting the United States proposal for the appointment of a sub-committee, suggested that the sub-committee consist of the nine members of the Headquarters Commission and the representative of the United States. By a vote of 39 to 7 the Headquarters Committee adopted the proposal for the establishment of a sub-committee.

At the 26th meeting of the Headquarters Committee on December 12, 1946, the Sub-Committee reported that it had visited the proposed site and had questioned several officials of the City of New York concerning the possibilities of the site. The Sub-Committee had reached the conclusion that the site would be excellent for the construction of a vertical type of urban headquarters.

The representative of the United States announced that he was withdrawing his proposal for a postponement of a decision on a headquarters site and instead submitted two other draft resolutions. The first of these provided for acceptance by the United Nations of the offer of Mr. Rockefeller's gift of $8,000,000 for the acquisition of the East River site. The second resolution requested the Secretary-General to prepare the plans and financial estimates for the construction of the buildings and other facilities of the proposed permanent headquarters of the United Nations.

The representative of Egypt introduced a substitute proposal to defer a decision until the next session of the General Assembly. The Headquarters Committee rejected the Egyptian proposal by 36 votes to 6, with 5 abstentions. The United States resolution involving

acceptance of Mr. Rockefeller's gift was then adopted by a vote of 33 to 7, with 6 abstentions. The second United States resolution requesting the Secretary-General to prepare plans for the future headquarters was adopted unanimously after the Committee had accepted some amendments.

At the 65th plenary meeting of the General Assembly the Chairman of the Headquarters Committee appealed for a unanimous vote on the choice of the Manhattan site for the headquarters of the United Nations. The General Assembly, by a vote of 46 to 7, adopted the following resolutions:

I. THE GENERAL ASSEMBLY,

TAKES NOTE, with a feeling of sincere gratitude, of the offer made by Mr. John D. Rockefeller, Jr., in a letter dated 10 December 1946, to give to the United Nations the sum of $8,500,000 (U.S.), on certain terms and conditions, to make possible the acquisition by the United Nations of a tract of land in New York city in the area bounded by First Avenue, East 48th Street, the East River and East 42nd Street;

NOTES also the assurance given by the City of New York to fulfill the terms and conditions applicable to it on which the aforesaid offer has been made, and the assurances given by the representative of the United States of America with respect to certain other terms and conditions of the aforesaid gift;

RESOLVES, THEREFORE:

1. That the offer of Mr. John D. Rockefeller, Jr., hereinabove mentioned, be accepted subject to the terms and conditions therein stated;

2. That the permanent headquarters of the United Nations shall be established in New York City in the area bounded by First Avenue, East 48th Street, the East River and East 42nd Street;

3. That the Secretary-General be authorized to take all steps necessary to acquire the land hereinabove described together with all appurtenant rights, and to receive the aforesaid gift of $8,500,000 (U.S.), and to apply the said gift to the acquisition of the land as provided in the terms of the offer;

4. That the Secretary-General be authorized to lease the structures now on the site until the work of demolition is undertaken, or to undertake demolition, as appears more appropriate;

5. That nothing in this resolution shall be deemed to restrict the authority of the Secretary-General to take any action which he may otherwise be authorized to take;

6. That Part I of the resolution adopted at the thirty-third plenary meeting of the General Assembly on 14 February 1946 relating to the permanent headquarters of the United Nations, is hereby repealed.

II. THE GENERAL ASSEMBLY RESOLVES:

1. That the Secretary-General is hereby requested to prepare recommendations with respect to the matters set forth below pertaining to the establishment of the permanent headquarters. He is further requested to prepare a report on these matters to be distributed to the Members of the United Nations on or before 1 July 1947 for consideration at the next regular session of the General Assembly:

(a) General plans and requirements for official buildings and other necessary facilities;

(b) Arrangements for accommodations, housing developments and related facilities, on or off the site, for personnel of the Secretariat, specialized agencies and national delegations and their staffs, and for the families of such personnel;

(c) Approximate costs of construction and development;

(d) Financial and other arrangements;

(e) Any other matters pertaining to the development of the site which the Secretary-General feels the General Assembly should consider at its next regular session.

2. In carrying out the responsibilities set forth in paragraph 1 of this resolution, the Secretary-General shall be assisted by:

(a) An advisory committee consisting of representatives of the following Members:

Australia, Belgium, Brazil, Canada, China, Colombia, France, Greece, India, Norway, Poland, Syria, Union of Soviet Socialist Republics, United Kingdom, United States of America and Yugoslavia.

(b) Consultants and experts who, at the request of the Secretary-General, shall be designated by the Government of the United States of America, or by Governments of other Member States, or local authorities.

Early in January 1947, with the approval of the Headquarters Advisory Committee authorized by the General Assembly, a Headquarters Planning Office was established under a Director of Planning, with an international administrative and technical staff. On January 21, 1947, Wallace K. Harrison was appointed Director of Planning. As special advisers, the following ten eminent architects and engineers were chosen, from nominations made by Member Governments, to serve on a Board of Design Consultants:

N. D. Bassov (U.S.S.R.)
Gaston Brunfault (Belgium)
Ernest Cornier (Canada)
Charles E. LeCorbusier (France)
Liang Ssu-Cheng (China)
Sven Markelius (Sweden)
Oscar Niemeyer (Brazil)
Howard Robertson (United Kingdom)
Garnett Soilleux (Australia)
Julio Vilamajo (Uruguay)

Arrangements were made with the City of New York authorities and a general understanding was reached as to the developments which the City and the United Nations would carry out both inside and around the site. The City of New York agreed to meet the conditions of the Rockefeller gift by transferring to the United Nations certain property, streets and rights for use and occupancy of the waterfront on the East River. In addition, the City acquired certain portions of property within the site by condemnation process for transfer to the United Nations. As of June 30, 1946, the City was acquiring the necessary property to widen 39th and 40th Streets, First Avenue and 47th Street so as to provide easier access to the United Nations site. Certain zoning regulations were adopted for the control of the height of buildings in the area.

The United Nations on its part complied with all of the conditions of the Rockefeller gift and agreed to pay the cost of reconstruction of Franklin D. Roosevelt Drive and approaches, if required. A sum of $125,000 was paid to the City of New York for the planning of this reconstruction. The United Nations, furthermore, agreed to pay all costs of relocating residential tenants living in apartment buildings located in the site, to demolish all structures within the site according to a schedule which would permit the City to carry out its program concordantly and to plan the construction of buildings and garages in accordance with the general structural safety and fire prevention standards agreeable to the City.

As of June 30 plans were completed for the demolition of properties on the site and work was to begin on July 8, 1947. It was expected that most of the site would be cleared by early autumn.

In accordance with the General Assembly's resolution the Secretary-General prepared for submission to Member Governments a detailed report on all of the various aspects of planning for the new headquarters. All building plans were subject to approval by the General Assembly at its second regular session scheduled to convene on September 16, 1947.

E. FIRST SPECIAL SESSION

1. Calling of the Session

On April 2, 1947, the head of the United Kingdom delegation to the United Nations, Sir Alexander Cadogan, sent a letter to the Acting Secretary-General of the United Nations, Dr. Victor Hoo, requesting on behalf of the Government of the United Kingdom that the question of Palestine be placed on the agenda of the next regular session of the General Assembly. The letter also asked that a special session be called to constitute and instruct a special committee to prepare for the consideration of the question.

The letter stated:

I have received the following message from my Government: —

"His Majesty's Government in the United Kingdom request the Secretary-General of the United Nations to place the question of Palestine on the agenda of the General Assembly at its next regular Annual Session. They will submit to the Assembly an account of their administration of the League of Nations Mandate and will ask the Assembly to make recommendations, under Article 10 of the Charter, concerning the future government of Palestine.

In making this request, His Majesty's Government draw the attention of the Secretary-General to the desirability of an early settlement in Palestine and to the risk that the General Assembly might not be able to decide upon its recommendations at its next regular annual session unless some preliminary study of the question had previously been made under the auspices of the United Nations. They therefore request the Secretary-General to summon, as soon as possible, a special session of the General Assembly for the purpose of constituting and instructing a special committee to prepare for the consideration, at the regular session of the Assembly, of the question referred to in the preceding paragraph."

A telegram was immediately sent by the Acting Secretary-General to the other Members of the United Nations informing them of this request, and asking them to notify him if they concurred in the summoning of a special session of the General Assembly. The telegram stated that if within 30 days a majority of Members had concurred, the special session would be convoked in accordance with the rules of procedure.

Forty Members replied. All with the exception of Ethiopia agreed to the holding of the special session.

As a majority of Members had concurred in the request of the United Kingdom by April 13, the Secretary-General summoned the special session to meet at Flushing Meadow, New York on April 28. At the same time the Secretary-General communicated to Members the provisional agenda for the session.

2. Organization of the Session

The General Assembly convened at Flushing Meadow on April 28. The session was opened by the Chairman of the Belgian delegation, F. van Langenhove.

At the opening meeting of the session—the 68th meeting of the General Assembly—Oswaldo Aranha, the chairman of the Brazilian delegation was elected President by 45 out of 50 votes. The Chairmen of the Canadian, Chilean, Saudi Arabian, Swedish and U.S S.R. delegations each received one vote. There were four abstentions.

On the suggestion of the President, it was agreed to follow the usual procedure of electing a General Committee and referring to it the consideration of the agenda.

As the General Committee consists of the President, the seven Vice-Presidents and the Chairmen of the six committees, the Assembly at its 68th plenary meeting proceeded to elect its seven Vice-Presidents. Chief representatives of the following countries were elected: China, Ecuador, France, India, the U.S.S.R., the United Kingdom and the United States.

To complete the composition of the General Committe, the six Main Committees met and elected the following Chairmen:

First Committee... Lester B. Pearson (Canada)
Second Committee..Jan Papanek (Czechoslovakia)
Third Committee... Mahmoud Hassan Pasha (Egypt)
Fourth Committee..Herman G. Ericksson (Sweden)
Fifth Committee... Jozef Winiewicz (Poland)
Sixth Committee... Tiburcio Carías Jr. (Honduras)

These elections were reported to the 69th plenary meeting of the General Assembly on April 28, which requested the General Committee to consider the provisional agenda and the supplementary list and report to the General Assembly. The General Committee was also asked to consider communications from organizations which had written expressing their views on the busines of the special session.

The following nine Members were elected to the Credentials Committee on the proposal of the Acting President at the opening meeting: Argentina, Australia, Denmark, Lebanon, Peru, the Ukrainian S.S.R., the U.S.S.R., the United States and Yugoslavia.

The Committee reported to the 69th plenary meeting on April 28 that 22 delegations had fully satisfied the requirements and that provisional credentials had been received for the other countries represented.

The Committee reported again to the 79th plenary meeting on May 15 that 33 delegations had submitted credentials since the committee's first meeting and that these had been in order. All delegations had therefore received full powers.

3. Agenda of the Session

a. Items Proposed

Apart from organizational and procedural matters, the only item on the provisional agenda was one providing for "constituting and instructing a special committee to prepare for the consideration of the question of Palestine at the second regular session," the item submitted by the Government of the United Kingdom.

Certain other Members had, however, requested the inclusion of an additional item—"The termination of the mandate over Palestine and the declaration of its independence." This had been requested by Egypt and Iraq on April 21 and by Syria, Lebanon and Saudi Arabia on April 22. In accordance with the rules of procedure the item was placed on the Supplementary List of Additional Agenda Items, and was referred for consideration to the General Committee along with the item suggested by the United Kingdom.

b. Consideration of Agenda

The General Committee considered the provisional agenda and the supplementary list at its 28th, 29th, 30th and 31st meetings on April 29 and 30.

The Egyptian representative urged that the additional item proposed by the Arab States for inclusion on the agenda should be considered at the same time as the item proposed by the United Kingdom as the two were closely connected, and the Arab proposal was more concrete and went further.

The Chairman ruled, however, that under the rules of procedure the provisional agenda had to be considered first and then any additional agenda items, which could be placed on the agenda only by a two-thirds majority of the General Assembly.

At its 28th meeting the General Committee recommended that the item "Constituting and instructing a special committee to prepare for the consideration of the question of Palestine at the second regular session" should be placed on the agenda of the General Assembly and referred to the First Committee.

At its 29th meeting on April 29 the General Committee began consideration of the supplementary list containing the item proposed severally by Egypt, Iraq, Lebanon, Saudi Arabia and Syria: "The termination of the mandate over Palestine and the declaration of its independence." The representatives of Iraq, Lebanon, Saudi Arabia and Syria were invited to take part in the discussion of the item in accordance with Rule 31 of the Provisional Rules of Procedure. This rule provides that "a Member of the General Assembly which is not a member of the General Committee and which has requested the inclusion of an additional item on the agenda, shall be entitled to attend any meeting of the General Committee at which its request is discussed, and may participate, without vote, in the discussion of that item."

In urging that the additional item they had proposed be placed on the agenda, the representatives of the five Arab States stressed the following points:

(1) The real question at issue was the recognition of the independence of Palestine, which, it was claimed, had already been expressly recognized in the Covenant of the League of Nations and in statements and declarations by the Allied powers. The Balfour Declaration and the League Mandate for Palestine had violated the principles of the Covenant and had resulted in the imposition of one people on another without the latter's consent. Neither the Declaration nor the Mandate had ever been recognized by the Arabs. The other mandated territories which had formed part of the Ottoman Empire had already been granted independence and there was no sound reason to make a distinction between them and Palestine.

(2) The problem was not one of fact-finding but of establishing principles. The situation in Palestine had arisen because of the principles in the Palestine Mandate and the Balfour Declaration, which were based on expediency, power politics, local interests and local pressure. These were inconsistent with the Covenant of the League of Nations and the Charter of the United Nations. The Charter provided that where other obligations were inconsistent with the Charter, the obligations under the Charter should prevail.

(3) All that was necessary in Palestine was to apply the principles of the Charter and declare an independent Palestine along democratic lines with equal rights for all citizens. This did not need a committee. Such a committee could only retard the settlement of a situation which, due to the activities of political Zionism, was daily getting more tense throughout the Arab world.

(4) The only appropriate way of bringing the question of Palestine before the United Nations was (a) to notify the General Assembly that the territory was qualified for independence; (b) to submit to the General Assembly a draft trusteeship agreement for the territory; or (c) to relinquish the mandate. The item proposed by the Arab States was in accordance with the Charter, since it provided that the discussion on the question should be directed towards the termination of the mandate.

(5) The whole question should be discussed since (a) the matter was urgent, (b) the committee should be adequately instructed, (c) it would in fact be impossible to avoid the question. Moreover, representatives had not come from all over the world just to appoint a committee.

(6) If there was no agreement on principles it would be of no use to appoint a committee, since the committee would have to work in the light of principles. If principles were accepted it might not be necessary to appoint a committee, but in any case the principles should be established first.

(7) Independence was the only just solution. It was, moreover, a question on which the two parties most directly concerned—the Jews and the Arabs—were formally in agreement.

(8) To discuss the independence of Palestine would not be prejudging the solution of the

problem, since it had already been envisaged in the Covenant of the League of Nations. Not to discuss independence would be prejudging the question to a much greater extent.

(9) To discuss independence did not mean that it would have to be granted immediately or by any fixed date.

(10) To discuss the independence of Palestine need not prejudice the interests of the Jews, since their case could be heard. In any case the Jewish question was a completely separate one from the Palestine problem.

Against the inclusion of this item on the agenda it was urged:

(i) To exclude this item from the agenda would not preclude independence as an ultimate issue for the solution of the Palestine problem. Independence was recognized as the objective of all the Class "A" Mandates.

(ii) The question was complicated and needed careful, impartial and objective study. The matters of substance involved could best be discussed at the next session of the General Asembly after the committee's report had been received.

(iii) The committee should consider all the material and all evidence from all sources. Its terms of reference should take into account every aspect of the problem. It would be prejudging the issue to discuss only one possible solution as suggested in the Arab proposal—there were, for example, different ideas on the form of independence for Palestine.

(iv) The matter was urgent and a full debate on the substance of the question at the special session would entail long discussions and delay the setting up of the special committee so that it might not be able to consider the question adequately by the time the next session of the General Assembly convened.

(v) The discussion of the Arab proposal would not create a good atmosphere in Palestine, conducive to the objective studies which the committee would have to make. If a general debate on the substance of the question was held at the special session, the presentation of individual views would lead only to the confusion of the issue.

(vi) The United Kingdom proposal was practical—it involved the setting up of a committee and agreeing on its terms of reference. If the special session did this it would be justified. Whatever was essential in the Arab item would automatically be considered in the formulation of the committee's terms of reference.

(vii) In view of the importance and the difficulty of the question, it was necessary to arrive at a solution that would obtain world support. That support could be obtained only if the question had been thoroughly studied and considered in an atmosphere free from political pressure.

(viii) Many of the delegations to the special session which had come prepared to consider the procedural question of setting up a committee and determining its terms of reference were not briefed to discuss the substance of the question.

(ix) The question of substance should not be considered until the views of the Jews as well as of the Arabs were heard.

It was suggested that since certain delegations had requested a debate on the substance of the question at the special session, it should be granted since a refusal might be misunderstood. The decision could be taken at the next session of the Assembly, but a preliminary discussion would facilitate the work of the special committee.

The special committee, it was pointed out, however, would have to take into consideration the termination of the mandate when considering the future government of Palestine. The Indian representative suggested to the Arab States that since everyone agreed that independence should be the objective of any settlement of the Palestine question, they should not press their proposition to a vote.

The Egyptian representative stated that he was prepared not to insist on a vote at that time, though, in reply to a question from the Chairman, he stated that he had no authority to withdraw the proposal. Iraq, Lebanon, Saudi Arabia and Transjordan also stated that they would not withdraw their proposals. The Chairman then ruled that since the proposal had not been formally withdrawn it would have to be voted on. The result of the voting on the Arab proposal was 1 in favor, 8 against and 5 absentions.

The report of the General Committee recommending that the item submitted by the United Kingdom be placed on the agenda of the General Assembly and referred to the First Committee (Political and Security) but not recommending the inclusion of the item submitted by the Governments of Egypt, Iraq, Syria, Lebanon and Saudi Arabia, was considered by the General Assembly at its 70th and 71st meetings on May 1, 1947.

The recommendation to place on the agenda the item proposed by the United Kingdom calling for the constitution of a special committee and to refer the question to the First Committee was adopted, although it was suggested

by certain representatives (1) that the inclusion of both items be considered together; (2) that the setting up of a special committee was unnecessary, since the facts were already available; (3) that the question could be solved by the termination of the mandate and the granting of independence to Palestine; (4) that the question should be referred not only to the First Committee, but also to the other Main Committees, since it involved questions within their terms of reference; and (5) that the question should be dealt with in plenary session and not be referred to any committee. The Chairman in stressing the broad character of the First Committee pointed out that an agenda item must, under the rules of procedure, be referred to a committee unless the General Assembly decided otherwise.

The General Assembly then considered the report of the General Committee referring to the non-inclusion in the agenda of the item suggested by the Arab States, "the termination of the Mandate over Palestine and the declaration of its independence." Against the report of the General Committee and in favor of including in the agenda the item proposed by the five Arab States is was urged that (1) the General Committee was a procedural committee and had made a political decision, thereby exceeding its powers; (2) one of the reasons given for the refusal to admit this item on the agenda was the lack of information, but sufficient information was available to debate the question and in any case information would be required in order to instruct the special committee; (3) another reason given for the refusal of the item was the possible repercussions of a general debate on the state of affairs in Palestine, but the General Assembly should not be influenced by lawlessness; (4) it was possible to include both items in the agenda, and since it had been agreed that independence was an objective of all Category "A" Mandates it could be used as a guide post for the special committee; (5) to reject the item might give the false impression that the General Assembly did not attach much importance to the independence of Palestine.

Against the inclusion of the item in the agenda it was contended that the question should be closely examined and all points of view heard, and that the Assembly would be better qualified to consider the substance of the question after the special committee had completed its study.

To secure unanimity a compromise was suggested by the representatives of El Salvador and Colombia, supported by the representatives of Cuba, Haiti and Iran. This was to the effect that, since it had been agreed that the special committee to be appointed would have to have as one of its terms of reference the study of the termination of the mandate and the independence of Palestine, and since some of the Arab representatives had stated that they did not wish the Assembly to make an immediate pronouncement on the independence of Palestine and the termination of the Mandate and others had accepted the idea of the establishment of a committee, therefore these two proposals could be linked by introducing a phrase to the effect that the special committee which was to prepare a report on the question of Palestine would have to study the termination of the Mandate over Palestine and the declaration of its independence.

The President ruled that the suggestion could not be voted on since there was no formal proposal in writing. He stated, however, that as soon as the agenda was adopted there would be full freedom of debate, without any restriction whatever, on the whole problem of Palestine, including the question of independence and the termination of the mandate. This interpretation was questioned by the Indian and Australian representatives, who submitted that, if the question of the independence of Palestine and the termination of the mandate were not placed on the agenda and were afterwards raised again, it would be ruled out of order, since the General Assembly would then be able only to consider the question of constituting and instructing the special committee. The United States representative stated that if the question of the independence of Palestine and the termination of the mandate were not placed on the agenda that would leave on the agenda only the question of constituting and instructing the special committee, but that the question of independence for Palestine would have to be considered by the First Committee when considering the terms of reference for the special committee.

When the question of including the item of the supplementary list "The termination of the Mandate over Palestine and the declaration of its independence" in the agenda of the General Assembly was put to the vote, 15 Members voted in favor of including the item, 24 against and 10 abstained.

4. Position of the United Kingdom

In the General Committee's discussions on the agenda, certain representatives asked for an explanation of a recent statement made by a United Kingdom Government spokesman in the House of Lords. They stated that it implied that the United Kingdom was not prepared to say if it would accept the Assembly's recommendations.

The United Kingdom representative in reply quoted the statement made in the House of Lords, which said "I cannot imagine His Majesty's Government carrying out a policy of which it does not approve," and drew a distinction between it and the non-acceptance by the Assembly. He pointed out that any recom- United Kingdom of a recommendation of the mendation made by the Assembly might have to be enforced, and questioned whether, if this were a decision which the United Kingdom could not reconcile with its conscience, it would "single-handed be expected to expend blood and treasure in carrying it out." He said that he hoped to make a statement explaining his Government's position.

In reply to a suggestion made in the First Committee by the representative of the Jewish Agency for Palestine—that the account of the mandate promised by the United Kingdom Government should be rendered not to the next session of the General Assembly but to the special committee—the United Kingdom representative on May 8 stated that his Government would be entirely at the disposal of the special committee if it were set up and would give it all possible information, including an account of the administration of the Mandate.

In reply to a question by the Lebanese representative at the First Committee's 52nd meeting on May 9, the United Kingdom representative stated that the United Kingdom had tried for years to solve the problem of Palestine, but, having failed, had brought it to the United Nations. If the United Nations could find a just solution which would be accepted by both parties, "it could hardly be expected that we should not welcome such a solution." The United Kingdom should not, however, have the sole responsibility for enforcing a solution not accepted by both parties and which "we could not reconcile with our conscience." The question of the acceptance of any recommendation by the Assembly should also be addressed to other interested parties and to all the Members of the United Nations.

5. Communications from Non-Governmental Organizations

At its 69th meeting on April 28, the General Assembly decided to refer to the General Committee communications from organizations which had written to the Secretary-General asking for the opportunity of expressing their views concerning the items of business for which the special session had been called. It was agreed that these communications, and similar ones received from other agencies, should also be referred to the General Committee. The General Committee was to recommend to the plenary meeting a procedure for dealing with the communications.

The General Committee voted at its 31st meeting on April 30, by 11 votes to 0, with 3 abstentions, to defer consideration of the communications until it had presented its report on the agenda to the plenary meeting, though some representatives expressed the view that representatives of the Jewish people should be heard before the agenda was decided.

The General Committee considered the question of communications from non-governmental organizations at its 32nd and 33rd meetings on May 2.

The requests before the Committee were:

(1) From the Jewish Agency for Palestine, requesting authorization for the Agency to attend the meetings of the special session and participate in the discussions.
(2) From the Zionist Organization of America, requesting that its proposal for the solution of the Palestine question be brought before the special session.
(3) From the Hebrew Committee of National Liberation in Washington, requesting that the Hebrew National Delegation be granted a seat in the special session.
(4) From the Political Action Committee for Palestine, requesting the opportunity to testify before the special session.

a. Jewish Agency for Palestine

The Polish representative proposed that the General Committee recommend to the General Assembly the following resolution:

The General Assembly, resolved to give careful consideration to the point of view of the Jewish people on the Palestine question, decides to invite the representatives of the Jewish Agency for Palestine to appear before the General Assembly for consultation.

In submitting this draft resolution the Polish representative emphasized (1) the connection between the Jewish population of Palestine and

the Palestine problem; (2) the particular interest of Poland, from which country many of the Palestine Jews had come, in the question; and (3) the special status of the Jewish Agency for Palestine, which had been named in the Mandate as representing Jewish interests in Palestine.

Other representatives spoke in favor of hearing the Jewish Agency, but some representatives felt it would be preferable for non-governmental organizations to be heard by the special committee, particularly since the question before the General Assembly was the procedural one of creating a committee.

The view was also expressed that only States should be heard in the General Assembly as the Charter had not provided for hearing non-governmental organizations there. To admit one organization, it was thought, would create a precedent, and the dignity of the General Assembly might be lowered. Some representatives thought that this rule should also apply to the committees of the Assembly. Others felt that since the Charter did not forbid the hearing of non-governmental organizations by the General Assembly in plenary session, it was permissible. The view was also expressed that the Jewish Agency was in a special category, and that it should be heard by the First Committee.

The Egyptian representative explained, in reply to various statements, that the Arab States did not represent the Palestinian Arab population.

The Czechoslovak representative suggested an amendment to the Polish draft resolution to provide that the General Assembly would invite "the representatives of the Jewish Agency for Palestine to appear before the plenary meeting of the General Assembly for the purpose of stating their views on this question." This amendment was accepted by the Polish representative.

The United States representative suggested the following amendment to the Polish-Czechoslovak proposal:

> The General Committee, having considered the communications referred to it by the President of the General Assembly from the Jewish Agency and other organizations requesting that they be permitted to express their views on the Palestine problem, recommends to the General Assembly that it refer these communications to the First Committee for its decision.

In making this proposal the United States representative pointed out that it was the function of the General Committee as a procedural committee only to recommend to the Assembly the procedure for dealing with the matter, not to decide on the substance of the question. He also made the following points: that since the Arab side of the case had been heard, the Jewish side should also be heard; that the Jewish Agency was in a special category and should be heard before the First Committee, but that this should not constitute a precedent for hearing other organizations; that the Agency should only make statements on the item on the agenda, and that it should be remembered that it did not speak for all the Jews of the world.

On the suggestion of the United Kingdom representative, the United States representative agreed to insert in the resolution "as well as any communications of a similar character which may be submitted to this special session."

The Chairman ruled that the United States proposal was a separate resolution rather than an amendment to the Polish-Czechoslovak resolution.

The Polish proposal, as amended by Czechoslovakia, was therefore voted upon first. It was rejected, securing 3 votes in favor, 8 against and 3 abstentions.

The United States proposal, as amended by the United Kingdom, was then approved by 11 votes in favor, 0 against and 3 abstentions. The proposal, as amended, read:

> The General Committee, having considered the communications referred to it by the President of the General Assembly from the Jewish Agency and other organizations requesting that they be permitted to express their views on the Palestine problem,
>
> Recommends to the General Assembly that it refer these communications, as well as any communications of a similar character which may be submitted to this Special Session, to the First Committee for its decisions.

The report of the General Committee was considered by the General Assembly at its 72nd, 73rd, 74th and 75th meetings on May 3 and 5.

The general view was expressed that both sides of the case should be heard, although there was some difference of opinion as to whether they should be heard in the plenary meetings, in the First Committee or in the special committee. The fear was again expressed that to discuss the substance of the Palestine problem in the special session might prejudice chances of its solution. On the one hand it was held that such a debate was necessary to instruct the special committee, on the other that

the committee should be instructed by the facts of the case, not by the General Assembly. The proposal of the General Committee was also criticized on the ground that it provided only for the sending of communications to the First Committee and did not stipulate that the organizations should be heard.

The special position of the Jewish Agency as a public body recognized in the Mandate for Palestine was also mentioned in the debate.

At the 73rd plenary meeting the Polish representative opposed the report of the General Committee on the ground that there were no procedural differences between the General Assembly and its committees and that the arguments to bar the Jewish Agency from the plenary meetings were not convincing. He reintroduced the Polish-Czechoslovak resolution which had been defeated in the General Committee.

Resolutions were presented to the 74th plenary meeting on May 5 by Uruguay, Chile and Argentina, and amendments to the report of the General Committee by Yugoslavia and the Byelorussian S.S.R. All five proposals suggested that the Jewish Agency for Palestine should be invited to state its views before the First Committee. The Yugoslav amendment suggested that "other representatives of the population of Palestine" should also be given a hearing before the First Committee. The Chilean and Argentine resolutions proposed that other communications should be referred to the First Committee.

At this point a cable received from the Arab Higher Committee was read to the General Assembly. The cable stating that the Committee represented the Arabs of Palestine and had chosen a delegation, composed of Emile Ghory, Rajai Hussein, Henry Kattan, Wasef Kamal, Isa Nakleh and Rasem Khaldi, to represent the Committee before the special session and to speak on its behalf. The Committee requested that due recognition should be given to the delegation.

A letter was also read from the delegation nominated by the Arab Higher Committee applying for its representatives to attend the Assembly's deliberations and be heard on the problem.

At the suggestion of the President, the five delegations which had made proposals to the plenary meeting produced a single draft resolution. This text, which was presented to the 75th plenary meeting on May 5, was as follows:

THE GENERAL ASSEMBLY RESOLVES:

1. That the First Committee grant a hearing to the Jewish Agency for Palestine on the question before the Committee;

2. To send to that same Committee for its decision those other communications of a similar character from the Palestinian population which have been received by this Special Session of the General Assembly or may later on be submitted to it."

The Cuban representative, in supporting this text, explained that he had withdrawn for the sake of unanimity a motion to the effect that all petitions to be heard in the Assembly, coming from Arab and Jewish sources, should be referred to the First Committee and that the First Committee should be instructed to hear as many representatives of the parties involved as possible.

The Polish-Czechoslovak proposal and the joint resolution were opposed on the grounds that: it was not true that the Palestinian Arab case had been put before the Assembly, since the Arab States did not represent the Palestinian Arabs; it would be prejudging the issue to decide on the particular character of an agency which had been established by virtue of a mandate which was being contested; there was no constitutional ground for the Jewish Agency to be heard before the United Nations and it had never been heard before the League of Nations; it was unfair to differentiate between the representatives of the Jews and of the Arabs of Palestine.

At the end of the 73rd plenary meeting on May 3 the President had closed the list of speakers. At the 75th meeting on May 5 the Lebanese representative protested against the closing of the list of speakers on the ground that since the list had been closed six new documents had been presented to the Assembly. On the matter being put to the vote 12 representatives voted in favor of re-opening the debate, and 32 against.

The General Assembly then voted on the Polish-Czechoslovak proposal, which provided for the hearing of the Jewish Agency for Palestine before the plenary meeting. The proposal was defeated by 8 votes in favor and 39 against.

The General Assembly then adopted by 44 votes in favor, 7 against and 3 abstentions, the joint proposal of Chile, Uruguay, the Byelorussian S.S.R, Yugoslavia and Argentina.

b. Consideration by the First Committee

The First Committee at its 46th meeting on May 6 began its consideration of the question

of granting a hearing to non-governmental organizations. At this meeting the Committee elected the member of the Committee for Mexico as Vice-Chairman and the member of the Committee for Denmark as Rapporteur.

Resolutions were proposed by the United States and by Argentina on the implementation of the General Assembly's resolution

The United States resolution proposed that arrangements should be made by the Chairman before the Committee took final action on the item on its agenda—the question of constituting and instructing the special committee—"to give an opportunity to the Jewish Agency for Palestine, as well as to any other organization representative of a considerable element of the population of Palestine" to appear before the Committee and present its views on the terms of reference of the special committee. It further proposed that either (a) the recommendations of the United Kingdom as the Mandatory should be taken into consideration by the Committee in determining whether an organization claiming to represent considerable elements of the population of Palestine should be heard, or (b) no organization should be considered representative of a considerable element of the population of Palestine unless a statement to that effect was received from the delegation of the Mandatory. (Later the United States representative withdrew the first alternative). Finally it proposed that no organization should be permitted to express its views on the substance of the Palestine problem before the Committee, but should reserve such views for a hearing before the special committee.

The Argentine resolution proposed that the First Committee grant a hearing to the Jewish Agency for Palestine, the representative of the Arab population and the representative of the Jewish population of Palestine. All hearings, the resolution proposed, would be about the appointment and instruction of the special committee.

The Chairman read to the Committee a communication received from the Arab Higher Committee withdrawing its request for a hearing in view of the discrimination shown by the Assembly in deciding in plenary session that the Jewish Agency for Palestine should be invited, whereas the request of the Arab Higher Committee, which represented the majority of the population of Palestine, had been sent with other requests to the First Committee for decision.

In the Committee's discussions the opinion was expressed that, notwithstanding the action of the Arab Higher Committee in withdrawing its request for a hearing, the representatives of the Arab population of Palestine should be heard by the Committee. Some speakers felt that the Committee's hearings should be restricted to representatives of the Jewish Agency and the Arab Higher Committee. In reply to a question from the United States representative, the representative of the United Kingdom stated that the Arab Higher Committee was representative of the Arab population of Palestine.

c. Joint Resolution

The United States representative proposed a joint resolution combining the previous United States and Argentine proposals.

This read as follows:

THE FIRST COMMITTEE RESOLVES:

1. To grant a hearing to:
   (a) The Jewish Agency for Palestine
   (b) The Arab Higher Committee of Palestine

2. That arrangements be effected by the Chairman, before this Committee takes final action with regard to the item on the agenda, to give an opportunity to the Jewish Agency for Palestine, the Arab Higher Committee as representative of the views of the Arab population, as well as to any other organization representative of a considerable element of the population of Palestine, to appear before this Committee and present such views as such organization or organizations may have to offer with regard to what the terms of reference of the Special Committee to be set up by this session of the Assembly should be.

3. That the recommendations of the Delegation of the Mandatory be taken into consideration by this Committee in determining whether an organization maintaining that it represents considerable elements of the population of Palestine should be allowed to appear before the Committee.

4. That no organization be permitted to express its views with regard to the substance of the Palestine problem before this Committee; that any organization which desires to express views of this character should apply for a hearing to the Special Committee which it is the purpose of this session of the General Assembly to establish.

The joint resolution was considered clause by clause. The first clause was adopted; certain changes of wording were made in the second clause.

On the proposal of the representaive of Australia the Committee decided that a sub-committee of five, and not the Mandatory, should advise on whether any organization other than the Jewish Agency or the Arab Higher Committee represented considerable elements of the population of Palestine. The United States representative indicated that he would agree to this, provided a suggestion made by the Brazilian representative that the sub-committee should include the Mandatory were adopted. The Chairman proposed that the sub-committee should consist of the members of the Committee from Colombia, Iran, Poland, Sweden and the United Kingdom. The Indian representative, however, maintained that to refer the question to a sub-committee was only to defer it, and sponsored the original proposal, as amended. The proposal to appoint a sub-committee was carried by 31 votes in favor and 4 against.

Several representatives spoke in favor of eliminating the fourth paragraph of the joint resolution providing that no organization should be permitted to express its views on the substance of the Palestine problem. Two reasons were advanced for this: (1) that the statements of the organizations should not be restricted, and that they would be competent only to speak on the substance of the question and not on procedural questions; (2) that the paragraph was unnecessary since the draft resolution already provided that the organizations should speak on the question of constituting the committee and that it was the Chairman's function to rule a speaker out of order.

An amendment proposed by France that "No organization shall be permitted to express views before the Committee which are not directly related to the purpose and object of this committee as defined in paragraph 2 above" was accepted by the United States representative, the Argentinian representative explaining that he would have to vote for the deletion of the paragraph as he was in favor of free debate.

The French proposal was put to the vote and was lost by 19 votes in favor to 22 against. The Chairman declared that the paragraph was therefore deleted from the resolution.

The representatives of the Arab States expressed appreciation of the attitude of delegations in expressing the wish to hear representatives of the Arabs of Palestine, but stated that they would abstain from voting since the decision by the General Assembly, which was a superior body to the First Committee, had discriminated against the Arabs of Palestine.

The resolution was carried at the 47th meeting of the First Committee on May 6 by 40 votes in favor, 0 against and 7 abstentions.

The text of the resolution, as adopted, read:

THE FIRST COMMITTEE RESOLVES:

1. To grant a hearing to the Jewish Agency for Palestine and to the Arab Higher Committee of Palestine.
2. That arrangements be effected by the Chairman, before this Committee takes any final decision with regard to the item on the agenda, to give an opportunity to the Jewish Agency for Palestine, the Arab Higher Committee as representative of the views of the Arab population, as well as to any other organization representative of a considerable element of the population of Palestine, to appear before this Committee and present such views as such organization or organizations may have to offer with regard to the constituting and instructing of the special committee which may be set up by this session of the Assembly.
3. That a sub-committee of five members, consisting of representatives of Colombia, Poland, Iran, Sweden and the United Kingdom, shall be established to advise the Committee whether any other organization represents a considerable element of the population of Palestine.

The Chairman then wrote to the Secretary of the Palestine-Arab delegation, transmitting the text of the resolution and stating: "In view of this resolution, you may wish to reconsider the withdrawal of the request of the Palestine-Arab delegation to be heard with regard to the constituting and instructing of the special committee referred to in the above resolution."

d. Arab Higher Committee

At the 48th meeting of the First Committee on May 7 the Indian representative proposed that, since the Arab Higher Committee would not come before the First Committee until the Committee's recommendation had been endorsed by the General Assembly, a plenary meeting be called "to consider the following resolution, that the First Committee grant a hearing to the Arab Higher Committee on the question before the Committee."

Certain representatives felt that such a procedure was unnecessary since an invitation had been extended to the Arab Higher Committee, the views of Members were clear, and such a move could have little meaning; others supported the proposal on the ground that it would secure the participation of the Arab Higher Committee.

The resolution was adopted.

At its 76th plenary meeting on May 7 the General Assembly considered the resolution proposed by the First Committee.

The President proposed that the General Assembly adopt the following resolution:

THE GENERAL ASSEMBLY affirms that the decision of the First Committee to grant a hearing to the Arab Higher Committee gives a correct interpretation of the Assembly's intention.

The view was again expressed that to pass such a resolution was illogical, and might weaken the previous decisions of the Assembly and of the First Committee.

The General Assembly voted, however, by 39 votes in favor, 1 against and 11 abstentions to adopt the resolution.

e. Statements by the Jewish Agency

Following the decision of the General Assembly on May 6 to grant a hearing to the Jewish Agency for Palestine before the First Committee, the President telegraphed the Jewish Agency informing them of the Assembly's decision and requesting the names of their authorized representatives.

A reply was received from the Jewish Agency on May 8 accepting the invitation and nominating as its authorized representatives David Ben-Gurion, Dr. Abba Hillel Silver, Moshe Shertok, Hayim Greenberg, Mrs. Rose Halorin, Nahum Goldman and Dr. Emanuel Newman.

The First Committee at its 50th meeting on May 8 heard a statement by the representative of the Agency, Dr. Silver.

Dr. Silver referred to the satisfaction of the Jewish Agency that the problem of Palestine would now be reviewed by an international body, as it had been aggravated by unilateral action on the part of the Mandatory Power, without the sanction or supervision of the international body which had created the trust and defined its limits and purposes. The administration of Palestine since the outbreak of the War had, said Dr. Silver, been conducted by the Mandatory as though it were vested with the sovereignty of the territory, instead of being a trustee under the Mandate.

Dr. Silver stressed the importance to the Jewish people of the question of Palestine, and pointed out that the Jewish Agency was recognized in the Mandate as a public body authorized to speak for all the Jewish people on questions affecting the Jewish National Home. The Jewish Agency was the only recognized public body in the Mandate. The Mandate stated that it was to advise and co-operate with the Administration of Palestine on economic, social and other questions affecting the establishment of the Jewish National Home and the interests of the Jewish population in Palestine, and to assist in the development of the country. It was also to co-operate with the Administration in permitting close settlement by Jews on the land, and was given a preferred status regarding the construction and operation of public works and the development of the natural resources of the country. The Jewish Agency therefore represented the organized Jewish community in Palestine—the National Council of Palestine Jews —and the Jewish people of the world since it was charged under the Mandate "to secure the co-operation of all Jews who are willing to assist in the establishment of the Jewish National Home."

Dr. Silver maintained that "the Jewish people" and "the Jewish National Home" were key terms and should be so regarded by the committee of inquiry. They were the basic concepts of the Balfour Declaration and of the Mandate under which Palestine was, or should be administered to-day. These international commitments, made a quarter of a century ago, recognized the historic rights and present needs of the Jewish people and could not now be erased. Moreover, the United Nations Charter proclaimed the principle of respect for obligations arising from treaties and also stated in the Chapter dealing with trusteeship (which was therefore particularly appropriate to mandated territories) that nothing in that Chapter should alter in any way the rights of States or peoples or the terms of existing international instruments to which Members of the United Nations might be parties.

The Jewish National Home was still in the making. The right of the Jews to reconstitute their National Home in Palestine had never been cancelled or questioned by any international community. The Mandatory, which had been charged with safeguarding the opportunity for the development of the National Home, had interfered with and circumscribed it. That opportunity should now be restored.

Dr. Silver quoted statements from British and American leaders recognizing that the Jewish National Home had not yet been established and looking forward to continued Jewish immigration into Palestine and the creation of a Jewish State. He also quoted a resolution

adopted by the British Labour Party in 1945 in favor of allowing Jewish immigration into Palestine until the Jews became a majority there.

The international obligation to ensure the continuous development of the Jewish National Home should, said Dr. Silver, be kept in mind by the special committee.

Dr. Silver suggested that the Mandatory should give an account of its administration to the committee of inquiry rather than to the next session of the General Assembly, since the committee could not make helpful recommendations for the future government of Palestine without considering what was wrong with the present administration.

He also suggested that the committee should visit Palestine to see the record of the Jewish pioneering achievements there despite very great handicaps. What had been built by the Jews in Palestine had benefited not only them but also the Arabs and other non-Jewish communities. Dr. Silver quoted a letter written by Emir Feisal at the Peace Conference following the First World War expressing sympathy towards the Zionist Movement and favoring the return of the Jews to Palestine. The concepts of social justice and modern scientific method being developed in Palestine would, Dr. Silver maintained, serve as a stimulus to the progress of the entire Near East.

The committee, he maintained, should look also consider the potentialities of the country which, if properly developed, would support a much greater population. More projects, which would lead to economic and social improvement in Palestine, as well as in all neighboring countries, were awaiting development pending a satisfactory political solution.

The Committee, he maintained, should look into the fundamental causes of unrest and violence in Palestine and he instanced: (1) that shiploads of refugees were being driven from the shores of the Jewish National Home by a Mandatory Government which had assumed, as its prime obligation, the facilitating of Jewish immigration into the country; and (2) that the Mandatory Government, which had assumed the obligation of encouraging close settlement of the Jews on the land, was severely restricting Jewish settlement to an area of less than six per cent of the country, and was enforcing discriminatory racial laws although both the Mandate and the Charter condemned this.

Dr. Silver expressed the hope that the committee of inquiry would visit the Displaced Persons Camps in Europe and see the misery there, two years after V-E Day. Most of the displaced persons, he said, were desperately eager to go to the Jewish National Home. He appealed for a relaxation of the restrictive measures on immigration into Palestine and a return to the status before the White Paper policy of 1939 was imposed. This, he said, would not only help the displaced persons but would relieve the present tensions in Palestine and enable the deliberations of the Committee to be carried on in an atmosphere of moderation and good will.

In conclusion Dr. Silver affirmed the faith of the Jewish people in the ultimate triumph of moral principles and claimed that the Jewish people of Palestine should be admitted to membership in the United Nations.

Supplementary statements on the terms of reference of the special committee were made by the representatives of the Jewish Agency, Moshe Shertok and David Ben-Gurion, at the 52nd and 55th meetings of the First Committee on May 9 and 12.

On May 9, Moshe Shertok stated that the crisis in Palestine resulted from the fact that the present policy of the Mandatory Government conflicted with its obligations to the Jewish people, and that the crux of the matter was the problem of Jewish immigration into Palestine. He criticized the draft resolution then being considered by the Committee on the grounds that it prejudged the issue which should be investigated by the special committee by mentioning only independence as the goal towards which the future government of Palestine should aim, whereas the primary objective of the trust under which Palestine was administered was the establishment of the Jewish National Home, and these two questions were organically connected. He therefore favored the inclusion of a phrase previously proposed by the United States, to the effect that the Committee should bear in mind "various other issues connected with the problem of Palestine."

He further criticized the paragraph in the working paper prepared by the Sub-Committee of the First Committee relating to the interests of "all the inhabitants of Palestine" and the religious interests there of Islam, Jewry and Christendom, on the ground that the interests of Jewish people were also fundamentally relevant to the purpose of the inquiry, and suggested that a reference should be made to them

or that the paragraph should contain only a reference to the religious interests of the three faiths. He maintained that the Charter guaranteed the existing rights of all peoples in territories under mandate, pending their transformation to trust territories, and that it would not be proper to prejudge the issue by disregarding the rights involved.

On May 12 Mr. Ben-Gurion stated that the Mandatory Power had not been charged with a solution of the Palestine problem, but with carrying out a settlement defined in the Mandate, the restoration of Palestine to the Jewish people. The failure of the Mandatory was the failure to carry out this settlement. The White Paper of 1939 had violated the Mandate's terms, and had been condemned by the Permanent Mandates Commission, by political leaders in the United Kingdom and by the Anglo-American Committee of Inquiry. It was responsible for the present state of affairs in Palestine, and the first task of the special committee should be to determine how to ensure that the international obligations to the Jewish population of Palestine were faithfully fulfilled.

He stated, also, that in Palestine there was a distinct Jewish nation, based on its historical connection with the country and its work of reconstruction and rebuilding. The growth of this nation could not be arrested, because (1) there were large numbers of homeless Jews whose only hope was in their National Home; and (2) more than two-thirds of Palestine was waste land said by the Arabs to be uncultivable but cultivated by the Jews because it was the only land they could call their own.

The Arabs were not being asked to receive the Jewish immigrants. They came to Jewish towns and villages, not to Arab towns and villages.

The Jews had no conflict with the Arab people. They were rebuilding Palestine, and a Jewish-Arab partnership based on equality and mutual assistance would help the regeneration of the whole Middle East. In conclusion Mr. Ben-Gurion suggested as a solution of the problem a Jewish State and a Jewish-Arab alliance.

f. Statements by the Arab Higher Committee

The representative of the Arab Higher Committee, Henry Kattan, made a statement to the 52nd meeting of the First Committee on May 9.

Mr. Kattan began by saying that the Arab people were deeply anxious to find a just and lasting solution to the problem of Palestine because it was the problem of their present life and future destiny. Their existence as a people was threatened and they hoped for support in their struggle for their national right of self-determination.

Mr. Kattan outlined conditions in Palestine before the First World War. Palestine had been included in the Ottoman Empire as part of Syria. It had an Arab character, had been inhabited for several centuries by Arabs; its customs, traditions and culture were Arab as well as its towns and villages. Small communities of Jews, Armenians and Kurds lived in Palestine, as in other Arab countries, in peace and security. The Jews in Palestine in 1914 represented about six or seven per cent of the total population. They had their own schools, synagogues and communal institutions, but they had no national or political aims hostile to the Arabs, and merged harmoniously with the Arab structure.

The Arabs at that time enjoyed rights of citizenship equal to those enjoyed by the Turkish citizens of the Ottoman Empire. They rose to the highest executive, legislative and administrative positions. They wished, however, to establish a purely Arab state, independent of the Ottoman Empire. In this they were encouraged by the Allied Governments since it fitted in with Allied plans for the War. The United Kingdom, in particular, made pledges for the recognition and establishment of Arab independence. The pledge of Sir Henry McMahon, United Kingdom High Commissioner in Egypt, to King Hussein of Hedjaz, then Sherif of Mecca, recognizing the independence of the Arabs within the frontiers proposed by King Hussein excluded parts of Syria lying to the west of the districts of Damascus, Homs, Hama and Aleppo, but did not exclude the part of Syria now known as Palestine.

The Balfour Declaration was issued in November 1917, without the consent or the knowledge of the Arabs, in contradiction to the McMahon Pledge of 1915. In reply to a request from King Hussein for an explanation, the United Kingdom Government in the Hogarth Message pledged that Jewish settlement in Palestine would be allowed only in so far as was consistent with "the political and economic freedom of the Arab population."

Other declarations followed. In February 1918 the acting British agent in Jedda wrote to the Sherif of Mecca reaffirming British pledges regarding the liberation of the Arab peoples.

In June 1918 the British Government in the Declaration to the Seven stated that it was the Government's policy that the future government of the regions occupied by Allied forces should be based on the consent of the governed. In November 1918 an Anglo-French Declaration said that the aim of the two Governments in the liberated territories, including Syria and Mesopotamia, was the emancipation of the peoples and the establishment of national governments and administrations, deriving their authority from the initiative and free choice of the indigenous populations. The two Governments did not wish to impose on the populations of these regions any particular institutions.

The special committee should therefore, said Mr. Kattan, investigate the pledges given to the Arabs recognizing their independence, before and after the Balfour Declaration.

The Arabs, said Mr. Kattan, made a substantial contribution to the Allied victory. He quoted from the report of the British Military Commission of Inquiry of 1920, which stated that the Arabs fought under the impression that they were fighting for the liberation of their fatherland and "that the British Government would undertake the formation of an independent Arab State comprising Palestine."

Apart from the breaking of pledges, the claim of the Arabs for the termination of the Mandate and recognition of their independence rested on the claim that the country belonged to them and that they were entitled to independence as their natural right.

The pledges, however, nullified contradictory assurances given to the Jews if the Balfour Declaration meant more than a cultural home. They also showed that the administration of the country in a manner contrary to the wishes of the majority of the inhabitants was a glaring injustice.

The Balfour Declaration and the policy it enunciated was the root cause of all the troubles in Palestine and the Middle East. It was made without the consent, or the knowledge of the people most directly affected, it was contrary to the principles of national self-determination and democracy and the principles contained in the Charter of the United Nations, and was inconsistent with the pledges given to the Arabs both before and after it was issued. The special committee should enquire into its legality, validity and ethics.

Moreover, the principle laid down in Article 22 of the Covenant of the League of Nations was that the well-being and development of the peoples inhabiting territories which had ceased to be under the States which formerly governed them was a sacred trust of civilization. In particular it was stated that the existence as independent nations of certain communities detached from the Turkish Empire—i.e. the Arab Nation—could be provisionally recognized subject to administrative advice and assistance by a mandatory until they were able to stand alone.

Despite the pledges given by Great Britain and the Allied Governments, Wilson's Fourteen Points, Article 22 of the Covenant and the riots and opposition of the people of Palestine, the Mandate embodied the Balfour Declaration.

The special committee should consider the inconsistency of the Mandate with Article 22 of the Covenant of the League of Nations. The Mandate derived its authority from the Covenant and if inconsistent with the Covenant was *ultra vires*. There was no provision in the Covenant enabling the embodiment in the Mandate of provisions prejudicial to the interests of the people of the country.

The special committee should also consider that the Mandate was intended to be provisional and transitory. Other territories placed under "A" Mandates were now independent. In support of his contention that there was no reason for differentiating between the Arabs of Palestine and of the other Arab countries, Mr. Kattan quoted a statement made by Mr. Bevin in the House of Commons in 1947: "In other States in the Middle East, we also took on Mandates and they have all led to self-government. I want to state that the cultural development of the Arabs and Jews in Palestine is of as high a standard as in any other Arab State." It was not a convincing argument to say that the Mandate should be continued since its cessation would lead to bloodshed between Jews and Arabs, because the whole history of the Mandate had been one of bloodshed and troubles. Moreover the power of the Mandatory could not legally outlive the League of Nations, which had delegated that power to it. The Charter, while not interfering with existing rights, did not confer validity on an agency or Mandate which had ceased to be valid.

The special committee should also consider the conflict between the provisions of the Mandate obliging the Mandatory to facilitate Jewish immigration and the obligations undertaken by the United Kingdom Government under the Charter. If these obligations were to establish the Jewish National Home and facilitate Jewish

immigration against the will of the original inhabitants of the country and the majority of the population, they were in conflict with the Purposes and Principles of the Charter. They also conflicted with the resolution adopted by the General Assembly in December 1946, which disapproved of the resettlement of displaced persons where that was likely to disturb friendly relations with other countries or cause genuine apprehension to the indigenous population of non-self-governing territories.

The special committee should further consider the practical application of the Mandate. This, said Mr. Kattan, would show (1) that it was not exercised within the scope and for the purposes contemplated by Article 22 of the Covenant; (2) that it was not exercised for the benefit of the original inhabitants of the country; and (3) that its continuation was creating a situation affecting peace and good order in Palestine and threatening peace and security in the Middle East. It would also show how the Arabs had lost civil and political rights they had enjoyed prior to the Mandate, how immigration facilitated under the Mandate was threatening the existence of the Arab Nation and had led to the troubles in Palestine; how there were no self-governing institutions; how lives had been lost in enforcing the Mandate and allowing Jewish immigration against the wishes of the inhabitants of Palestine; and how much money had been spent on police posts and fortresses as compared with schools and hospitals.

The problem was not an Arab-Jewish problem. Arab opposition to Jewish immigration would be equally strong against any group attempting to force immigrants into the country against the will of the Arabs. It was not economic. To argue that the Jews could colonize the country better than the Arabs would justify any aggression by more advanced against less advanced nations. It was not connected with the refugee problem, which was a humanitarian problem in the solution of which all countries should share. In the view of the Arab population all immigration of Jews into Palestine was illegal, and a recommendation should be made to the Mandatory to stop all Jewish immigration. Further the problem was not one of historical connection. History could not be put back twenty centuries to give away a country on the ground of a transitory historic association, or the map of the whole world would have to be redrawn.

In conclusion Mr. Kattan stated his hope that the special committee and the General Assembly would see that the apparently complex problem could be solved on the basis of the principles of the Charter only by recognizing the independence of Palestine.

The representative of the Arab Higher Committee, Emile Ghory, made some supplementary observations on the terms of reference of the special committee at the 55th meeting of the First Committee on May 12. He expressed the apprehension of the Arab Higher Committee concerning the inclusion of any terms of reference contemplating a solution of the problem which might conflict with the right of Palestine to complete independence as one undivided whole. The Arabs were entitled to their independence, which had been recognized by the Covenant of the League of Nations and of which they had been unjustly and illegally deprived as a consequence of the Mandate. They would refuse to consider any solution implying the loss or dimunition of their sovereignty over the whole of the country.

He also emphasized that any attempt to solve the question of refugees and displaced persons at the expense of the Arabs would meet with their resolute opposition and would prejudice the chances of a successful inquiry and just solution. To link the refugee problem with the problem of Palestine would prejudge the inquiry in favor of the Zionists and would make it necessary for the Arabs to reconsider their attitude to the inquiry. He stated that the continued Jewish immigration was bound to prejudice the issue and he urged that a recommendation should be made to the United Kingdom Government to put an immediate and complete stop to all immigration while the question was being considered.

g. Questions Addressed to the Jewish Agency and the Arab Higher Committee

At its 50th meeting on May 8, the First Committee decided that oral questions might be addressed to the representatives of the Jewish Agency and Arab Higher Committee and that these might later be supplemented by written questions. The replies might be made either orally or in writing.

Questions were addressed orally to the representative of the Jewish Agency at the First Committee's 50th meeting on May 8, and oral replies were given by the representatives of the Agency at the First Committee's 54th meeting on May 12.

Questions were addressed orally to the representatives of the Arab Higher Committee at the First Committee's 52nd meeting on May 9 and oral replies were given by the representatives of the Arab Higher Committee at the First Committee's 55th meeting on May 12

The main points of the questions and answers were as follows:

By the representative of Poland, to both organizations

Who represented the organization concerned, how many organizations? How was the Executive Committee established and organized and how did it work?

Reply of the Jewish Agency

The Zionist Organization had been recognized as the Jewish Agency in the Mandate. The World Zionist Organization was at that time 25 years old. Subsequently certain non-Zionist groups joined in forming an enlarged Jewish Agency, but the Zionist Organization remained the main driving force. The World Zionist Organization had now local organizations in more than 60 countries. The Organization contained political parties. Its Congresses, which met every two years after a general election in all countries, elected the Executive. The present Executive was elected by the 360 representatives to the 22nd Zionist Congress in Basle last December, which in turn was elected by nearly two million Zionist voters throughout the world. The Executive had headquarters in Jerusalem and branches with resident members in New York, London and Paris.

The Jewish Agency represented not only the Jews in Palestine, but all the Jews throughout the world who were devoted to the idea of the Jewish National Home. The Agency was not merely an organ of national representation but an institution of nation-building, of immigration, development and settlement. In Palestine it directed large-scale practical development work, and in the war mobilized the Jewish war effort in Palestine.

Reply of the Arab Higher Committee

The Arab Higher Committee in Palestine was represented by those of its members who were resident in that country, where it had its own organization and offices. The Arab Higher Committee was, itself, the executive Its decisions were made by majority vote and were executed through its own officials.

By the representative of India to the Jewish Agency

What was the number of Jews from outside in Palestine in 1900, in 1930 and in 1939 when the White Paper of 1939 was issued by the British Government?

Reply of the Jewish Agency

With regard to all the questions bearing on immigration, if it were granted that the Jewish people were in Palestine of right, then the implications of that premise would have to be accepted—for example they must be allowed to resettle in unlimited numbers provided they did not worsen the lot of existing inhabitants who were also there of right. If that basic premise were not granted, there would be little to discuss. If this historical right were admitted, it would not be a question of redrawing the map of the world since the position of the Jewish people as a homeless people firmly attached to its birthplace was unique.

With regard to the question of the Indian representative, the figures of the Jewish population in Palestine were 50,000 in 1900, 165,000 in 1930 and 475,000 in 1939. At present it was about 630,000, and was greater than the Arab population at the end of the First World War. In one sense they were all immigrants: the return had started in the early 1880's and had been practically continuous since then; but in another sense they were not "from outside" as they were all convinced of their right to return. The Jews were not received by the Arabs but settled in their own right and made a living by their own efforts and not at the expense of anyone else.

To the Arab Higher Committee

Was it or was it not a fact that until 1900, not more than 4,500 Jews had gone to Palestine, that until 1920 not more than about 45,000 had gone, that by 1930 the numbers of immigrants had risen to over 150,000 and that by 1939 this had risen to about 600,000 when the White Paper restricting Jewish immigration was issued. Were these immigrants Arab speaking, Hebrew speaking or Yiddish speaking. Was Yiddish a Hebrew language or a mixture of Polish, Lithuanian, Roumanian, etc. and Hebrew, with a Hebrew script? Were these immigrants easily assimilable in Palestine?

Reply of the Arab Higher Committee

The number of Jews in Palestine had increased as follows: for 1900: no official figures; in 1918: 56,000 Jews; in 1930: 165,000 Jews; in 1939: 445,000 Jews. Between 1920 and 1930, 105,000 Jewish immigrants had entered Palestine, between 1931 and 1939, 218,000. These were figures of registered immigrants. Since 1939, not including illegal immigrants, over 100,000 Jewish immigrants had entered the country.

Few of the immigrants spoke Hebrew. They spoke Yiddish, which was a jargon of Western and Eastern languages, or the language of their country of origin.

They were not easily assimilable in Palestine.

By the representative of India to the Jewish Agency

What were the ages of the various communities of National Jewry living in Europe who

would like to go back to the national home, how long had they lived in Europe and were they easily assimilable in Palestine?

Reply of Jewish Agency

European Jewry was old but age had not made for security. Jews had lived in Spain for a millenium when in 1492 they were despoiled and expelled, only those who became Christians being allowed to remain. Jews had lived in Poland since the eleventh or twelfth century, but in the seventeenth were the victims of massacres. There had been pogroms under the Russian Czars in the nineteenth and twentieth centuries and in the last War nearly all Polish Jewry, amounting to three million persons, was wiped out by the nazis. In Germany, Jews had settled in the fourth century, but most of them had been destroyed in the fourteenth. By the twentieth they had been largely assimilated before their destruction by the Nazis. Anti-Semitism was still rife in Germany and other parts of Europe.

The Jews were easily assimilable in the Jewish community in Palestine, which was the one Jewish community with a self-contained economic system and an independent cultural life which was eager and able to receive them.

By the representative of India to the Jewish Agency

Since the Nazi Government in Europe had been suppressed, was there any reason why refugees could not be resettled in their natural German home where they spoke the language of the country and were more easily assimilable?

Reply of the Jewish Agency

Most of the refugees came from countries other than Germany and were refugees because they could not be resettled in Europe; in the two years they had waited no one had come forward with an alternative to Palestine, but in any case they wanted to go to the only country where they felt at home individually and collectively.

By the representative of South Africa to the Jewish Agency

In stating that the Committee of inquiry should look into the condition of the homeless Jews in Europe, did Dr. Silver mean that the committtee should look into that situation as a whole or only in relation to the question of continuing immigration into Palestine.

Reply of the Jewish Agency

Only in Palestine could the problem of the displaced persons be permanently and constructively solved. The Committee should also study the problem of various Jewish communities in European, Arab and Oriental countries who lived under precarious sufferance or active persecution.

By the representative of Poland to the Jewish Agency

Had there been any attempt at collaboration between the Jews and Arabs in Palestine?

Reply of the Jewish Agency

Arabs and Jews had co-operated successfully in municipal, commercial and labor affairs. Arabic was taught in all Jewish secondary schools and in a large number of primary schools. The Jewish Agency spread knowledge of Arabic in Jewish settlements and promoted friendly relations between them and their Arab neighbors. Considering their differences of background, the native Arab and the immigrant Jew mixed well. Practical co-operation was today hampered by the political conflict over the country's future. The Jews came to Palestine not to fight the Arab world but to live at peace with it, to integrate themselves into the modern structure of reviving Asia and to help to build a bridge between it and the rest of the world. Their experience in development might assist the social and economic progress of the Middle East and beyond. Their partnership with their neighbors could, however, be based only upon equality of status and mutual respect, and the Jews could not surrender their claim to develop their own civilization and be self-governing.

In replying to this question the spokesman for the Jewish Agency stated:

> "At the head of the Arab Higher Committee of Palestine stands a man who, apart from other well-known aspects of his activity, was directly involved during the war in the nazi policy of the extermination of the European Jews."

Exception was taken to this statement by the spokesman of the Arab Higher Committee, who, at the 55th meeting of the First Committee on May 12 defended the position of the Grand Mufti on the ground that his attitude "represented a natural stand taken in self-defence" against the British policy of taking their country away from the Arabs and giving it to another people. He had been an enemy of British policy as had General Smuts in South Africa or George Washington in the United States.

By the representative for Poland to the Arab Higher Committee

Had there been any attempts at collaboration between the Jewish Agency and the Arab High Committee?

Reply of the Arab Higher Committee

The Jewish Agency was a body created under the Mandate to co-operate in the administration of Palestine and on certain questions affecting the establishment of a Jewish National Home. As the Arabs had not recognized the Mandate or the Balfour Declaration they could not co-operate with a body set up under the Mandate which aimed at the realization of Zionist aims in Palestine.

By the representative of India to the Jewish Agency

Dr. Silver had instanced a conciliatory statement made by an Arab leader in 1919—was there any reason why the Arabs were resisting immigration now?

Reply of the Jewish Agency

The uncompromising opposition now voiced by the Arabs to Jewish immigration did not invalidate the broader conception expressed in the Feisal-Weizmann agreement, which showed how Jewish and Arab aspirations might be harmonized within a wider framework. Sir Henry McMahon had stated that Palestine was not included in the promises made by him to the Arabs and this had been understood at the time by the late King Hussein. Transjordan, which was originally included in the Balfour Declaration, was today an Arab State.

By the representative of India to the Jewish Agency

Why were public servants of the Government of the United Kingdom who were doing their duty under extremely difficult circumstances being "picked off today by violence"?

Reply of the Jewish Agency

Because the disastrous policy of the White Paper of 1939 was still in force. The Jewish Agency condemned this terrorism and was supported in that attitude by the large majority of the organized Jewish community.

By the representative of Guatemala to the Arab Higher Committee

Did the Arabs take sides in the tense political situation in Palestine?

Reply of the Arab Higher Committee

Arabs and Jews in Palestine had prior to the Balfour Declaration merged harmoniously in the Arab national structure of the country. This harmonious relationship had given way to armed conflicts as a result of the Balfour Declaration and the policy of the mandate connected with it, but could be restored when the Zionists relinquished their political ambitions in Palestine. This could be achieved by the establishment of an independent state of Palestine which would not facilitate the realization of political ambitions of an alien minority against the majority of the inhabitants. Arab opposition to Jewish immigration was not based on racial prejudices.

The Arabs were deeply concerned over the situation in Palestine and the resulting state of insecurity, lawlessness and damage to the economy of the country. The deterioration of the situation was due to lack of fairness and of determination on the part of the authorities in Palestine to stem it, contrary to their attitude during the Arab revolt from 1937 to 1939. The restraint shown by the Arabs could not be taken to mean indifference or be taken as a gauge of their future attitude.

By the representative of India to both organizations

Did the representatives of the two organizations recognize that there was a clear distinction between a Jewish National Home and a Jewish State? Did the representative of the Jewish Agency recognize that the statement made by a representative of the British Labour Party referred to a Jewish National Home and not a Jewish State and did the representative of the Arab Higher Committee realize that a national Jewish home was not inconsistent with an independent and sovereign Arab Palestine State?

Reply of the Jewish Agency

The distinction recognized by the Jewish Agency between a Jewish State and a Jewish National Home was that the establishment of the Jewish National Home was a process the consummation of which was the setting up of a Jewish State. The remarks of Hugh Dalton showed that this point had been understood by those responsible for the 1944 statement on Palestine of the British Labour Party Executive. Unlike other mandates in Category "A," the Palestine Mandate contained no clause declaring that the object of the Mandate was to prepare the country for independence. Its primary purpose was the establishment of the Jewish National Home. The ultimate goal must be independence, but if its purpose was to be fulfilled and Jewish interests not sacrificed, then a Jewish State must come into being. A Jewish National Home could not fulfill its primary purpose of being open to Jews in need of it if it remained under non-Jewish sovereignty. An Arab minority in a Jewish State would be secure, if for no other reason than that it would be surrounded by Arab States, but a Jewish minority in an Arab State would have no security. To provide for the independence of Palestine without safeguarding the independence of the Jews as a people would be to take the problem out of its context and "load the dice heavily against the Jews."

Reply of the Arab Higher Committee

The Arab Higher Committee was not prepared to consider any solution based on the Balfour Declaration. The Arabs had expressed their opposition to this Declaration by all means at their disposal -- e.g. their protests, strikes and uprisings in Palestine during the last 29 years.

A Jewish National Home was not inconsistent with a sovereign Arab Palestinian State. United Kingdom statements of policy of 1922 and 1938 and the interpretations of two Jewish writers — Mr. Sokoloff, the president of the Zionist Organization, in his history of Zionism, written in 1918, and Professor Norman Bentwich in "The Mandate System," published in 1924 — repudiated the idea that the Jewish National Home implied a Jewish State.

By the representative of Yugoslavia to the Arab Higher Committee

In the case of the formation of a sovereign State of Palestine what would be the relations between the various national groups and between the Arabs and Jews? Was there any plan worked out for the constitutional organization of the future sovereign State of Palestine?

Reply of the Arab Higher Committee

The constitutional organization of an independent and sovereign State of Palestine would be based on democratic lines in accordance with the principles and purposes of the United Nations Charter and would be similar to constitutional organizations in democratic countries.

By the representative of India to the Arab Higher Committee

Was it or was it not a fact that by 1915 it was well-known that the Dead Sea contained chemicals with a value of about $5,000,000,000, and that by now the value of its chemicals and minerals was understood to be about $3,000,000,000,000? Was it a fact that many people from outside were interested in these figures?

Reply of the Arab Higher Committee

A governmental commission of inquiry had in 1925 estimated the value of the mineral deposits of the Dead Sea at £240,000,000,000. The possibilities of the Dead Sea and the economic and political interests involved were outlined in a speech by Viscount Templeton in the House of Lords on March 20, 1929. He had said that the importance of the Dead Sea and the interest taken in it by a British group dated back to 1916.

By the representative of Colombia to both organizations

What were the views of the two organizations regarding the composition of the investigating committee?

Reply of the Jewish Agency

So far as the composition of the special committee was concerned the Jewish Agency would not differentiate between big and small powers or suggest the exclusion of any government because it had a policy on Palestine. Parties directly concerned should be excluded — for example, the United Kingdom Government, and the Arab States - unless it were agreed that the Committee should have one Arab and one Jewish member.

Reply of the Arab Higher Committee

In view of the statements made by representatives that there was an absence of neutrality, it was difficult to express any views concerning the composition of the proposed committee.

b. Other Organizations

At its 47th meeting on May 6 the First Committee referred to Sub-Committee 5, consisting of representatives of Colombia, Poland, Iran, Sweden and the United Kingdom, the question of whether organizations (other than the Jewish Agency for Palestine and the Arab Higher Committee) from which requests for hearings had been received represented a considerable element of the population of Palestine.

Sub-Committee 5 under the chairmanship of Mr. Hagglof (Sweden) held two meetings on May 7 and 9, and examined the requests from the following organizations: Agudas Israel World Organization; Political Action Committee for Palestine; Progressive Zionist District 95 of New York, Zionist Organization of America; Hebrew Committee of National Liberation; Committee for Freedom of North Africa; Palestine Communist Party; Central Committee; Institute of Arab American Affairs; Young Egypt Party; League for Peace with Justice in Palestine; Union for the Protection of the Human Person; United Israel World Union, Inc.; Church of God, Faith of David, Inc.; Catholic Near East Welfare Association.

The Sub-Committee found that some of the requests originated with organizations established outside Palestine and that the other requests came from organizations which, although established in Palestine, did not, in the opinion of the Sub-Committee, represent a sufficiently considerable element of the population of that country. The Sub-Committee therefore decided unanimously to advise the First Committee not to grant a hearing to the organizations which had lodged applications, it being well understood, however, that this decision did not exclude the possibility of all these organizations being heard by the committee of investigation onec it had been established. This report was adopted by the First Committee without discussion at its 52nd meeting on May 9.

A telegram was received by the Chairman of the First Committee and the Secretary-General on May 12 from the Agudas Israel World Organization protesting that the failure to hear their representatives was "undeserved discrimination against religious Jewish people contrary to the Charter of the United Nations."

6. Constituting and Instructing the Special Committee

a. Preliminary Discussion

The General Assembly at its 70th plenary meeting on May 1 referred to the First Committee the question of constituting and instructing a special committee, to prepare for the consideration of Palestine at the Assembly's next regular session.

The First Committee began a general discussion of this item at its 48th meeting on May 7. Two draft resolutions were presented to the Committee, one by the United States and one by Argentina.

The United States resolution provided for the establishment of a committee of inquiry consisting of representatives of Canada, Czechoslovakia, Iran, Netherlands, Peru, Sweden and Uruguay. The committee should be instructed

> to assemble, analyze, and collate all pertinent data on the question; to receive testimony from interested Governments and from such non-governmental organizations and individuals as the committee in its discretion may deem appropriate; to study the various issues which are involved and to submit to the next regular session of the General Assembly such proposals for the solution of the problem of Palestine as it may determine to be useful for the effective consideration of the problem by the General Assembly.

The draft resolution also provided that the committee should sit wherever it thought desirable, should receive on request information from the Mandatory and other Members, and should have the necessary facilities, travel and subsistence expenses and finances.

The Argentine draft resolution stated that it was advisable that the committee be a small one, "provided that proportional geographical representation is ensured to the States Members according to their distribution throughout the five continents"; that the powers of the committee should be defined so that it might have all the authority which only the General Assembly could confer; that in view of their responsibility the five countries permanently represented on the Security Council should not be excluded; and that likewise the special interest of the five Arab States and of the Jews in Palestine should be considered. The investigating committee should consit of eleven members --China, France, U.S.S.R, United Kingdom, United States, one State chosen by lot from Egypt, Iraq, Lebanon, Saudi Arabia and Syria and five other States, chosen by lot as follows:

> one from the American Continent other than the United States;
> one from the Pacific: Australia, New Zealand, the Philippine Republic,
> one from the African Continent: Ethiopia, Liberia, the Union of South Africa, provided Egypt was not chosen by lot to represent the Arab States;
> one from Asia: Afganistan, India, Iran, Siam and Turkey, if Egypt was chosen by lot to represent the Arab States.

The draft resolution provided that the committee should have "the widest powers both to record facts and to make recommendations." It was to hear the United Kingdom as the Mandatory and also one representative of the Arabs resident in Palestine, one representative of the Jews resident in Palestine and one representative of the Jewish Agency.

A resolution was presented by El Salvador to the 50th meeting of the First Committee on May 8. It provided that the special committee should propose to the General Assembly the solution or solutions it thought "most convenient to ensure to Palestine the destiny which it deserves, in accordance with the aspirations of its People." The special committee was to consider the interests of the different groups in Palestine, including the Arabs and Jews, the interests of the Christian world in Palestine and of the Christian population there. The special committee was to bear in mind that the ultimate purpose of any plan for the future of Palestine should be "the freedom and independence of this nation at the most appropriate time."

In the general discussion the opinion was expressed that the special committee should have wide powers, that it should go where it thought necessary, hear all parties and take note of all possible solutions in making its recommendations.

As regards the composition of the special committee, two different views were expressed: (1) that the committee should be composed of "neutral" countries, and should not include the permanent members of the Security Council, and (2) that it should include the permanent members of the Security Council.

In favor of the first alternative it was urged that the special interests of the Great Powers meant that they would not be impartial and that their inclusion in the committee might result in political discussions which would delay its work, that the committee must not only be impartial but must also give the impression of being impartial. It was also felt that the United Kingdom as the Mandatory was an interested party and should not therefore sit on the committee, and that either all or none of the permanent members of the Security Council should be included.

On the other hand it was urged that the permanent members should be included because of their special responsibilities and that recommendations agreed to by them from the start would be more easily accepted and enforced.

The United States, United Kingdom and China stated that they were against the inclusion on the committee of the permanent members of the Security Council, but that if asked to serve they would do so.

The Polish representative suggested that the committee should be composed of eleven members as follows: the five permanent members of the Security Council, two representatives of the Latin American countries, one Arab country, one representative from Africa or Asia, one from Western Europe, and one from Eastern Europe. This was supported by the delegate for the U.S.S.R., who felt that the same factors taken into account when the Security Council was constituted should be taken into account in the constitution of the committee.

In the course of the debate it was decided to consider successively (1) the terms of reference, (2) the composition and (3) the administrative organization of the special committee.

b. Terms of Reference

At the conclusion of its 51st meeting on May 8, the First Committee appointed a Sub-Committee (Sub-Committee 6, consisting of representatives of Argentina, China, Australia, Czechslovakia, Egypt, El Salvador, France, the U.S.S.R. and the United States) to combine into one text the proposals of Argentina, the United States and El Salvador.

The Sub-Committee held two meetings on May 8 and 9 and produced a working paper in the form of a draft resolution as follows:

Whereas the General Assembly of the United Nations has been called into special session for the purpose of constituting and instructing a special committee to prepare for the consideration at the next regular session of the Assembly of the future government of Palestine,

THE GENERAL ASSEMBLY RESOLVES:

1. that the special committee shall have the widest powers to ascertain and record facts;
2. that it shall receive testimony, by whatever means it considers appropriate in each case, from the mandatory power, from representatives of the population of Palestine, and from such other Governments, non-governmental organizations and individuals, as it may wish to consult;
3. that the committee shall bear in mind the principle that independence for the population of Palestine should be the ultimate purpose of any plan for the future of that country;
4. that it shall prepare a report to the General Assembly and shall submit such proposals as it may consider appropriate for the solution of the problem of Palestine;
5. that its report shall be communicated to the Secretary-General, if possible by 15 August 1947, but in any event not later than 1 September 1947, in order that it may be circulated to the Member States of the United Nations in time for consideration by the second regular session of the General Assembly;
6. that the special committee shall give most careful consideration to the interests of all the inhabitants of Palestine and also to the religious interests in Palestine of Islam, Jewry and Christendom.

The U.S.S.R. representative at the First Committee's 52nd meeting on May 9, presented an amendment to the Sub-Committee's draft resolution. This provided that the special committee should (1) study in detail the situation in Palestine "by carrying out investigation on the spot," (2) should assemble, analyze and collate all data relating to the question, receive verbal and written testimony from interested governments, and from non-governmental organizations and individuals "whom the committee will deem appropriate to grant a hearing," and "should study various other issues connected with the problem of Palestine"; (3) submit proposals on the solution of the problem of Palestine "including a proposal on the question of establishing without delay the independent State of Palestine."

In explaining his amendment, the U.S.S.R.. representative said that it originally had been submitted to the Sub-Committee as an amendment to the United States resolution, and that his delegation had no objection in principle to the Sub-Committee's draft, but that it might be made more concrete by the insertion of the first paragraph of the Soviet proposal and by a reference to independence as a possible solution of the problem.

The Indian representative presented a resolution amalgamating the Sub-Committee's draft and the amendments proposed by the U.S.S.R. and on May 10, the Philippine, Iraq and Polish representatives presented further proposals.

The Philippine proposal was based on the working paper prepared by the Sub-Committee, the U.S.S.R. and Indian proposals and certain suggestions made by the Jewish Agency for Palestine and the Arab Higher Committee. It suggested the insertion in the preamble of a reference to the fact that the special session had been called "at the request of the Government of the United Kingdom." It provided that "the special committee shall have the widest powers to ascertain and record facts, and to investigate all questions and issues relevant to the problem of Palestine"; and that it should conduct investigations on the spot and receive written or oral testimony from the mandatory power, from representatives of the population of Palestine, and from such other governments,

non-governmental organizations and individuals "as it may deem proper to grant a hearing." The texts concerning the independence of Palestine and the consideration of religious interests were left as in the working paper.

A new provision was included urging that the special committee should "consider what measures need to be taken to insure peace, justice and harmony among the people of Palestine preparatory to its emergence as an independent and democratic State."

The proposal presented by Iraq provided (1) that the special committee should "have the widest powers to ascertain and collect facts relevant to the future government of Palestine"; (2) that it should "examine the development of the situation in Palestine, in the light of the purposes and principles of the Charter, with a view to assessing rights and claims"; (3) that it should receive testimony from governments, non-governmental agencies and individuals "it deems fit to consult"; (4) that the committee "shall be guided by" the principle that the independence of Palestine was the primary purpose of any plan for its future government; and (5) that "the committee shall consider in its study on the future government of Palestine, the bearing of the situation in Palestine on international co-operation, peace and security in the Middle East."

The Polish amendment proposed that the committee should have the widest powers to ascertain and record facts and "study in detail the situation in Palestine by carrying out an investigation on the spot and elsewhere wherever necessary, including the displaced persons camps and Cyprus." Its proposals to the General Assembly on the solution of the problem were to include "a proposal on the question of establishing by the United Nations the independent, democratic state of Palestine." It was to give consideration not only to religious interests in Palestine, but also "to the rights of the Arab and the Jewish people in Palestine." Other delegates also suggested changes of wording to the working paper.

In the Committee's discussions certain differences of opinion were expressed on (1) whether the terms of reference should be broad and general or whether they should be defined; (2) whether the question of the displaced persons in Europe should be linked with the problem of Palestine or whether they constituted a separate problem; (3) whether "independence" should be mentioned as the primary purpose for the future government of Palestine, since the term was capable of differing interpretations or whether independence was the only issue; (4) whether the committee should be mainly a fact-finding committee or whether its terms of reference should indicate concrete ends.

At the conclusion of its 53rd meeting on May 10, the Committee voted 32 in favor and 11 against to charge Sub-Committee 6, enlarged to include representatives of Iraq, the Philippines, India and Colombia, with drafting, if possible, a unanimous text on the terms of reference of the special committee, or, if agreement should prove impossible, with proposing alternative texts.

The Sub-Committee met on May 10 and drafted a text, which was submitted to the First Committee at its 54th meeting on May 12. Alternative texts were submitted on the paragraphs referring to the future of Palestine, and the interests of the inhabitants of Palestine and the religious interests in Palestine of Islam, Judaism and Christianity. The text submitted by the Sub-Committee was as follows:

WHEREAS the General Assembly of the United Nations has been called into special session in pursuance of the request of the Government of the United Kingdom for the purpose of constituting and instructing a special committee to prepare for the consideration at the next regular session of the Assembly of the future government of Palestine,

THE GENERAL ASSEMBLY RESOLVES that:

1. A special committee be created for the above-mentioned purpose consisting of the representatives of .....

2. The special committee shall have the widest powers to ascertain and record facts, and to investigate all questions and issues relevant to the problem of Palestine.

3. The special committee shall determine its own procedure.

4. The special committee shall conduct investigations in Palestine, receive and examine written or oral testimony, whichever it may consider appropriate in each case, from the mandatory Power, from representatives of the population of Palestine, from Governments and from such organizations and individuals as it may deem necessary.

5A. The special committee shall bear in mind the principle that independence for the population of Palestine should be the purpose of any plan for the future of that country.[1]

5B. The special committee shall be guided by the principle that the independence for the

[1] Where The Sub-Committee was unable to reach unanimity, alternative texts are included.

people of Palestine should be the purpose of any plan for the future of that country.

5C. The special committee shall bear in mind the principle that independence for the population of Palestine should be the ultimate purpose of any plan for the future of that country.

5D The special committee shall be guided by the principle that the independence of Palestine should be the purpose of any plan for the future of that country.

6A. The special committee shall give most careful consideration to the interests of all the inhabitants of Palestine and also to the religious interests in Palestine of Islam, Judaism and Christianity.

6B. The special committee shall give most careful consideration to the religious interests in Palestine of Islam, Judaism and Christianity.

(The majority of the members of the Sub-Committee were in favor of omission of both texts of Paragraph 6).

7. The special committee shall prepare a report to the General Assembly and shall submit such proposals as it may consider appropriate for the solution of the problem of Palestine.

(The Representative of the Union of Soviet Socialist Republics and the Representative of India proposed the addition to the above of the following words):

"including a proposal on the question of establishing without delay the independent democratic state of Palestine"

8. The special committee's report shall be communicated to the Secretary-General if possible by 15 August 1947, but in any event not later than 1 September 1947, in order that it may be circulated to the Member States of the United Nations in time for consideration by the second regular session of the General Assembly.

The draft resolution was criticized by certain representatives on the one hand because it contained no definite recommendation on the realization of independence for Palestine as soon as possible, and no recommendation that the committee should act in accordance with the terms of the Charter and that the terms of the debate had linked the question with the displaced persons camps, thereby prejudicing the issue. On the other hand, it was criticized on the ground that it did not mention specifically the displaced persons camps or provide adequately for the main purpose of seeing how the immigration of the Jews and the freedom of the Arabs from foreign interests could be reconciled.

The Polish representative suggested that the special committee should consider the following questions: how the terms of the Mandate had not been fulfilled; how the immigration of the Jews and the national aspirations of the Arabs (e.g. freedom from the protectorate of great powers and subservience to foreign oil interests) could be reconciled; the way and time when a free democratic State in Palestine, guaranteeing equal political, national, cultural and linguistic rights to both nations could be introduced. The committee should also investigate alternative solutions, such as the formation of a separate Arab and a separate Jewish State in Palestine; it should examine the credentials of various political groups, especially the political role of former nazi collaborators; and the position of Jews in displaced persons camps, recommending the transfer to Palestine as soon as possible of those who wanted to go; that it should examine the possibility of economic activity by the United Nations and specialized agencies and particular States to raise the standard of living of the non-Jewish population; that it should examine the protection of religious interests in the various Holy Places.

The Syrian representative in criticizing the suggested terms of reference of the special committee outlined the maximum Arab concessions, as put forward at conferences between the United Kingdom Government and the States of the Arab League from September 9 to October 2, 1946, and from January 23 to February 14, 1947.

These concessions included:

Creation of a provisional executive council to be composed of Arabs and Jews, and presided over by the British representative;

summoning by free election in which all citizens of Palestine, without discrimination as to nationality, creed, or faith, would participate, of a constituent assembly to promulgate an organic, democratic constitution guaranteeing:

the unity of the State with the elected legislature;

the sancitity of the Holy Places with freedom of access and worship;

religious courts for matters of personal status;

rights of citizenship;

the right to employ the Hebrew language as a second official language in areas where speakers of that language form an absolute majority;

communal parliamentary representation in proportion to the number of citizens;

further immigration to be prohibited until the independent Government of Palestine provides otherwise;

supervision by the United Nations over the status of the Holy places and shrines;

after the election and convocation of parliament, the elected head of the State to assume power under the constitution, thereupon terminating the Mandate, and declaring Palestine a completely independent State.

It had been contemplated, the Syrian representative said, that these steps would take a maximum of two years.

The representatives of Iraq and Lebanon associated themselves with the statement of the Syrian representative, and with his criticisms of the terms of reference of the special committee.

At its 55th meeting on May 12, the First Committee began a clause-by-clause consideration of the text proposed by Sub-Committee 6.

The Chilean representative introduced an amendment to the Preamble to refer to "the question of Palestine" instead of to "the future government of Palestine," on the ground that the problem of Palestine was wider in scope than the mere taking of a decision on its future government.

The amendment was carried by 36 votes in favor, 10 against and 6 abstentions.

At the suggestion of the United Kingdom representative it was therefore decided to omit "in pursuance of the request of the Government of the United Kingdom" because the United Kingdom request had referred to the "future government of Palestine."

A Polish amendment to Paragraph 2, providing that the special committee should investigate on the spot "and elsewhere, wherever necessary, including the displaced persons camps" was defeated by 10 votes in favor, 33 against and 6 abstentions.

Paragraph 3 was adopted unanimously.

An amendment to paragraph 4 was introduced by Panama and Guatemala to insert "wherever it may deem convenient" after "the special committee shall conduct its investigation in Palestine," on the grounds that the committee would require to take testimony from the Mandatory, and see for itself what proportion of the Jews in the displaced persons camps wanted to go to Palestine.

This amendment, as altered in accordance with a suggestion by the Australian representative to read "wherever it may deem useful," was adopted by 36 votes in favor, 8 against and 4 abstentions. The paragraph as amended was adopted by 43 votes in favor, 8 against and 1 abstention.

The United States representative proposed another alternative to paragraph 5: "The special committee, in studying the future governance of Palestine, shall give full consideration to guarantees of the rights necessary to the peace and independence of its peoples," on the ground that this avoided prejudgment of the question and made it clear that the special committee's business was to study and report upon the subject.

Certain representatives declared that they could not understand the paragraph and that it would be difficult for the special committee to interpret. The U.S.S.R. representative suggested an amendment to the new paragraph:

> The special committee in studying the problem of Palestine shall give full consideration to guarantees of the rights of its people necessary to the peace and independence of that country.

A proposal of the French representative to delete paragraph 5 on the ground that it did not add anything to the special committee's instructions and would be difficult to apply was adopted by a vote of 29 in favor, 10 against, with 14 abstentions.

The Australian representative proposed the deletion of paragraph 6 since it also added nothing to the instructions of the special committee, which would have to take into account religious interests as well as other interests and would also have to consider the interests of the population of Palestine, and since it was logical, if paragraph 5 was omitted, to omit paragraph 6. The proposal was negatived, with 19 votes in favor, 25 against and 7 abstentions.

Paragraph 6B of the Sub-Committee's proposed text was then adopted by 27 votes in favor, 9 against and 16 abstentions.

The U.S.S.R. and Indian representatives proposed to add to paragraph 7 that the special committee's recommendations should include "a proposal on the question of establishing without delay the independent democratic State of Palestine" on the ground that if religious interests were specified political interests should also be specifically mentioned.

The proposal was lost by 15 votes in favor, 26 against, and 12 abstentions.

A Polish amendment to insert "including a proposal on the establishing by the United Nations of the independent democratic State of Palestine," was lost by 10 votes in favor, 25 against and 18 abstentions.

The original paragraph proposed by the Sub-Committee was adopted by 44 votes in favor and 7 against.

Paragraph 8, after slight amendments, was adopted by 45 votes in favor, with 6 abstentions.

c. Composition of the Committee

The First Committee at its 56th meeting on May 13 resumed consideration of the discussion of the composition of the special committee on the basis of the draft resolutions proposed by Argentina and the United States on May 7.

The Argentine representative withdrew his draft resolution, on the ground that the spokesman for the Jewish Agency had opposed the inclusion of the United Kingdom, as an interested party, on the special committee, and that all five permanent members of the Security Council should be included or none of them.

New proposals were submitted by the representatives of Poland, the U.S.S.R., Australia and Venezuela. An amendment to the United States draft resolution was submitted by the representative of Chile.

The Polish proposal was that the special committee should be composed of eleven members, as follows: the five permanent members of the Security Council, two countries from Latin America, one country from the Arab States, one country from Africa, one country from Asia, one country from Eastern Europe.

The U.S.S.R. proposal was that the special committee should consist of those Member States which were on the Security Council. The U.S.S.R. proposed as an alternative that the Committee should include the permanent members of the Security Council, one State representing Western Europe, one State representing Eastern Europe, two States representing Latin America, one Arab State, one State representing the Far East and Africa.

The Australian proposal was that the special committee should consist of eleven members, not including the permanent members of the Security Council.

A Venezuelan proposal urged insertion of a sentence providing that the countries elected to the special committee "shall elect persons of high moral character and of recognized competence in international law and international affairs with the understanding that these persons shall act impartially and conscientiously, bearing in mind the purposes and principles of the Charter of the United Nations."

Objections were raised by certain representatives that if this paragraph were formally included in the resolution it might be taken to indicate a doubt as to whether countries would name competent and impartial representatives, and the Chairman suggested that a paragraph be inserted in the report associating the Committee with the views expressed by the Venezulelan representative. The Venezuelan delegate therefore withdrew his proposal. The reference to "competence in international law" was not included in the report as certain representatives considered this qualification too specialized.

The Chilean amendment proposed to add to the list of States mentioned in the United States draft resolution: Guatemala and Yugoslavia.

The debate in the Committee centered on (1) whether the permanent members should be included or not, (2) what was an equitable geographical representation.

Certain representatives urged the importance of aiding the special committee's work by establishing it by a substantial majority. In an effort to achieve a compromise on the question of the inclusion of the permanent members of the Security Council, the Norwegian representative suggested the appointment of a commission containing representatives of the permanent members, and from the commission a working committee to be composed of members with no direct interest in Palestine should be chosen. The working committee should report to the commission on September 1, and the commission's report should be made to the regular session of the Assembly. The Chairman pointed out, however, that the First Committee was bound by the terms of reference it had already adopted, which provided for completion of the report to the General Assembly by September 1. The Norwegian representative withdrew the proposal as it had not received the support of the committee.

The Committee voted on the proposals as follows:

The two U.S.S.R. proposals each received 6 votes in favor, 26 against, and 21 abstentions, and were therefore lost;

The Polish proposal received 7 votes in favor, 26 against, and 20 abstentions, and was therefore lost;

The Australian proposal received 13 votes in favor, 11 against and 29 abstentions, and was accepted. It provided that the special committee should consist of eleven Members, excluding the permanent members of the Security Council.

The Committee then elected by 35 votes in favor, 4 against and 13 abstentions the States proposed in the United States draft resolution and the Chilean amendment. It was decided that the two remaining members of the committee

should be elected on a geographical basis to represent the South Pacific and Asia. Australia was elected from the South Pacific, receiving 21 votes against 20 received by the Philippines. India was elected from Asia, receiving 34 votes against 7 received by Siam.

The composition of the special committee as a whole, consisting of representatives of Australia, Canada, Czechoslovakia, Guatemala, India, Iran, the Netherlands, Peru, Sweden, Uruguay and Yugoslavia, was approved by 39 votes in favor, 3 against with 10 abstentions.

d. Administrative Organization

The Committee then considered the administrative organization of the special committee on the basis of three final paragraphs of the draft resolutions submitted by the United States on May 7. These read:

THE GENERAL ASSEMBLY

Requests the Secretary-General to enter into suitable arrangements with the proper authorities of any State in whose territory the committee may wish to sit or to travel, to provide necessary facilities, and to assign appropriate staff to the committee.

Authorizes the Secretary-General to reimburse travel and subsistence expenses of a representative and an alternate representative from each Government represented on the committee on such basis and in such form as he may determine most appropriate in the circumstances.

Authorizes the Secretary-General to advance from the Working Capital Fund such funds as may be required to finance the expenses of the committee without regard to existing limitations on such advances.

The last paragraph was withdrawn as unnecessary since funds were already provided for from the Working Capital Fund. The other two paragraphs were adopted without objection.

e. Final Resolution

The resolution adopted by the First Committee was as follows:

The First Committee recommends to the General Assembly the adoption of the following resolution:

WHEREAS the General Assembly of the United Nations has been called into special session for the purpose of constituting and instructing a Special Committee to prepare for the consideration at the next regular session of the Assembly a report on the question of Palestine,

THE GENERAL ASSEMBLY RESOLVES that:

1. A Special Committee be created for the above-mentioned purpose consisting of the representatives of Australia, Canada, Czechoslovakia, Guatemala, India, Iran, Netherlands, Peru, Sweden, Uruguay and Yugoslavia;
2. The Special Committee shall have the widest powers to ascertain and record facts, and to investigate all questions and issues relevant to the problem of Palestine:
3 The Special Committee shall determine its own procedure;
4. The Special Committee shall conduct investigations in Palestine and wherever it may deem useful, receive and examine written or oral testimony, whichever it may consider appropriate in each case, from the mandatory Power, from representatives of the population of Palestine, from Governments and from such organizations and individuals as it may deem necessary;
5. The Special Committee shall give most careful consideration to the religious interests in Palestine of Islam, Judaism and Christianity;
6. The Special Committee shall prepare a report to the General Assembly and shall submit such proposals as it may consider appropriate for the solution of the problem of Palestine;
7. The Special Committee's report shall be communicated to the Secretary-General not later than 1 September 1947, in order that it may be circulated to the Members of the United Nations in time for consideration by the second regular session of the General Assembly;

THE GENERAL ASSEMBLY

8. REQUESTS the Secretary-General to enter into suitable arrangements with the proper authorities of any State in whose territory the Special Committee may wish to sit or to travel, to provide necessary facilities, and to assign appropriate staff to the Special Committee;

9. AUTHORIZES the Secretary-General to reimburse travel and subsistence expenses of a representative and an alternate representative from each Government represented on the Special Committee on such basis and in such form as he may determine most appropriate in the circumstances.

In the course of the discussion the Iranian representative had suggested that the representatives of the governments which were elected to the special committee should make a statement to the effect that their government would give them no instructions and wide discretionary powers so that they could investigate according to their conscience and in conformity with the purpose and principles of the Charter. After the resolution had been adopted the Iranian representative made a statement on behalf

of his Government to the effect that it would give complete freedom to its representative on the special committee.

f. Reservations

The representative of Lebanon requested that the following statement be inserted in the Report:

. . . . I have to say a word in explanation of my voting. I shall abstain from voting because I do not want to commit myself in any way regarding this document. This non-committal and abstention, far from meaning unconcern, actually signifies the deepest concern. The ground of this concern is the fact that not only has any mention of independence for Palestine been severely suppressed from the terms of reference, but also the basis on which this extraordinary session of the General Assembly was convened in the first place has insensibly shifted, during the last two weeks, from preparing for advising the United Kingdom Government on the future government of Palestine to preparing for the consideration of the so-called problem of Palestine in general, a phrase which by its very generality may mean anything and, therefore, is really unacceptable.

If for no other reason than this essential, and I might also add dangerous, indefiniteness which permeates this entire document, I for my part am wholly unable to subscribe to it one way or the other. Therefore, I respectfully reserve the position of my Government regarding every future occasion.

The representative of Syria made a statement reserving the position of his Government and declaring his intention of voting against the resolution as adopted by the committee, on the ground that a definite proposal for the independence of Palestine was deleted by a great majority of the committee and that another proposal that a solution should be based on the provisions of the Charter of the United Nations and the Covenant of the League of Nations had been overlooked.

The representative of Iraq associated himself with the statement by the Syrian representative and the representative of Egypt with that of the Lebanese representative. The representative of Saudi Arabia endorsed both statements.

g. Final Plenary Meetings

The Report of the First Committee was considered by the General Assembly at its 77th, 78th and 79th plenary meetings on May 14 and 15.

The Arab States protested against the suggested terms of reference of the special committee on the grounds that they contained no mention of the independence of Palestine, or the principles of the Charter; that the "future government" of Palestine had been replaced by the vague term "problem" of Palestine; that the clause relating to the consideration of the interests of all the inhabitants of Palestine had been omitted; that the mandate to the special committee to conduct investigations wherever it deemed useful had been expressly intended to enable the committee to visit the displaced persons camps and bring about a connection between the two problems; that the proposed terms of reference would not make for peace in the Middle East. They reserved the attitude of their Governments on the question.

The Egyptian representative made a statement for the record, saying that he would have to vote against the First Committee's report, and reserving the attitude of his Government, for the following reasons:

1. The decisions of the First Committee were not in line with the legal and political remedies his delegation believed necessary for a just and lasting solution of the Palestine problem.

2. The reference to the independence of Palestine had been removed, and the First Committee was not within its rights in deleting the reference to "the future government of Palestine" and substituting for it a reference to "the question of Palestine."

Various representatives pointed out that the special committee would be bound to take account of the statements and declarations made in the discussions in addition to its terms of reference. No decision of substance had been taken, and the terms of reference were not intended to prejudge the issue.

The U.S.S.R. representative, emphasizing that the discussion of the acute political problem of Palestine had placed on the United Nations the responsibility for a solution, thought that the special committee should study the factual situation in Palestine, which would show that the Mandate had not justified itself. He stated that the task of the committee was to reconcile the lawful interests of Arabs and Jews in Palestine, if possible by the creation of a single Arab-Jewish State with equal rights for Arabs and Jews, and, if not, by two separate States, one Arab and one Jewish.

The Polish representative submitted again the Polish proposal that the special committee should have eleven members, including the permanent members of the Security Council.

The Assembly voted first on paragraph 1 of the resolution giving the membership of the special committee. This was carried by 40 votes in favor, with 13 abstentions and none against.

The Preamble and the rest of the resolution was then voted on and carried by 45 votes in favor, and 7 against.

The resolution as a whole was then adopted by 45 votes in favor and 7 against.

7. Appeal for Peace in Palestine

Certain representatives, including the Indian representative on April 30 and the New Zealand representative on May 3, appealed for peace in Palestine while the question was being considered by the Special Committee.

At the General Assembly's 78th session on May 14 the Norwegian representatives moved the following resolution:

> The General Assembly calls upon all Governments and peoples to refrain, pending action by the General Assembly on the report of the special committee on Palestine, from the threat or use of force or any other action which might create an atmosphere prejudicial to an early settlement of the question of Palestine.

This was endorsed by other representatives, and, on the suggestion of El Salvador, the Norwegian representative agreed to insert after "calls upon all Governments and peoples" "and particularly upon the inhabitants of Palestine." The resolution was adopted by the General Assembly, with no votes against.

8. Other Questions

a. Welcome to Siam

At the 68th meeting of the General Assembly on April 28, Siam was formally welcomed as a member to the General Assembly. The General Assembly at its previous plenary meeting on December 15, 1946, had voted to admit Siam to the United Nations, and its instrument of adherence to the Charter had been presented on the following day.

The Indian, Chinese, and Danish representatives made speeches, referring to the ties of their countries with Siam and welcoming its admission to the United Nations. The representative of Siam in his speech referred to the love of peace, freedom and tolerance, democratic regime and tradition of international co-operation of his country.

b. Address by President of Mexico

At its 72nd meeting on May 3, the General Assembly was addressed by Miguel Aleman, the President of the Republic of Mexico. President Aleman stated that only the fulfillment of obligations within a program of international co-operation would bring durable peace. He expressed the hope that the peace treaties would soon be completed. International co-operation must be "founded on a scrupulous observance of the rights of States." It was the obligation of the United Nations to strengthen the foundations of a universal community through the spread of education, the development of international trade on a basis satisfactory to all nations and the rasing of the standard of living. The obstacles encountered showed that the structure of the new world must be built on complete knowledge of the problems involved, and on a full agreement concerning measures for their solution. President Aleman stressed the value of regional arrangements, and the contribution in this field of the American Republics.

9. Special Committee on Palestine

The Special Committee on Palestine held its first meeting on May 26, 1947, at Lake Success, New York.

The membership of the Committee was as follows:

Australia	John D. L. Hood
Canada	I. C. Rand
Czechoslovakia	Karel Lisicky
Guatemala	Jorge Garcia Granados
India	Sir Abdur Rahman
Iran	Nasrollah Entezam
Netherlands	N. S. Blom
Peru	Alberto Ulloa
Sweden	Emil Sandstrom
Uruguay	Enrique Rodriguez Fabregat
Yugoslavia	Josa Brilej

On May 29 the Secretary-General sent a circular letter to Members of the United Nations transmitting a copy of a letter from the Permanent Representative of the United Kingdom to the United Nations. The United Kingdom letter asked that Member States should do all in their power to discourage illegal immigration into Palestine while the issue remained *sub judice*. The Secretary-General expressed the hope that consideration would be given to the letter in the light of the resolution adopted by the General Assembly.

At its second meeting on June 2 the Committee elected Chief Justice Emil Sandstrom, of Sweden, as Chairman, and Dr. Alberto Ulloa, of Peru, as Vice-Chairman.

It approved unanimously a letter to be sent to those organizations which had applied to be heard before the Special Session of the General Assembly inviting them to submit written statements to the Committee on or before June 6.

(On June 6 the Committee decided against the hearing of any organization during the Committee's work in New York). On June 3 the Committee approved an official communique containing a notification of its arrival in Palestine and announcing the holding of hearings. The communique requested that organizations and individuals who wished to do so should submit written statements as soon as possible and that those qualified persons who wished to be heard orally should apply in writing for a hearing. The Committee later decided that July 5 should be the deadline for the receipt of written statements and requests for oral hearings.

At its second and third meeting on June 2 and 3 the Special Committee adopted provisional rules for procedure, including a provision for the appointment of liaison officers to the Committee by the Mandatory Power, the Arab Higher Committee and the Jewish Agency for Palestine.

The Jewish Agency appointed David Horowits as liaison officer. The Arab Higher Committee, however, in reply to the communication from the Secretary-General of the United Nations informing them that they had the right to appoint a liaison officer, cabled as follows:

Arab Higher Committee Palestine desire convey to United Nations that after thoroughly studying the deliberations and circumstances under which the Palestine fact finding committee was formed and the discussion leading to terms of reference, they resolved that Palestine Arabs should abstain from collaboration and desist from appearing before said committee for following main reasons. Firstly, United Nations refusal adopt natural course of inserting termination mandate and declaration independence in agenda Special United Nations Session and in terms of reference. Secondly, failure detach Jewish world refugees from Palestine problem. Thirdly, replacing interests Palestine inhabitants by insertion world religious interests although these are not subject of contention. Furthermore Palestine Arabs natural rights are self-evident and cannot continue to be subject to investigation but deserve to be recognized on the basis of principles of United Nations Charter.

The first group of members of the Special Committee left for Palestine on June 10.

Following the program on which it had decided, the Committee first heard representatives of the Government of Palestine and of the Jewish Agency (the Arab Higher Committee having decided to abstain from collaboration) and then proceeded to tour the country.

ANNEX I.

DELEGATIONS TO THE GENERAL ASSEMBLY[1]

A. FIRST PART OF THE FIRST SESSION

Argentina
Representatives
Lucio Manuel Moreno Quintana
Felipe A. Espil
Pablo Santos Muñoz
Alternates
Adolfo Scilingo
Ricardo J. Siri

Australia
Representatives
N. J. O. Makin
J. A. Beasley
Lt.-Col. W. R. Hodgson
Alternates
Alan Watt
K. H. Bailey
E. R. Walker
Paul Hasluck
A. H. Tange

Belgium
Representatives
P. H. Spaak
Ch. de Visscher
H. A. Rolin
F. van Langenhove
Alternates
G. Kaeckenbeeck
P. Orts
M. Bourquin
F. Dehousse

Bolivia
Representatives
Carlos Salamanca
Eduardo del Portillo
Alternates and Advisers
Juan Peñaranda Minchin
Carlos Romero

Brazil
Representatives
L. M. de Souza Dantas
J. J. Moniz de Aragão
C. de Freitas-Valle
V. Leitão da Cunha

Byelorussian Soviet Socialist Republic
Representatives
Kuzma V. Kiselev
Mrs. Evdokia I. Uralova
Aleksey F. Kulikov
Frol P. Shmigov
Vassily P. Smoliar

[1] The Charter of the United Nations provides that no Member may have more than five representatives in the General Assembly. Replacements for those delegates who served only a short time account for the fact that in some instances more than five delegates for a Member State are listed in this Annex.

Canada
Representatives L. S. St. Laurent
J. G. Gardiner
Paul Martin
Vincent Massey
H. H. Wrong
Alternates J. E. Read
L. D. Wilgress
Pierre Dupuy
Gordon Graydon
S. H. Knowles

Chile
Representatives Manuel Bianchi
Germán Vergara
Enrique Gajardo
Gonzalo Montt
Alternate León Subercaseauz

China
Representatives Wang Shih-chieh
V. K. Wellington Koo
Foo Ping-sheung
Tsien Tai
P. C. Chang
Alternates Victor Chi-tsai Hoo
Wunsz King
Lone Liang

Colombia
Representatives Darío Echandía
Carlos Lleras Restrepo
Eduardo Zuleta Angel

Costa Rica
Representative Fernando Soto Harrison

Cuba
Representatives Guillermo Belt
Guillermo de Blanck
Ernesto Dihigo
Guy Pérez Cisneros
Luis Marino Perez
Deputy Representative and Adviser
Felipe Pazos

Czechoslovakia
Representatives Jan Masaryk
Hubert Ripka
Josef Soltesz
Jan Belehrádek
Ivo Duchácek
Alternates Jan Lichner
Ivan Kerno
Charles Lisicky
Jaromir Spacek
Ladislav Radimsky

Denmark
Representatives Gustav Rasmussen
Hartvig Frisch
Per Federspiel
Ole Bjorn Kraft
Hermod Lannung
Alternates Count Eduard Reventlow
Ib Norlund
William Borberg

Dominican Republic
Representatives Temístocles Messina
Andrés Pastoriza
Francisco A. Gonzalvo
Federico C. Alvarez
Miss Minerva Bernardino

Ecuador
Representatives Humberto Albornoz
Homero Viteri Lafronte
Antonio Parra Velasco
Alberto Puig-Arosemena

Egypt
Representatives
Abdel Hamid Badawi Pasha
Abdel Fattah Amr Pasha
Mamdouh Riaz
Alternates Ahmed Saroit Bey
Mohammed Awad

El Salvador
Representatives J. Gustavo Guerrero
Rodolfo Barón Castro
Alternate Samuel Jorge Dawson

Ethiopia
Representatives Aklilou Abte-Wold
Blatta Ephrem T. Medhen
Tafarra Worq
Zaudie G. Heywot

France
Representatives Georges Bidault
Marius Moutet
Francois Billoux
Joseph Paul-Boncour
René Massigli
Alternates René Cassin
Léon Jouhaux
Mrs. P. Lefaucheux
Gaston Monnerville

Greece
Representatives John Sofianopoulos
Constantine Rendis
Thanassis Aghnides
Kyriakos Varvaressos
Demetrius Caclamanos
George Exintaris
Alternates Jerome Pintos
Dimitri Lambros
Dimitri Tsaoussis
Dimitri Arghyropoulos
John Siropoulos

Guatemala
Representatives Enrique Muñoz-Meany
General Miguel Ydígoras-Fuentes
Jorge Luis Arriola

Haiti
Representative Léon Laleau

Honduras
Representative Tiburcio Carias, Jr.

India
Representatives Sir Ramaswami Mudaliar
Sir Samuel Runganadhan
Sir V. T. Krishnamachari

Iran
Representatives Hassan Taqizadeh
Mostafa Adl
Bagher Kazemi
Nasrollah Entezam
Ali Soheiny
Alternates Jalal Abdoh
Fazlollah Nabil
Abolhassan Hakimi
Colonel Assadollah Bayendor

Iraq
Representative Ali Jawdat al-Ayubi
Alternates Shaker el-Wadi
Nedim el-Pachachi

Lebanon
Representatives Hamid Bey Frangié
Riad Bey El-Solh
Yussef Bey Salem
Camille Chamoun
Alternates Victor Khouri
Nadim Dimechkié

Liberia
Representatives Gabriel L. Dennis
Baron R. A. de Lynden
Wilmot A. David

Luxembourg
Representatives Joseph Bech
André Clasen
Albert Wehrer
Alphonse Als
Jean-Pierre Kremer

Mexico
Representatives
Alfonso de Rosenzweig Díaz
Roberto Córdova
Luis Padilla Nervo
Federico Jiménez O'Farril
Gustavo Martínez Cabañas

Netherlands
Representatives W. Schermerhorn
E. N. van Kleffens
J. H. van Roijen
Jonkheer E. F. M. J. Michiels van Verduynen
P. S. Gerbrandy
A. Pelt
Alternates A. Th. Lamping
Baron F. M. van Asbeck
J. Tinbergen
Chevalier J. B. de van der Schueren
Mrs. H. Verwey

New Zealand
Representatives Peter Fraser
R. M. Campbell
A. D. McIntosh
J. V. Wilson
Miss Jean R. McKenzie

Nicaragua
Representative Eduardo Avilés Ramírez

Norway
Representatives Trygve Lie
Erik Andreas Colban
Carl J. Hambro
Terje Wold
Jacob S. Worm-Müller
J. Strand Johansen
Alternates Finn Moe
Finn Dahl
Konrad Nordahl
Mrs. Frieda Dalen
H. C. Berg

Panama
Representatives Roberto Jiménez
Demetrio A. Porras

Paraguay
Representative General Andrés Aguilera

Peru
Representatives Alberto Ulloa
Ricardo Rivera Schreiber
Hector Boza
Alberto Arca Parró
Gonzalo N. de Aramburu
Alternates Jorge Vásquez
Fernando Berckemeyer
Luis Alvarado

Philippine Commonwealth
Representatives Pedro López
Tomás L. Cabili
Manuel V. Gallego

Poland
Representatives Wincenty Rzymowski
Wladyslaw Kiernik
Waclaw Barcikowski
Jan Stanczyk
Zygmunt Modzelewski
Henryk Strasburger
Alternates Stanislaw Osiecki
Waclaw Konderski
Jerzy Michalowski
Jozef Winiewicz
Wlodzimierz Moderow

Saudi Arabia
Representatives
H. R. H. the Amir Faisal ibn Abdul Aziz
Sheikh Hafiz Wahba

Syria
Representatives Faris el-Khouri
Najeeb Al-Armanazi
Nazen Al-Koudsi
F. Zeineddine

Turkey
Representatives Hasan Saka
Saffet Arikan
Emin Ali Sipahi
Sevket Fuad Keçeci
Cevat Acikalin
Alternates Nizamettin Ayasli
Nedim Veysel Ilkin

Ukrainian Soviet Socialist Republic
Representatives Dmitro Z. Manuilsky
Mikola P. Bajan
Mikola I. Petrovsky
Olexa D. Voina
Vasil A. Tarasenko

Union of South Africa
Representatives G. Heaton Nicholls
H. T. Andrews
L. Egeland
Alternates A. H. H. Mertsch
R. Jones
D. B. Sole

Union of Soviet Socialist Republics
Representatives Andrei Y. Vyshinsky
Andrei A. Gromyko
Feodor T. Gousev
Anatolii I. Lavrentiev
Vasilii V. Kuznetsov

United Kingdom
Representatives C. R. Attlee
Ernest Bevin
P. J. Noel-Baker
Miss Ellen Wilkinson
Sir Hartley Shawcross
Alternates Glenvil Hall
Hector McNeil
A. Henderson
A. Creech-Jones
Major Kenneth Younger

United States
Representatives James F. Byrnes
Edward R. Stettinius, Jr.
Tom Connally
Arthur H. Vandenberg
Mrs. Franklin D. Roosevelt
Alternates Sol Bloom
Charles A. Eaton
Frank Walker
John Foster Dulles
John G. Townsend, Jr.

Uruguay
Representatives Roberto E. MacEachen
Antonio Gustavo Fusco
Hector Payssé Reyes
Benjamín Fernández y Medina
Advisers and Alternates
Eduardo D. de Arteaga
Gustavo A. Rey Alvárez
Julio A. Lacarte Muró

Venezuela
Representatives Roberto Picon Lares
Carlos Eduardo Stolk
Eduardo Arroyo Lameda

Yugoslavia
Representatives Edvard Kardelj
Sava Kosanovic'
Stanoje Simic'
Ljubo Leontic'
Stoyan Gavrilovic'
Alternates Ales Bebler
Milovan Zoricic'
Andrija Stampar
Vladimir Rybár
Vladimir Dedijer

B. SECOND PART OF FIRST SESSION

Afghanistan
Representatives A. Hosayn Aziz
Said Tadjeddin

Argentina
Representative José Arce
Alternates Enrique V. Corominas
Rodolfo Muñoz

Australia
Representatives N. J. O. Makin
D. B. Copland
K. H. Bailey
A. S. Watt
Paul Hasluck
Alternates C. V. Kellway
Major-General J. A. Chapman
W. D. Forsyth
J. Brack
A. Wynes

Belgium
Representatives Paul-Henri Spaak
Fernand van Langenhove
Pierre Ryckmans
Georges Kaeckenbeeck
Victor Larock
Alternates Walter Loridan
Joseph Nisot
Roland Lebeau
G. Daufresne de la Chevalerie

Bolivia
Representatives Adolfo Costa du Rels
Ernesto Sanjines
Humberto Palza
Alternate Raul Diez de Medina

Brazil
Representatives P. Leão Velloso
Carlos Martins
João Carlos Muniz
Antonio Camillo de Oliveira
Gilberto Amado
Alternates Henrique de Souza Gomes
Enrico Penteado
Edgar de Mello
Olyntho Machado

Byelorussian S.S.R.
Representatives Kuzma V. Kiselev
Alexey G. Bondar
Frol P. Shmigov
Vyatcheslav I. Formashev
Grygory G. Novitsky

Canada
Representatives Louis S. St. Laurent
Paul Martin
W. McL. Robertson
John Bracken
M. J. Coldwell
Alternates J. T. Haig
H. L. Keenleyside
M. W. Mackenzie
George J. McIlraith
L. D. Wilgress

Chile
Representatives Félix Nieto del Río
Germán Vergara Donoso
Enrique Gajardo
Juan Pradenas
Mrs. Amanda Labarca
Alternate Hugo Miranda

China
Representatives V. K. Wellington Koo
Quo Tai-chi
Liu Shih-shun
P. C. Chang
Liu Chieh
Alternates C. J. Pao
Shao-Hwa Tan
Y. T. Tu
C. L. Hsia

Colombia
Representatives Alfonso Lopez
Roberto Urdaneta Arbeláez
Jorge Soto del Corral
Eduardo Zuleta Angel
Eliseo Arango
Alternates Emilio A. Toro
Jesus Maria Yepes

Costa Rica
Representatives
Francisco de Paula Gutiérrez
Ricardo Fournier
Fernando Madrigal
Arturo Morales

Cuba
Representatives Guillermo Belt
Ernesto Dihigo
Guy Pérez Cisneros
Francisco Aguirre

Czechoslovakia
Representatives Jan Masaryk
Vladimir Clementis
Juraj Slavik
Jan Papanek
Joseph Hanc
Alternates Ivan Horvath
Karel Lisicky
Jaromir Spacek
Ladislav Radimsky
Jaroslav Halbhuber

Denmark
Representatives Gustav Rasmussen
Hartvig Frisch
Per Federspiel
Ole B. Kraft
Hermod Lannung
Alternates Henrik Kauffman
Ib Noerlund
Georg Cohn
William Borberg
Mrs. Bodil Begtrup

Dominican Republic
Representatives Emilio Garcia Godoy
Jesús Maria Troncoso
Roberto Despadrel
Temistocles Messina
Miss Minerva Bernavdino
Alternates Tulio M. Cestero
Andres Pastoriza
Joaquin Balaguer
Ricardo Perez Alfonseca
Carlos Sanchez y Sanchez

Ecuador
Representatives Francisco Illescas
Homero Viteri Lafronte
Neftalí Ponce
Manuel Navarro

Egypt
Representatives
Mohamed Hussein Haekel Pasha
Abdel Razak A. El-Sanhoury Pasha
Mahmoud Hassan Pasha
Alternates Helmy Bahgat Badawi Bey
Mahmoud Bey Fawzi
Mohamed Amin Rostem Bey
Abdel-Hakim El-Rifai Bey

El Salvador
Representatives José Antonio Quiros
Hector David Castro
Ernesto A. Nuñez
Carlos Leiva

Ethiopia
Representatives Blatta Ephrem T. Medhen
Ato Araya Abebe
Alternates Ato Getahoun Tesemma
Ato Seifou Yennessou

France
Representatives Alexandre Parodi
Léon Jouhaux
Paul-Emile Naggiar
Couve de Murville
Alternates Hervé Alphand
Maurice Dejean
Jacques Fouques-Duparc
Mrs. P. Lefaucheux
Jacques Rueff

Greece
Representatives Constantine Tsaldaris
Stefane Stephanopoulos
Thanassis Aghnides
Vassili Dendramis
Panayotis Pipinelis
Alternates Cimon Diamantopoulos
Constantine Sakellaropoulos
Nicolas G. Lely
Alexandre Argyropoulos
Alexandre Kyrou

Guatemala
Representative Eugenio Silva Pena
Alternates Jorge García Granados
José Luis Mendoza
Mario Monteforte Toledo

Haiti
Representatives Joseph Charles
Emile Saint-Lot
Hérard Roy

Honduras
Representative Tiburcio Carias, Jr.
Alternate Jorge Fidel Duron

Iceland
Representatives Thor Thors
Finnur Jonsson
Bjarni Benediktsson
Olafur Johannesson

India
Representatives
Mrs. Vijaya Lakshmi Pandit
M. C. Chagla
Rajah Sir Maharaj Singh
Frank Anthony
Nawab Ali Yawar Jung
Alternates K. P. S. Menon
R. M. Deshmukh
V. K. Krishna Menon
P. N. Sapru

Iran
Representatives Ahmad Ghavam
Nasrollah Entezam
Ghassam Ghani
Alternate Fazollah Nabil

Iraq
Representatives Ali Jawdat al-Ayubi
Abdulla Bakr
Abdulmajid Mahmud
Alternates Mumtaz El-Umari
Ahmed Izzat Mohamad
Awni Khalidy
Baqir El-Hasani

Lebanon
Representatives Camille Chamoun
Charles Malik
Victor Khoury
G. Hakim
Alternates Edouard Ghorra
Ramiz Shamma

Liberia
Representatives C. Abayomi Cassell
Frederick A. Price
H. Lafayette Harmon

Luxembourg
Representatives Joseph Bech
Hugues Le Gallais
Albert Calmes
Pierre Elvinger

Mexico
Representatives Francisco Castillo Nájera
Luis Padilla Nervo
Fernando Casas Aleman
Rafael de la Colina
Gustavo Martínez Cabañas

Netherlands
Representatives Baron C. G. W. H. van Boetzelaer van Oosterhout
E. N. van Kleffens
J. H. van Roijen
M. P. L. Steenberghe
J. A. W. Burger
Alternates Father L. J. C. Beaufort
W. C. Beucker Andreae
N. S. Blom
Miss G. H. van der Molen
E. M. J. S. Sassen

New Zealand
Representatives Sir C. A. Berendsen
David Wilson
J. V. Wilson
Mrs. A. F. R. McIntosh
Alternates T. O. W. Brebner
C. G. R. McKay
G. R. Laking

Nicaragua
Representatives Mariano Argüello-Vargas
Guillermo Sevilla-Sacasa
Octavio Salinas

Norway
Representatives Halvard M. Lange
Wilhelm Munthe Morgenstierne
Carl J. Hambro
Terje Wold
Finn Moe
Alternates Jacob S. Worm-Müller
J. Strand Johansen
Mrs. Aase Lionaes
Frede Castberg
Ole Colbjoernsen

Panama
Representatives Ricardo J. Alfaro
Roberto Jiménez
Jorge E. Boyd
Octavio Mendez Pereira
Alternates Germán Gil Guardia
Hernan Porras
Arturo de la Guardia

Paraguay
Representative Cesar R. Acosta
Alternates
Colonel Manuel Gonzalez Riquelme
Captain Juan Paez

Peru
Representatives Alberto Ulloa
Juan Bautista de Lavalle
Hector Boza
Alberto Arca Parró
Alternate Raul Porras

Philippine Republic
Representatives General Carlos P. Romulo
Mariano J. Cuenco
Pedro C. Hernaez
Raul T. Leuterio
Lorenzo Sumulong
Alternates Leonides S. Virata
Major Salvador P. Lopez
Colonel Amado N. Bautista
Judge José D. Ingles

Poland
Representatives Wincenty Rzymowski
Oscar Lange
Hilary Minc
Jozef Putek
Jozef Winiewicz
Alternates Jozef Olszewski
Ludwik Grosfeld
Waclaw Konderski
Janusz Zoltowski
Ignacy Zlotowski

Saudi Arabia
Representatives H.R.H. Amir Faisal al Saud
Hafiz Wahba
Asad al-Faqih
Alternates Abdul Monim Raid Bey
Ibrahim Sulaiman
Ali A. Alireza
Ahmed A. Jabar

Sweden
Representatives Oesten Unden
Axel Gjoeres
Herman Eriksson

Syria
Representatives Faris el-Khouri
Costi K. Zurayk
Alternate Rafik Asha

Turkey
Representatives Huseyin Ragip Baydur
Muzaffer Goker

Ukrainian S.S.R.
Representatives Dmitro Z. Manuilsky
A. M. Baranovsky
A. D. Voina
L. I. Medved

Union of South Africa	
Representatives	Field-Marshal J. C. Smuts
	G. Heaton Nicholls
	D. D. Forsyth
	H. T. Andrews
	D. G. Shepstone
Alternates	C. L. Steyn
	T. H. Eustace
	J. R. Jordaan
	D. B. Sole
	Seymour Jacklin
U.S.S.R.	
Representatives	Viacheslav M. Molotov
	Andrei Y. Vyshinski
	Fedor T. Gousev
	Andrei A. Gromyko
	Nikolai V. Novikov
Alternates	Kirill V. Novikov
	Vladimir S. Geraschenko
	Boris E. Stein
	Alexandr A. Lavrischev
	Amazasp A. Arutiunian
United Kingdom	
Representatives	Ernest Bevin
	Philip Noel-Baker
	Sir Hartley Shawcross
	Hector McNeil
	Sir Alexander Cadogan
Alternates	Ivor Thomas
	A. G. Bottomley
	Flight Lieut. F. Beswick
	Percy Wells
	Kenneth Younger
United States	
Representatives	Warren R. Austin
	Tom Connally
	Arthur H. Vandenberg
	Mrs. Franklin D. Roosevelt
	Sol Bloom
Alternates	Charles A. Eaton
	Helen Gahagan Douglas
	John Foster Dulles
	Adlai E. Stevenson
Uruguay	
Representatives	Juan Carlos Blanco
	Roberto E. MacEachen
	José A. Mora
	Juan Carlos Arrosa
	César Montero de Bustamente
Alternate	Roberto Fontaina
Venezuela	
Representatives	Carlos Eduardo Stolk
	Eduardo Arroyo Lameda
	Pedro Zuloaga
Yugoslavia	
Representatives	Stanoje Simic'
	Save Kosanovic'
	Ljubo Leontic'
	Vlado Popovic'
	Ales Bebler
Alternates	Dimitrije Vlahov
	Dusan Petrovic'
	Milan Bartos
	Stane Krasovec
	Leo Mattes

C. FIRST SPECIAL SESSION

Afghanistan	
Representative	Abdol Hosayn Aziz
Argentina	
Representatives	José Arce
	Rodolfo Munoz
Alternate	José Eduardo Picerno
Australia	
Representatives	Lt.-Col. W. R. Hodgson
	J. D. L. Hood
Belgium	
Representative	Fernand van Langenhove
Alternate	Joseph Nisot
Bolivia	
Representative	Humberto Palza
Alternate	Antonio Mogro Moreno
Brazil	
Representatives	Oswaldo Aranha
	João Carlos Muniz
Alternate	Henrique de Souza Gomez
Byelorussian S.S.R.	
Representative	Leonid I. Kaminsky
Canada	
Representative	L. B. Pearson
Chile	
Representative	Hernan Santa Cruz
Alternate	Joaquin Larrain
China	
Representative	Quo Tai-chi
Alternate	C. L. Hsia
Colombia	
Representatives	Alfonso Lopez
	Alberto Gonzalez Fernandez
	Emilio Toro
	Edmundo de Holte Castello
Costa Rica	
Representative	Francisco de Paula Gutiérrez
Cuba	
Representative	Guillermo Belt
Alternate	Carlos Blanco
Czechoslovakia	
Representative	Jan Papanek
Alternate	Ladislav Radimsky
Denmark	
Representatives	Henrik de Kauffman
	William Borberg
Dominican Republic	
Representative	Max Henriquez-Urena
Alternates	Joaquin E. Salazar
	Horacio Vicioso
Ecuador	
Representative	Neftali Ponce
Alternate	Clemente Duran-Ballen
Egypt	
Representatives	Mahmoud Hassan Pasha
	Mahmoud Bey Fawzi
El Salvador	
Representative	Hector David Castro
Ethiopia	
Representatives	Ras Imru Haile Selassie
	Ato Getahoun Tesemma

France
Representative Alexandre Parodi
Alternate Claude de Boisanger

Greece
Representatives Vassili Dendramis
Christos Diamantopoulos
John Kalergis

Guatemala
Representative Jorge Garcia Granados

Haiti
Representative Mauclair Zephirin

Honduras
Representative Tiburcio Carias, Jr.

Iceland
Representative Thor Thors

India
Representative M. Asaf Ali

Iran
Representative Nasrollah Entezam
Alternate Abolghassem Panahy

Iraq
Representatives Fadhil Jamali
Ali Jawdat
Alternates Burhan Udin Bashayan
Hashim El Hilli

Lebanon
Representatives Charles Malik
Victor Khoury
Alternate Ramiz Shamma

Liberia
Representative Frederick A. Price

Luxembourg
Representative Hugues Le Gallais

Mexico
Representative Luis Padilla Nervo
Alternate Raul Noriega

Netherlands
Representatives J. H. van Roijen
J. W. M. Snouck Hurgronje
Alternate Maria Z. N. Witteveen

New Zealand
Representative Sir Carl August Berendsen
Alternate John Stanhope Reid

Nicaragua
Representative Guillermo Sevilla-Sacasa
Alternate Juan José Martinez-Lacayo

Norway
Representative Finn Moe

Panama
Representative Mario de Diego

Paraguay
Representative Cesar R. Acosta

Peru
Representatives Juan Bautista de Lavalle
Carlos Holguin de Lavalle
José E. Bustamente Corzo

Philippine Republic
Representative General Carlos P. Romulo
Alternates Leonides S. Virata
Major Salvador P. Lopez

Poland
Representatives Oscar Lange
Josef Winiewicz
Alternate Alfred Fiderkiewicz

Saudi Arabia
Representative H. R. H. Amir Faisal al-Saud
Alternate Assad Al-Faqih

Siam
Representative Prince Wan Waithayakon
Alternate Nai Thanat Khoman

Sweden
Representative Herman G. Eriksson
Alternate Gunnar Hagglof

Syria
Representatives Faris el-Khouri
Naim Antaki
Farid Zeineddine
Costi K. Zurayk
Rafik Asha

Turkey
Representative Huseyin Ragip Baydur
Alternate Sevki Alhan

Ukrainian S.S.R.
Representative
Ivan Aleksandrovich Tolkhunov

Union of South Africa
Representative Harry T. Andrews
Alternates Robert Webster
William Dirkse Van Schalkwyk
Henry Martin Moolman

U.S.S.R.
Representatives Andrei A. Gromyko
Semen K. Tsarapkin
Alexei N. Krasilnikov

United Kingdom
Representative Sir Alexander Cadogan
Alternate J. M. Martin

United States of America
Representative Warren R. Austin
Alternate Herschel V. Johnson

Uruguay
Representative Enrique Rodriguez Fabregat
Alternate Roberto Fontaina

Venezuela
Representative Carlos Eduardo Stolk
Alternate Pedro Zuloaga

Yugoslavia
Representatives Sava Kosanovic'
Vladimir Velebit
Milan Bartos
Joza Brilej
Erih Kos

ANNEX II. OFFICERS OF THE GENERAL ASSEMBLY

A. FIRST AND SECOND PARTS OF THE FIRST REGULAR SESSION[1]

President of the General Assembly
Paul-Henri Spaak (Belgium)

Vice-Presidents of the General Assembly

China
France
Union of South Africa
U.S.S.R.
United Kingdom
United States
Venezuela

Credentials Committee

Byelorussian S.S.R.
China
Denmark (Chairman)
France
Haiti
Paraguay
Philippines
Saudi Arabia
Turkey

General Committee

President of the General Assembly
Vice-Presidents of the General Assembly
Chairmen of the Main Committees

First Committee (Political and Security)

Chairman Dmitro Z. Manuilsky (Ukraine)
Vice-Chairman Joseph Bech (Luxembourg)
Rapporteur H. V. Lafronte (Ecuador)

Second Committee (Economic and Financial)

Chairmen
Waclaw Konderski (Poland)—first part
Oscar Lange (Poland)—second part

Vice-Chairmen
Pedro López (Philippines)—first part
Pedro Hernáez (Philippines)—second part

Rapporteurs
Eduardo del Portillo (Bolivia)—first part
Ernesto Sanjinés (Bolivia)—second part

Third Committee (Social, Humanitarian and Cultural)

Chairmen
Peter Fraser (New Zealand)—first part
Sir Carl Berendsen (New Zealand)—second part

Vice-Chairmen
Fernando Soto Harrison (Costa Rica)—first part
Francisco de Paula Gutiérrez (Costa Rica)—second part

Rapporteurs
Mrs. Frieda Dalen (Norway)—first part
Mrs. Aase Lionaes (Norway)—second part

Fourth Committee (Trusteeship)

Chairman Roberto E. MacEachen (Uruguay)

Vice-Chairman
Blatta Ephrem Tewelde Medhen (Ethiopia)

Rapporteurs
Ivan Kerno (Czechoslovakia)—first part
Karel Lisicky' (Czechoslovakia—second part

Fifth Committee (Administrative and Budgetary)

Chairman Faris el-Khoury (Syria)
Vice-Chairman Ales Bebler (Yugoslavia)
Rapporteur Thanassis Aghnides (Greece)

Sixth Committee (Legal)

Chairmen
Roberto Jiménez (Panama)
Vice-Chairman Per Federspiel (Denmark)
Rapporteurs
W. E. Beckett (United Kingdom)—first part
K. H. Bailey (Australia)—second part

Committee on Contributions

To Serve for a Term of Three Years:
Gustavo Martínez-Cabañas (Mexico)
Seymour Jacklin (South Africa)
Nicolai V. Orlov (U.S.S.R.)
J. P. Brigden (Australia)

To Serve for a Term of Two Years:
M. Baumont (France)
Sir Cecil Kisch (United Kingdom)
Nedim el-Pachachi (Iraq)

To Serve for a Term of One Year:
Paul H. Appleby (United States)
Chi Chao-ting (China)
Pavle Lukin (Yugoslavia)

League of Nations Committee

Chairman Erik Andreas Colban (Norway)
Vice-Chairman Hafiz Wahba (Saudi Arabia)
Rapporteur
H. T. Andrews (Union of South Africa)

Permanent Headquarters Committee

Chairman Eduardo Zuleta Angel (Colombia)
Vice-Chairman L. D. Wilgress (Canada)
Rapporteur Nasrollah Entezam (Iran)

Committee on Negotiations with the League of Nations

Y. Dao (China)
H. Elting, Jr. (United States)
Sir William Matthews (United Kingdom)
Alvaroz Muñoz (Chile)
George Peissel (France)
D. B. Sole (Union of South Africa)
W. Moderow (Chairman) (Poland)

Headquarters Commission

Nicolai D. Bassov (U.S.S.R.)
Charles L. Corbusier (France)
Kien-Wen Yu (China)
Sir Angus Fletcher (Chairman) (United Kingdom)
Stoyan Gavrilovic' (Yugoslavia)
Alternate: Alexander Franic'
Paul Hasluck (Australia)
Alternate: J. C. Moore
Awni Khalidy (Iraq)
San De Ranitz (Netherlands)
Juan Felipe Yriax (Uruguay)

[1] Except where otherwise indicated the same officers served during the first and second parts of the first session of the General Assembly.

Committee on Negotiations with the United States

K. H. Bailey (Chairman)[1]	(Australia)
G. Belt	(Cuba)
J. Cahen-Salvador	(France)
Mahmoud Bey Fawzi	(Egypt)
Shushi Hsü	(China)
J. Nisot	(Belgium)
A. Rudzinski	(Poland)
C. Salamanca	(Bolivia)
V. F. Tepliakov	(U.S.S.R.)
H. McKinnon Wood[2]	(United Kingdom)

Committee on UNRRA

Sol Bloom (Chairman)	(United States)
T. O. W. Brebner	(New Zealand)
Mme LeFaucheux	(France)
A. P. Morozov	(U.S.S.R.)
P. Noel-Baker	(United Kingdom)
Aake Ording	(Norway)
Cheng Paonan	(China)
Ludwig Rajchman	(Poland)
J. M. Tronconso	(Dominican Republic)
A. Verdelis	(Greece)

[1] Mr. Body acted for Australia after the departure of Mr. Bailey.

[2] Mr. Wood was elected Chairman of the Committee after the departure of Mr. Bailey.

B. FIRST SPECIAL SESSION OF THE GENERAL ASSEMBLY

President of the General Assembly
Oswaldo Aranha (Brazil)

Vice-Presidents of the General Assembly

China	U.S.S.R.
Ecuador	United Kingdom
France	United States
India	

Credentials Committee

Argentina	Ukrainian S.S.R.
Australia	U.S.S.R.
Denmark	United States
Lebanon	Yugoslavia
Peru	

General Committee
President of the General Assembly
Vice-Presidents of the General Assembly
Chairmen of the Main Committees

First Committee (Political and Security)
Chairman Lester B. Pearson (Canada)
Vice-Chairman Luis Padilla Nervo (Mexico)
Rapporteur Henrik de Kauffman (Denmark)

Second Committee (Economic and Financial)
Chairman Jan Papanek (Czechoslovakia)

Third Committee (Social, Humanitarian and Cultural)
Chairman Mahmoud Hassan Pasha (Egypt)

Fourth Committee (Trusteeship)
Chairman Herman G. Eriksson (Sweden)

Fifth Committee (Administrative and Budgetary)
Chairman Jozef Winiewicz (Poland)

Sixth Committee (Legal)
Chairman Tiburcio Carias, Jr. (Honduras)

ANNEX III

PROVISIONAL RULES OF PROCEDURE OF THE GENERAL ASSEMBLY

(As amended during the first and second parts of the first session)

I—SESSIONS

Rule 1

The General Assembly shall meet every year in regular session commencing on the third Tuesday in September.

Rule 2

The General Assembly may fix a date for a special session.

Rule 3

Special sessions of the General Assembly shall also be held within fifteen days of the receipt by the Secretary-General of a request for such a session either from the Security Council or from a majority of the Members of the United Nations.

Rule 4

Any Member of the United Nations may request the Secretary-General to summon a special session. The Secretary-General shall thereupon inform the other Members of the United Nations of the request and inquire whether they concur in it. If within thirty days of the date of the communication a majority of the Members concur in the request, a special session of the General Assembly shall be summoned in accordance with the provisions of Rule 3.

Rule 5

Sessions shall be held at the headquarters of the United Nations unless convened elsewhere in pursuance of a decision of the General Assembly at a previous session or at the request of a majority of the Members of the United Nations.

Rule 6

The General Assembly may decide at any session to adjourn temporarily and resume its meetings at a later date.

Rule 7

The Secretary-General shall notify the Members of the United Nations at least sixty days in advance of the opening of a regular session.

Rule 8

The Secretary-General shall notify the Members of the United Nations at least fourteen days in advance of the opening of a special session convoked at the request of the Security Council, and at least ten days in the case of a request by a majority of the Members.

Rule 9

Copies of the notice summoning each session shall be addressed to all other organs and commissions of the United Nations and to the specialized agencies referred to in Article 57, paragraph 2, of the Charter.

II—AGENDA

Rule 10

The provisional agenda for a regular session shall be drawn up by the Secretary-General.

Rule 11

The provisional agenda for a regular session shall be communicated to the Members of the United Nations at least sixty days before the opening of the session. The provisional agenda of a special session, summoned at the request of the Security Council, shall be communicated at least fourteen days before the opening of the session. The provisional agenda of a special session, summoned at the request of a majority of the Members, shall be communicated at least ten days before the opening of the session.

Rule 12

The provisional agenda of a regular session shall include:

(*a*) report of the Secretary-General on the work of the Organization;

(*b*) reports from

the Security Council,

the Economic and Social Council,

the Trusteeship Council,

the International Court of Justice,

the subsidiary organs of the General Assembly,

specialized agencies (where such reports are called for under agreements entered into);

(*c*) all items whose inclusion has been ordered by the General Assembly at a previous session;

(*d*) all items proposed by the other organs of the United Nations;

(*e*) all items proposed by any Member of the United Nations;

(*f*) all items pertaining to the budget for the next financial year and the report on the accounts for the last financial year; and

(*g*) all items which the Secretary-General deems it necessary to put before the General Assembly.

Rule 13

Any Member of the United Nations may, at least twenty-five days before the date fixed for the opening of a regular session, request the inclusion of additional items in the agenda. These items shall be placed on a supplementary list, which shall be communicated to the Members of the United Nations at least fifteen days before the date fixed for the opening of the session. The General Assembly shall decide whether items on the supplementary list shall be included in the agenda of the session.

Rule 14

The provisional agenda, together with the supplementary list, shall be submitted to the General Assembly for approval as soon as possible after the opening of the session.

Rule 15

During any regular session of the General Assembly items may be revised, and may be added to or deleted from the agenda by a majority of the Members present and voting. Consideration of additional items shall, unless the General Assembly, by a two-thirds majority of the Members present and voting, decides otherwise, be postponed until four days after they have been placed on the agenda, and until a committee has reported upon them.

Rule 16

No proposal for a modification of the allocation of expenses for the time being in force shall be inserted in the agenda unless it has been communicated to the Members of the United Nations at least ninety days before the date fixed for the opening of the session.

Rule 17

When a special session is called, the agenda for the session shall be confined to the items communicated by the Secretary-General to the Members of the United Nations, unless the General Assembly, by a two-thirds majority of the Members present and voting, decides to include additional items.

Rule 18

Any Member of the United Nations may, at least four days before the date fixed for the

opening of a special session, request the inclusion of additional items in the agenda. Such items shall be placed on a supplementary list which shall be communicated to the Members of the United Nations as soon as possible.

III—DELEGATIONS

Rule 19

The delegation of a Member shall consist of not more than five representatives and five alternate representatives, and as many advisers, technical advisers, experts and persons of similar status as may be required by the delegation.

Rule 20

The credentials of representatives, and the names of members of a delegation shall be submitted to the Secretary-General if possible not less than one week before the date fixed for the opening of the session. The credentials shall be issued either by the Head of the State or by the Minister for Foreign Affairs.

Rule 21

An alternate representative may act as a representative upon designation by the Chairman of the delegation.

Rule 22

Upon designation by the Chairman of the delegation, advisers, technical advisers, experts or persons of similar status may act as members of committees. Persons of this status shall not, however unless designated as alternate representatives, be eligible for appointment as Chairmen, Vice-Chairmen or Rapporteurs of committees or for seats in the General Assembly.

IV—CREDENTIALS COMMITTEE

Rule 23

A Credentials Committee shall be elected at the beginning of each session. It shall consist of nine members, who shall be appointed by the General Assembly on the proposal of the President. The Committee shall elect its own officers. It shall examine the credentials of representatives and report without delay.

Rule 24

Any representative to whose admission a member has made objection shall be seated provisionally with the same rights as other representatives, until the Credentials Committee has reported and the General Assembly has given its decision.

V—PRESIDENT AND VICE-PRESIDENTS

Rule 25

At the opening of each session of the General Assembly the Chairman of that delegation from which the President of the previous session was elected shall preside until the General Assembly has elected a President for the session.

Rule 26

The General Assembly shall elect a President and seven Vice-Presidents, who shall hold office until the close of the session at which they are elected. The Vice-Presidents shall be elected on the basis of ensuring the representative character of the General Committee.

Rule 27

If the President finds it necessary to be absent during a meeting or any part thereof, he shall appoint one of the Vice-Presidents to take his place.

Rule 28

If the President is unable to perform his functions, a new President shall be elected for the unexpired term.

Rule 29

A Vice-President acting as President shall have the same powers and duties as the President.

Rule 30

The President, or Vice-President acting as President, shall not vote but shall appoint another member of his delegation to vote in his place.

Rule 31

In addition to exercising the powers which are conferred upon him elsewhere by these Rules, the President shall declare the opening and closing of each plenary meeting of the session, shall direct the discussions in plenary meeting, and at such meetings ensure observance of these Rules, accord the right to speak, put questions and announce decisions. He shall rule on points of order, and subject to these Rules, shall have complete control of the proceedings at any meeting.

VI—GENERAL COMMITTEE

Rule 32

The General Committee shall consist of fourteen members, no two of whom shall be nationals of the same State, and shall be so constituted as to ensure its representative character. It shall comprise the President of the General

Assembly, who shall preside, seven Vice-Presidents, who shall be elected on the basis of ensuring the representative character of the Committee, and the chairmen of the six Main Committees, who shall be nominated and elected by the Committees on the basis of equitable geographical distribution, experience and personal competence.

Rule 33

The General Committee shall at the beginning of each session consider the provisional agenda, together with the supplementary list, and shall make a report thereon to the General Assembly. It shall consider applications for the inclusion of additional items in the agenda and shall report thereon to the General Assembly. It shall assist the President and the General Assembly in drawing up the agenda for each plenary meeting, in determining the priority of its items, and in the co-ordination of the proceedings of all committees of the General Assembly. Finally, it shall assist the President in the general conduct of the work of the General Assembly which falls within the competence of the President. It shall not, however, decide any political question.

Rule 34

A Member of the General Assembly which has no representative on the General Committee, and which has requested the inclusion of an additional item in the agenda, shall be entitled to attend any meeting of the General Committee at which its request is discussed, and may participate, without vote, in the discussion of that item.

Rule 35

Proposals to refer any portion of the report of the Secretary-General to one of the Main Committees without debate shall be decided upon by the General Assembly without previous reference to the General Committee.

Rule 36

The General Committee may revise the resolutions adopted by the General Assembly, changing their form but not their substance. Any such changes shall be reported to the General Assembly for its consideration.

VII—ADMINISTRATIVE AND BUDGETARY QUESTIONS

Rule 37

The General Assembly shall establish regulations for the financial administration of the United Nations.

Advisory Committee on Administrative and Budgetary Questions

Rule 38

The General Assembly shall appoint an Advisory Committee on Administrative and Budgetary Questions (hereinafter called the "Advisory Committee"), with a membership of nine, including at least two financial experts of recognized standing.

Rule 39

The members of the Advisory Committee, no two of whom shall be nationals of the same State, shall be selected on the basis of broad geographical representation, personal qualifications and experience, and shall serve for three years corresponding to three financial years, as defined in the regulations for the financial administration of the United Nations. Members shall retire by rotation and shall be eligible for re-election. The two financial experts shall not retire simultaneously. The General Assembly shall elect the members of the Advisory Committee at the regular session at which the term of members expires, or, in case of vacancies, at the next session.

Rule 40

The Advisory Committee shall be responsible for expert examination of the budget of the United Nations, and shall assist the Administrative and Budgetary Committee of the General Assembly. At the commencement of each regular session it shall submit to the General Assembly a detailed report on the budget for the next financial year and on the accounts of the last financial year. It shall also examine on behalf of the General Assembly the administrative budgets of specialized agencies and proposals for financial and budgetary arrangements with such agencies. It shall perform such other duties as may be assigned to it under the regulations for the financial administration of the United Nations.

Committee on Contributions

Rule 41

The General Assembly shall appoint an expert Committee on Contributions, consisting of ten members.

Rule 42

The members of the Committee on Contributions, no two of whom shall be nationals of the same State, shall be selected on the basis of broad geographical representation, personal qualifications and experience, and shall

serve for a period of three years corresponding to three financial years, as defined in the regulations for the financial administration of the United Nations. Members shall retire by rotation and shall be eligible for re-election. The General Assembly shall elect the members of the Committee on Contributions at the regular session at which the term of office of members expires, or, in case of vacancies, at the next session.

Rule 43

The Committee on Contributions shall advise the General Assembly concerning the apportionment under Article 17, paragraph 2, of the Charter of the expenses of the Organization among Members, broadly according to capacity to pay. The scale of payments when once fixed by the General Assembly shall not be subject to a general revision for at least three years, unless it is clear that there have been substantial changes in relative capacities to pay. It should also advise the General Assembly on the contributions to be paid by new Members; on appeals by Members for a change of assessment; and on the action to be taken with regard to the application of Article 19 of the Charter, which deals with Members who are in arrears in the payment of their financial contributions to the Organization.

VIII—SECRETARIAT

Rule 44

When the Security Council has submitted its recommendation on the appointment of the Secretary-General, the General Assembly shall consider the recommendation and vote upon it by secret ballot in private meeting.

Rule 45

The Secretary-General shall act in that capacity in all meetings of the General Assembly, its committees and subsidiary organs. He may appoint a member of the staff to act in his place at meetings of the General Assembly.

Rule 46

The Secretary-General shall provide and direct the staff required by the General Assembly and any committees or subsidiary organs which it may establish.

Rule 47

The Secretary-General shall make an annual report, and such supplementary reports as are required, to the General Assembly on the work of the Organization. He shall communicate the annual report to the Members of the United Nations at least forty-five days before opening of the session.

Rule 48

The Secretary-General, with the consent of the Security Council, shall notify the General Assembly at each session of any matters relative to the maintenance of international peace and security which are being dealt with by the Security Council, and shall similarly notify the General Assembly, or the Members of the United Nations if the General Assembly is not in session, immediately the Security Council ceases to deal with such matters.

Rule 49

The Secretary-General may at any time, upon invitation of the President, make to the General Assembly either oral or written statements concerning any question which is being considered by the General Assembly.

Rule 50

The Secretariat, acting under the authority of the Secretary-General, shall receive, print, translate and distribute documents, reports and resolutions of the General Assembly, its committees and organs; interpret speeches made at the meetings; draft, print and circulate the summary records of the session; have the custody and proper preservation of the documents in the archives of the General Assembly; publish the reports of the meetings; distribute all documents of the General Assembly to the Members of the United Nations, and, generally, perform all other work which the General Assembly may require.

Rule 51

The General Assembly shall establish regulations concerning the staff of the Secretariat.

IX—LANGUAGES

Rule 52

Chinese, English, French, Russian and Spanish shall be the official languages of the General Assembly. English and French shall be the working languages.

Rule 53

Speeches made in either of the working languages shall be interpreted into the other working language.

Rule 54

Speeches made in any of the other three official languages shall be interpreted into both working languages.

Rule 55

Any representative may make a speech in a language other than the official languages. In

this case, he shall himself provide for interpretation into one of the working languages. Interpretation into the other working language by an interpreter of the Secretariat may be based on the interpretation given in the first working language.

Rule 56

Verbatim records shall be drawn up in the working languages. A translation of the whole or part of any verbatim record into any of the other official languages shall be furnished if requested by any delegation.

Rule 57

Summary records shall be drawn up as soon as possible in the official languages.

Rule 58

The *Journal* of the General Assembly shall be issued in the working languages.

Rule 59

All resolutions and other important documents shall be made available in the official languages. Upon the request of any representative, any other document shall be made available in any or all of the official languages.

Rule 60

Documents of the General Assembly shall, if the General Assembly so decides, be published in any languages other than the official languages.

X—RECORDS

Rule 61

Verbatim records of all plenary meetings shall be drawn up by the Secretariat and submitted to the General Assembly after approval by the President. Verbatim records shall also be made of the proceedings of the Main Committees established by the General Assembly. Other committees or sub-committees may decide upon the form of their records.

Rule 62

Resolutions adopted by the General Assembly shall be communicated by the Secretary-General to the Members of the United Nations within fifteen days after the termination of the session.

XI—PUBLICITY OF MEETINGS

Rule 63

The meetings of the General Assembly and its Main Committees shall be held in public unless the body concerned decides that exceptional circumstances require that the meeting be held in private. Meetings of other committees and subsidiary organs shall also be held in public unless the body concerned decides otherwise.

Rule 64

All decisions of the General Assembly taken at a private meeting shall be announced at any early public meeting of the General Assembly. At the close of each private meeting of the Main Committees, other committees and sub-committees, the Chairman may issue a *communiqué* through the Secretary-General.

XII—CONDUCT OF BUSINESS

Rule 65

A majority of the Members of the General Assembly shall constitute a quorum.

Rule 66

No representative may address the General Assembly without having previously obtained the permission of the President. The President shall call upon speakers in the order in which they signify their desire to speak. The President may call a speaker to order if his remarks are not relevant to the subject under discussion.

Rule 67

The Chairman and the Rapporteur of a committee may be accorded precedence for the purpose of explaining the conclusion arrived at by their committee.

Rule 68

During the discussion of any matter, a representative may rise to a point of order and the point of order shall be immediately decided by the President in accordance with the Rules of Procedure. A representative may appeal against the ruling of the President. The appeal shall immediately be put to the vote, and the President's ruling shall stand unless overruled by a majority of the members present and voting.

Rule 69

During the discussion of any matter, a representative may move the adjournment of the debate. Any such motion shall have priority in the debate. In addition to the proposer of the motion, two representatives may speak in favour of, and two against, the motion.

Rule 70

The General Assembly may limit the time allowed to each speaker.

Rule 71

A representative may at any time move the closure of the debate whether or not any other representative has signified his wish to speak.

If application is made for permission to speak against the closure it may be accorded to not more than two speakers.

Rule 72

The President shall take the sense of the General Assembly on a motion for closure. If the General Assembly is in favour of the closure the President shall declare the closure of the debate.

Rule 73

Resolutions, amendments and substantive motions shall be introduced in writing and handed to the Secretary-General, who shall circulate copies to the delegations. As a general rule, no proposal shall be discussed or put to the vote at any meeting of the General Assembly unless copies of it have been circulated to all delegations not later than the day preceding the meeting. The President may, however, permit the discussion and consideration of amendments, or of motions as to procedure, without previous circulation of copies.

Rule 74

Parts of a proposal may be voted on separately if a representative requests that the proposal be divided.

Rule 75

If two or more amendments are moved to a proposal, the General Assembly shall first vote on the amendment furthest removed in substance from the original proposal and then on the amendment next furthest removed, and so on, until all the amendments have been put to the vote.

Rule 76

When an amendment revises, adds to or deletes from a proposal, the amendment shall be voted on first, and if it is adopted, the amended proposal shall then be voted on.

XIII—VOTING

Rule 77

Each Member of the General Assembly shall have one vote.

Rule 78

Decisions of the General Assembly on important questions shall be made by a two-thirds majority of the Members present and voting. These questions shall include recommendations with respect to the maintenance of international peace and security, the election of the non-permanent members of the Security Council, the election of members of the Economic and Social Council, the election of members of the Trusteeship Council in accordance with paragraph 1, c, of Article 86 of the Charter, the admission of new Members to the United Nations, the suspension of the rights and privileges of membership, the expulsion of Members, questions relating to the operation of the trusteeship system, and budgetary questions.

Rule 79

Decisions of the General Assembly on questions other than those provided for in Rule 78, including the determination of additional categories of questions to be decided by a two-thirds majority, shall be made by a majority of the Members present and voting.

Rule 80

The General Assembly shall normally vote by show of hands or by standing, but any representative in plenary or committee meetings of the General Assembly may request a roll-call which shall then be taken in the English alphabetical order of the names of the Members.

Rule 81

The vote of each Member participating in any roll-call shall be inserted in the record.

Rule 82

In addition to the provisions for the use of a secret ballot set forth elsewhere in these Rules, all elections and all decisions relating to tenure of office shall be taken by secret ballot. There shall be no nominations.

Rule 83

If, when only one person or Member is to be elected, no candidate obtains in the first ballot the majority required in Rule 78 or 79 a second ballot shall be taken, confined to the two candidates obtaining the largest number of votes. If in the second ballot the votes are equally divided, and a majority is required, the President shall decide between the candidates by drawing lots. When a two-thirds majority is required, the balloting shall be continued until one candidate secures two-thirds of the votes cast.

Rule 84

When two or more elective places are to be filled at one time under the same conditions, those candidates obtaining in the first ballot the majority required in Rule 78 or 79 shall be elected. If the number of candidates obtaining such majority is less than the number of persons or members to be elected, there shall be additional ballots to fill the remaining

places, the voting being restricted to the candidates obtaining the greatest number of votes in the previous ballot, the number of candidates being not more than twice as many as the places remaining to be filled.

Rule 85

If a vote is equally divided on matters other than elections, a second vote shall be taken at the next meeting; this meeting shall be held within forty-eight hours of the first vote, and it shall be expressly mentioned in the agenda that a second vote will be taken on the matter in question. If this vote also results in equality, the proposal shall be regarded as rejected.

XIV—ELECTION OF MEMBERS OF COUNCILS

General Provisions

Rule 86

The General Assembly shall elect the members of Councils by secret ballot.

Rule 87

The term of office of members shall begin on January 1, following their election by the General Assembly, and shall end on 31 December following the election of their successors.

Rule 88

Should a member cease to belong to a Council before his term of office expires, a by-election shall be held separately at the next session of the General Assembly to elect a member for the unexpired term.

Rule 89

When one seat is to be filled, the General Assembly shall follow the procedure set forth in Rule 83.

Rule 90

When two or more seats are to be filled, the General Assembly shall follow the procedure set forth in Rule 84.

The Security Council

Rule 91

The General Assembly shall each year, in the course of its regular session, elect three non-permanent members of the Security Council for a term of two years.

Rule 92

In the election of non-permanent members of the Security Council, due regard shall be specially paid, in the first instance to the contribution of Members of the United Nations to the maintenance of international peace and security and to the other purposes of the Organization, and also to equitable geographical distribution.

Rule 93

A retiring member of the Security Council shall not be eligible for immediate re-election.

The Economic and Social Council

Rule 94

The General Assembly shall each year, in the course of its regular session, elect six members of the Economic and Social Council for a term of three years.

Rule 95

A retiring member of the Economic and Social Council shall be eligible for immediate re-election.

The Trusteeship Council

Rule 96

When a trusteeship agreement has been approved and a Member of the United Nations has become an administering authority of a trust territory in accordance with Article 83 or 85 of the Charter, the General Assembly shall determine, in accordance with Article 86, whether a Member which is not an administering authority of a trust territory shall be elected to the Trusteeship Council. If it is determined that an additional member of the Trusteeship Council is required, the General Assembly shall elect a member at the session in which the trusteeship agreement is approved.

Rule 97

At each session the General Assembly shall, in accordance with Article 86 of the Charter, elect members to fill any vacancies.

Rule 98

A non-administering member of the Trusteeship Council shall be elected for a term of three years and shall be eligible for immediate re-election.

XV—ELECTION OF MEMBERS OF THE INTERNATIONAL COURT OF JUSTICE

Rule 99

The election of the members of the International Court of Justice shall take place in accordance with the Statute of the Court.

Rule 99a[1]

Any meeting of the General Assembly held in pursuance of the Statute of the International Court of Justice for the purpose of the election of members of the Court shall continue until as many candidates as are required for all the seats to be filled have obtained in one or more ballots an absolute majority of votes.

XVI—COMMITTEES

Rule 100

The General Assembly may set up such committees and subsidiary organs as it deems necessary for the performance of its functions.

Rule 101

The Main Committees of the General Assembly are:

(1) Political and Security Committee (including the regulation of armaments);
(2) Economic and Financial Committee;
(3) Social, Humanitarian and Cultural Committee;
(4) Trusteeship Committee;
(5) Administrative and Budgetary Committee; and
(6) Legal Committee.

Rule 102

Each delegation may designate one member for each Main Committee, and for any other committee that may be constituted upon which all Members have the right to be represented. It may also assign to these committees advisers, technical advisers, experts or persons of similar status.

Rule 103

Items relating to the same category of subjects shall be referred to the committee or committees dealing with that category of subjects. Committees shall not introduce new items on their own initiative.

Rule 104

Each committee shall elect its own Chairman, Vice-Chairman and Rapporteur. These officers shall be elected on the basis of equitable geographical distribution, experience and personal competence.

Rule 105

Each committee may set up sub-committees, which shall elect their own officers.

Rule 106

The Secretary-General or a member of the Secretariat designated by him may make to any committee or sub-committee any oral or written statement which the Secretary-General considers desirable.

Rule 107

The procedure set forth in Rules 65 to 76 shall apply to proceedings of committees of the General Assembly.

Rule 108

Decisions in the committees of the General Assembly shall be taken by a majority of the members present and voting.

Rule 109

Unless the General Assembly itself decides otherwise, it shall not make a final decision upon items on the agenda until it has received the report of a committee on these items.

Rule 110

Discussion of a report of a Main Committee in a plenary meeting of the General Assembly shall take place if at least one-third of the members of the Committee consider such a discussion to be necessary.

Rule 111

Decisions involving expenditure shall be subject to the regulations for the financial administration of the United Nations.

Rule 112

No resolution involving expenditure shall be voted by the General Assembly until the Administrative and Budgetary Committee of the General Assembly has had an opportunity of stating the effect of the proposal upon the budget of the United Nations.

XVII—ADMISSION OF NEW MEMBERS TO THE UNITED NATIONS

Rule 113

Any State which desires to become a Member of the United Nations shall submit an application to the Secretary-General. This application shall be accompanied by a declaration of its readiness to accept the obligations contained in the Charter.

Rule 114

If the applicant State so requests, the Secretary-General shall inform the General Assembly, or the Members of the United Nations

[1] Adopted provisionally by the General Assembly subject to the concurrence of the Security Council.

if the General Assembly is not in session, of the application.

Rule 115

If the Security Council recommends the applicant State for membership, the General Assembly shall consider whether the applicant is a peace-loving State and is able and willing to carry out the obligations contained in the Charter, and shall decide, by a two-thirds majority of the Members present and voting, upon its application for membership.

Rule 116

The Secretary-General shall inform the applicant State of the decision of the General Assembly. If the application is approved, membership will become effective on the date on which the applicant State presents to the Secretary-General an instrument of adherence.

XVIII—AMENDMENTS

Rule 117

These Rules of Procedure may be amended by a decision of the General Assembly taken by a majority of the Members present and voting, after a committee has reported on the proposed amendment.

SUPPLEMENTARY RULE OF PROCEDURE ON THE CALLING OF INTERNATIONAL CONFERENCES BY THE ECONOMIC AND SOCIAL COUNCIL

Pending the adoption, under paragraph 4 of Article 62 of the Charter, of definite Rules for the calling of international conferences, the Economic and Social Council may, after due consultation with Members of the United Nations, call international conferences in conformity with the spirit of Article 62 on any matter within the competence of the Council, including the following matters: international trade and employment; the equitable adjustment of prices on the international market, and health.

STRUCTURE OF THE SECURITY COUNCIL

GENERAL ASSEMBLY

SECURITY COUNCIL

ATOMIC ENERGY COMMISSION

WORKING COMMITTEE

Legal Advisory Committee

Scientific and Technical Committee

Committee 2

COMMITTEE OF EXPERTS

Subcommittee on Definitions

"Informal Conversations" and their Working Groups

COMMISSION FOR CONVENTIONAL ARMAMENTS

WORKING COMMITTEE OF THE WHOLE

COMMITTEE ON THE ADMISSION OF NEW MEMBERS

CHIEFS OF STAFF OF THE PERMANENT MEMBERS OF THE SECURITY COUNCIL

MILITARY STAFF COMMITTEE

COMMISSION OF INVESTIGATION CONCERNING GREEK FRONTIER INCIDENTS

Subsidiary Group

UN Presentation 485

Part One:

III. The Security Council

A. THE CHARTER AND THE SECURITY COUNCIL[1]

The Charter of the United Nations provides that a Security Council shall be established as a principal organ consisting of eleven members, and that the Council, acting on behalf of all of the Members of the United Nations, shall have the primary responsibility for the maintenance of international peace and security.

China, France, the U.S.S.R., the United Kingdom and the United States are the permanent members of the Security Council. The General Assembly elects the non-permanent members of the Council, due regard being especially paid, in the first instance, to the contribution of Members of the United Nations to the maintenance of international peace and security and to other purposes of the United Nations, and also to equitable geographical distribution.

The non-permanent members of the Security Council are elected for a term of two years. In the first election of the non-permanent members, however, three were elected for a term of one year. A retiring member is not eligible for immediate re-election.

Each member of the Security Council has one representative.

If the General Assembly is the deliberative organ of the United Nations, the Security Council is its executive organ. Broadly speaking, while the General Assembly may discuss any international disputes or situations, it is the Security Council which recommends appropriate procedures or actual terms for the pacific settlement of disputes and takes preventive or enforcement measures with respect to threats to the peace, breaches of the peace or acts of aggression.

In discharging its duties the Security Council is required to act in accordance with the Purposes and Principles of the United Nations as set forth in the United Nations Charter. The Members of the United Nations have agreed on their part to carry out the decisions of the Council in accordance with the Charter.

In order to promote the establishment and maintenance of international peace and security with the least diversion for armaments of the world's human and economic resources, the Security Council has been made responsible for formulating plans to be submitted to the Members of the United Nations for the establishment of a system for the regulation of armaments.

The Security Council is to submit annual and, when necessary, special reports to the General Assembly for its consideration.

The General Assembly may call the attention of the Security Council to situations which are likely to endanger international peace and security. Likewise the Secretary-General may bring to the attention of the Security Council any matter which in his opinion may threaten the maintenance of international peace and security.

The specific functions and powers of the Security Council fall into four categories: pacific settlement of disputes, preventive or enforcement action, regional arrangements and strategic areas in Trust Territories.

The Security Council may recommend procedures or terms of pacific settlement of disputes.

The parties to a dispute the continuance of which is likely to endanger the maintenance

[1] This section is a summary of the Charter provisions relating to the Security Council. The main provisions are to be found in Chapter V, Articles 23-32, which defines the composition, functions and powers, voting and procedure of the Council; Chapter VI, Articles 33-38, which deals with pacific settlement of disputes; Chapter VII, Articles 39-51, which treats of action with respect to threats to the peace, breaches of the peace and acts of aggression; Chapter VIII, Articles 52-54, relating to regional arrangements; Chapter XII, Articles 76, 82-84, relating to strategic areas in trust territories. Other provisions are to be found in Articles 1-2, 4-7, 10-12, 15, 18, 20, 65, 93-94, 96, 106-09 of the Charter, and Articles 4, 7-8, 10, 12, 14, 35, 41, 69 of the Statute of the Court.

of international peace and security are first of all, to seek a solution by negotiation, inquiry, mediation, conciliation, arbitration, judicial settlement, resort to regional agencies or arrangements, or other peaceful means of their own choice. When it deems it necessary, the Security Council is to call upon the parties to settle their dispute by such means.

The Security Council may investigate any dispute, or any situation which might give rise to a dispute, in order to determine whether the continuance of the dispute or situation is likely to endanger the maintenance of international peace and security.

Any Member of the United Nations may bring any such dispute or situation to the attention of the Security Council or of the General Assembly. A State which is not a Member of the United Nations may bring to the attention of the Security Council or of the General Assembly any dispute to which it is a party if it accepts in advance the obligations of pacific settlement under the Charter. The General Assembly may discuss any such dispute or situation, but may not make recommendations with respect to such dispute or situation if that dispute or situation is on the agenda of the Security Council.

At any stage of a dispute the continuance of which is likely to endanger the maintenance of international peace and security the Security Council may recommend appropriate procedures or methods of adjustment. It is required to take into consideration any procedures which have already been adopted by the parties and, as a general rule, is to refer any legal dispute to the International Court of Justice.

If the Security Council deems that the continuance of a dispute is in fact likely to endanger the maintenance of international peace and security, it is to decide on such procedures or recommend such terms of settlement as it may consider appropriate.

The Security Council is to determine the existence of any threat to the peace, breach of the peace or act of aggression and is to make recommendations or decide to take enforcement measures in order to maintain or restore international peace and security.

Before making any recommendations or deciding to take any enforcement measures, the Security Council may call upon the parties concerned to comply with such provisional measures as it deems necessary or desirable, and it is duly to take account of failure to comply with such provisional measures.

There are two categories of enforcement action the Security Council may take: "measures not involving the use of armed force," and "action by air, sea or land forces." The Security Council may call upon the Members of the United Nations to apply such measures as complete or partial interruption of economic relations and of rail, sea, air, postal, telegraphic, radio and other means of communication, and the severance of diplomatic relations. If it considers that these measures are or have proved to be inadequate, the Security Council may take such action by air, sea or land forces as may be necessary to maintain or restore international peace and security. Such action may include demonstrations, blockade and other operations by air, sea or land forces of Members of the United Nations.

All Members of the United Nations 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 are to 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 agreement or agreements are to be concluded between the Security Council and Members or groups of Members of the United Nations.

When the Security Council decides to use force it must, before calling upon a Member not represented on it to provide armed forces, invite that Member, if the Member so desires, to participate in the decisions of the Security Council concerning the employment of contingents of the Member's armed forces.

A Military Staff Committee consisting of the Chiefs of Staff of the permanent members of the Security Council or their representatives is established to advise and assist the Security Council on all questions relating to the Security Council's military requirements for the maintenance of international peace and security, the employment and command of forces at its disposal, the regulation of armaments and possible disarmament. The Committee is responsible under the Security Council for the strategic direction of any armed forces at the disposal of the Security Council.

The Military Staff Committee may invite any Member not permanently represented on it to be associated with it when the efficient discharge of the Committee's responsibilities requires the participation of that Member. The Military Staff Committee, with the authorization of the Security Council and after consultation with appropriate regional agencies, may establish regional sub-committees.

Nothing in the Charter, however, is to impair the inherent right of individual or collective self-defence, if an armed attack occurs against a Member of the United Nations, until the Security Council has taken the measures necessary to maintain international peace and security. Measures taken by any Member in self-defence are to be reported immediately to the Security Council and are not in any way to affect the authority and responsibility of the Security Council to take at any time such action as it deems necessary in order to maintain international peace and security.

The establishment of the United Nations does not preclude the existence of such regional arrangements or regional agencies as are consistent with the Purposes and Principles of the United Nations.

The Security Council is to encourage the development of pacific settlement of local disputes through such regional arrangements or by such regional agencies either on the initiative of the States concerned or by reference from the Security Council. This provision, however, does not impair the functions and powers of the Security Council in dealing with any international dispute or situation which might endanger the maintenance of international peace and security.

The Security Council is to utilize, where appropriate, such regional arrangements or agencies for enforcement action under its authority. But no enforcement action may be undertaken under regional arrangements or by regional agencies without the authorization of the Security Council, except against the renewal of aggressive policy by ex-enemy States.

The Security Council is at all times to be kept fully informed of activities undertaken or in contemplation under regional arrangements or by regional agencies for the maintenance of international peace and security.

All functions of the United Nations relating to strategic areas in Trust Territories, including the approval of the terms of Trusteeship Agreements and of their alteration or amendment, are exercised by the Security Council. The Security Council is to avail itself of the assistance of the Trusteeship Council to perform those functions of the United Nations under the trusteeship system relating to political, economic, social and educational matters in the strategic areas. The Administering Authority of a Trust Territory may make use of volunteer forces, facilities and assistance from the Trust Territory in carrying out the obligations toward the Security Council undertaken by the authority.

In addition to these four main categories of functions and powers—pacific settlement of disputes, preventive or enforcement action, regional arrangements and strategic areas in Trust Territories—the Security Council exercises certain functions and powers of an organizational or constitutional nature.

The Security Council may request the convening of special sessions of the General Assembly. It may ask the assistance of the Economic and Social Council with respect to economic and social information.

The Security Council and the General Assembly, voting independently, elect the judges of the International Court of Justice. Upon the recommendation of the Security Council, the General Assembly determines the conditions on which a State which is not a Member of the United Nations may become a party to the Statute of the Court, and the Security Council lays down the conditions under which the Court may be open to a State which is a party to a dispute but not a party to the Statute. If any party to a dispute fails to comply with a decision of the Court, the other party may have recourse to the Security Council, which may make recommendations or decide upon measures to be taken to give effect to the decision. The Security Council may request the Court to give an advisory opinion on any legal question.

The Secretary-General is appointed by the General Assembly upon the recommendation of the Security Council. The Secretary-General acts in that capacity in all meetings of the Security Council. He may assign a permanent staff to the Security Council, if required.

The admission of new Members to the United Nations is effected by a decision of the General Assembly upon the recommendation

of the Security Council. A Member of the United Nations against which preventive or enforcement action has been taken by the Security Council may be suspended from the exercise of the rights and privileges of membership by the General Assembly upon the recommendation of the Security Council. The exercise of these rights and privileges may be restored by the Security Council. A Member of the United Nations which has persistently violated the Principles of the Charter may be expelled from the United Nations by the General Assembly upon the recommendation of the Security Council.

Any amendment to or any alteration of the Charter is to come into force when it is adopted by a two-thirds vote of the General Assembly or of the General Conference provided for in Article 109 of the Charter and ratified by two-thirds of the Members of the United Nations, including the permanent members of the Security Council.

The voting and procedure of the Security Council are defined as follows:

Each member of the Council is to have one vote. Decisions of the Council on procedural matters are to be made by an affirmative vote of seven members. Decisions on all other matters are to be made by an affirmative vote of seven members, including the concurring votes of the permanent members, provided that a party to a dispute shall abstain from voting in decisions with respect to the pacific settlement of that dispute.[1]

The Security Council is organized to function continuously. Each member of the Council is represented at all times at the seat of the United Nations. The Council holds periodic meetings at which each of its members may be represented by a member of its government or by some other specially designated representative. The Security Council may hold meetings at places other than the seat of the United Nations.

The Security Council may establish such subsidiary organs as it deems necessary for the performance of its functions.

The Security Council adopts its own rules of procedure, including the method of selecting its President.

Any Member of the United Nations which is not a member of the Security Council may participate, without vote, in the discussion of any question brought before the Security Council whenever the latter considers that the interests of that Member are specially affected.

Any Member of the United Nations which is not a member of the Security Council or any State which is not a Member of the United Nations, if it is a party to a dispute under consideration by the Security Council, is to be invited to participate, without vote, in the discussion relating to the dispute. The Security Council is to lay down such conditions as it deems just for the participation of a State which is not a Member of the United Nations.

B ESTABLISHMENT AND ORGANIZATION OF THE SECURITY COUNCIL

By Article 23 of the Charter, China, France, the U.S.S.R., the United Kingdom and the United States are permanent members of the Security Council, and the General Assembly elects six other Members of the United Nations as non-permanent members of the Council.

At its fourth and fifth plenary meetings, on January 12, 1946, the General Assembly elected as non-permanent members of the Security Council the following States: Australia, Brazil, Egypt, Mexico, Poland and the Netherlands. The General Assembly, by a further vote, decided that Australia, Brazil and Poland should sit as non-permanent members of the Security Council for a term of two years, and Egypt, Mexico and the Netherlands for a term of one year.

The Preparatory Commission of the United Nations had drafted the provisional agenda for the first meeting of the Security Council and had drawn up Provisional Rules of Procedure. The Commission had also recommended

[1] See pp. 23ff. for the interpretation of the voting procedure by the delegations of the four sponsoring Governments (China, the U.S.S.R., the United Kingdom and the United States) of the San Francisco Conference and the discussion at the Conference on the voting procedure.

that the representative of the first member of the Security Council, in the English alphabetical order of the names of the members of the Council, should act as temporary Chairman.

The Security Council held its first meeting on January 17, 1946, at Church House, Dean's Yard, Westminster, London. After the 23rd meeting on February 16, the Council adjourned for transfer to New York. The meetings of the Council were held at Hunter College, New York, from March 25 to the early part of August 1946, and at Lake Success, New York, beginning on August 28, 1946.

Article 30 of the Charter authorizes the Security Council to adopt its own rules of procedure. At its first meeting on January 17, the Council set up a Committee of Experts to examine and report on the Provisional Rules of Procedure recommended by the Preparatory Commission.

Article 4 of the Charter authorizes the Security Council to recommend to the General Assembly new Members of the United Nations. At its 42nd meeting the Council set up a Committee on the Admission of New Members. Up to June 30, 1947, the Council had received eleven applications for membership, which were referred to the Committee on the Admission of New Members for examination. The Council recommended four of the applicants to the General Assembly for membership in the United Nations.

At its second meeting on January 25, the Council adopted a directive to the Military Staff Committee, which first assembled in London on February 3, 1946. The Committee was transferred to New York in March 1946.

The Atomic Energy Commission, which was established by a resolution of the General Assembly at its seventeenth meeting on January 24, 1946, and was to receive directions from the Security Council in matters affecting security and submit its reports and recommendations to the Security Council, held its first meeting on June 14, 1946, at Hunter College, New York.

The Commission for Conventional Armaments, composed of representatives of all members of the Security Council, was established by the Security Council on February 13, 1947, to make proposals for the general regulation and reduction of armaments and armed forces, and proposals for practical and effective safeguards in this connection. The Commission may propose studies to be undertaken by the Military Staff Committee and other organs of the United Nations, but it may not deal with matters that are being dealt with by the Atomic Energy Commission. The Commission for Conventional Armaments held its first meeting at Lake Success on March 24, 1947.

C. POLITICAL AND SECURITY QUESTIONS

In fulfilling its primary responsibility for the maintenance of international peace and security, the Security Council from January 1946 to June 1947 considered the following major political and security questions:[1]

The Iranian Question
The Greek Question (Soviet Complaint)
The Indonesian Question
The Syrian and Lebanese Question
The Spanish Question
The Greek Question (Ukrainian Complaint)
The Greek Question (Greek Complaint)
The General Regulation and Reduction of Armaments and Information on Armed Forces of the United Nations
Free Territory of Trieste
Incidents in the Corfu Channel
Trusteeship of former Japanese Mandated Islands
Special Agreements under Article 43 of the Charter and Organization of the United Nations Armed Forces

1. The Iranian Question

a. Consideration of the Iranian Communication dated January 19, 1946

By a letter dated January 19, 1946, addressed to the Acting Secretary General, the head of the Iranian delegation to the United Nations stated:

(1) that owing to interferences of the U.S.S.R., through the medium of its officials and armed forces, in the internal affairs of Iran a situation had arisen which might lead to international friction, and

(2) that in accordance with Article 33 of

[1] For fuller accounts of these questions, see the Report of the Security Council to the General Assembly (Document S/172); for complete accounts, see the Journal of the Security Council, Nos. 1-42; Security Council Official Records, Nos. 1-22; and Verbatim Records of the Security Council (Documents S/P.V. 81-149).

the Charter the Iranian Government had repeatedly tried to negotiate with the Government of the U.S.S.R., but had met with no success. He therefore requested the Acting Secretary-General, in accordance with Article 35 (1) of the Charter, to bring the matter to the attention of the Council so that the Council might investigate the situation and recommend appropriate terms of settlement.

At the second meeting of the Security Council, on January 25, it was agreed without objection to include the Iranian application in the Council's agenda.

The representative of Egypt considered that the right of a complainant to participate in the Council's discussions followed from Article 31. He moved that the three States which had at that time presented complaints should be invited to participate in the discussions of the Security Council concerning these complaints. This resolution was adopted unanimously.

The position of the representative of Iran was expressed in a letter dated January 26, 1946, addressed to the President of the Council, in speeches at the third and fifth meetings and in a memorandum submitted at the third meeting.

The representative of Iran contended that the U.S.S.R. authorities had interfered in the internal affairs of Iran in breach of international law, the Tripartite Treaty of Alliance between the U.S.S.R., the United Kingdom and Iran, dated January 29, 1942, and the Three-Power Declaration of December 1943 by the U.S.S.R., the United Kingdom and the United States, and in violation of the principles set out in the Preamble of the Charter. Article IV (1) of the Tripartite Treaty provided that:

> The Allied Powers may maintain in Iranian territory land, sea and air forces in such number as they consider necessary. . . .
>
> It is understood that the presence of these forces on Iranian territory does not constitute a military occupation and will disturb as little as possible the administration and the security forces of Iran, the economic life of the country, the normal movements of the population and the application of Iranian laws and regulations.

Nevertheless, the Iranian Government had been prevented from exercising any power whatsoever in Azerbaijan; the security forces of Iran had been prevented from exercising their proper function of suppressing disorders; the Soviet authorities had disrupted the economic life of the country by setting up, at the frontier of the so-called Soviet zone, internal barriers which merchandise and civilians were allowed to pass only at the discretion of the Soviet authorities; no armed forces of the Iranian Government were allowed to proceed beyond these limits. The Soviet authorities had prevented the Iranian authorities from applying Iranian laws in these areas, and had encouraged and supported disloyal agitators who were launching the so-called movement for autonomy in Azerbaijan. On November 18, 1945, the Iranian Government dispatched infantry and gendarmes as reinforcements to Azerbaijan. On November 19, 1945, Soviet army authorities had prevented this contingent from proceeding further than Sharif Abad.

By two notes dated November 22 and 23, 1945, the Iranian Government requested that the Soviet authorities be immediately instructed to give the Iranian contingents free passage. On November 26, 1945, the Soviet Government's reply stated that arrival of additional Iranian armed forces at that time would cause disturbances and bloodshed. The Soviet note denied allegations of interference made by the Iranian Government. As interpreted by the Iranian representative, it stated that similar interferences would not take place. On December 1, 1945, the Iranian Government addressed a reply to the Government of the U.S.S.R. expressing satisfaction at this and other assurances. As interpreted by the Iranian representative, this note did not agree that there had been no Soviet interferences; it did not conclude negotiations, but maintained the request that Iranian forces should be given free passage. On December 15, 1945, the Iranian Government, in notes addressed to the U.S.S.R., the United Kingdom and the United States Ambassadors, asked that foreign military forces should not interfere with the free movement of Iranian security forces. In December 1945 the Iranian Prime Minister offered to visit Moscow to arrive at a settlement.

In conclusion the Iranian representative submitted that his Government had sought a solution by negotiation, in accordance with Article 33, but the Government of the U.S.S.R. had either failed to reply or had refused to admit that the Iranian Government's complaints were well founded. Accordingly, the matter had properly been brought to the

Council's attention under Article 35. If the Council so recommended, the Iranian Government was willing to enter into direct negotiations. However, the matter must remain on the agenda, progress reports should be made and results reported within a reasonable time.

The position of the U.S.S.R. was set forth in a letter dated January 24, 1946, addressed to the President of the Council, and in speeches at the second, third and fifth meetings on January 25, 28 and 30, 1946.

The representative of the U.S.S.R. denied interference in the internal affairs of Iran and stated that events in the province of Azerbaijan resulted from popular aspirations for national autonomy within the limits of the Iranian State. These events had nothing to do with the presence of the Soviet forces. He contended that successful negotiations had taken place between the U.S.S.R. and Iranian Governments. According to the Iranian note of December 1, 1945, the Iranian Government was satisfied with the results of the negotiations of November 1945. Negotiations had not been continued after December 1, 1945, because the Iranian Government did not desire them. The Iranian notes of December 13 and 15, 1945, did not deal with the earlier claims, but raised entirely new questions.

In conclusion the representative of the U.S.S.R. argued that there was no foundation for consideration by the Council of the substance of the Iranian communication. The Charter required Members to attempt to settle disputes by negotiations, etc., and it was stated that the Council might call upon parties to settle disputes by the means indicated in Article 33. It was apparent that the Council could not call on the U.S.S.R. to take any steps provided for in Article 33. Article 34 related to a dispute or situation of quite a different order. Article 36 was inapplicable, since the U.S.S.R. considered bilateral negotiations the only acceptable means of settling such questions between neighboring countries. Article 37 applied only where the parties had been unable to come to an agreement. The U.S.S.R. was willing to resume direct negotiations with the Iranian Government.

After hearing views expressed by the representatives of Australia, China, France, the Netherlands, Poland, the United Kingdom and the United States, the Council on January 30 adopted unanimously a resolution introduced by the representative of the United Kingdom and amended by the representative of the U.S.S.R. The resolution, in its final form, read:

THE COUNCIL,

Having heard the statements by the representatives of the Soviet Union and Iran in the course of its meetings of 28 and 30 January, and

Having taken cognizance of the documents presented by the Soviet and Iranian delegations and those referred to in the course of the oral debates;

Considering that both parties have affirmed their readiness to seek a solution of the matter at issue by negotiations; and such negotiations will be resumed in the near future,

REQUESTS the parties to inform the Council of any results achieved in such negotiations. The Council in the meanwhile retains the right at any time to request information on the progress of the negotiations.

b. Iranian Communication dated March 18, 1946

By a letter dated March 18, 1946, addressed to the President of the Council, the Iranian Ambassador to the United States stated that, pursuant to Article 35 (1), Iran brought to the attention of the Council a dispute between Iran and the U.S.S.R., the continuance of which was likely to endanger the maintenance of international peace and security. This dispute had arisen by reason of new developments since the adoption by the Council of the resolution of January 30, 1946. The U.S.S.R. was maintaining troops in Iranian territory after March 2, 1946, contrary to the provisions of Article V of the Tripartite Treaty of Alliance of January 29, 1942. Furthermore, the U.S.S.R. was continuing to interfere in the internal affairs of Iran through the medium of its agents, officials and armed forces. These acts were in violation of the Tripartite Treaty, the Three-Power Declaration and the Charter.

c. Proposal by the Representative of the U.S.S.R. that the Iranian Communication should not be placed on the Council's Agenda

At the 25th meeting of the Security Council on March 26, 1946, the representative of the U.S.S.R. stated that, pursuant to the Council's resolution of January 30, negotiations between the U.S.S.R. and Iranian Governments had resulted in an understanding regarding the evacuation of Soviet troops still in Iran. It was already known that the evacuation of these troops had begun on March 2, 1946. As regards the evacuation of troops still remaining in

certain zones of Iran, in accordance with an understanding reached between the U.S.S.R. and Iranian Governments, the evacuation had begun on March 24, 1946, and would probably end within five or six weeks from that date, unless unforeseen circumstances arose.

The effect of Articles 34 and 35 was that any Member of the United Nations might bring to the Council's attention any dispute or situation which was considered to threaten the maintenance of international peace and security. It could not be suggested that the situation in Iran could be regarded as a threat of that nature. Therefore, the conditions necessary for the inclusion of the Iranian question in the agenda had not been satisfied.

Several representatives expressed the view that the Iranian representative should be heard before the Council decided the matter.

At the 26th meeting of the Security Council on March 26, 1946, the above mentioned proposal by the representative of the U.S.S.R. was rejected by 9 votes to 2 and the Iranian question placed on the Council's agenda.

d. Proposal by the Representative of the U.S.S.R. to postpone until April 10, 1946, consideration of the Iranian Communication dated March 18, 1946

By a letter dated March 19, 1946, addressed to the Secretary-General, the representative of the U.S.S.R. had requested that the Security Council postpone consideration of the Iranian communication of March 18, 1946, to April 10, 1946. He stated that the Iranian communication was not expected by the Soviet Government, since its negotiations with the Iranian Government were being conducted at that time. For this reason the Soviet Government was not then prepared to take part in the discussion of the Iranian communication; and some time was required to enable the Soviet Government to make the necessary preparations concerning this question.

By a letter dated March 20, 1946, addressed to the Secretary-General, the Iranian Ambassador to the United States stated that it was his Government's earnest hope that consideration of its communication would not be delayed. He pointed out that negotiations under the resolution of January 30, 1946, had failed. Meanwhile, March 2, 1946, the date fixed by the Tripartite Treaty, had passed, and the Soviet troops had not been withdrawn. The situation was very grave, and further delay would inevitably result in increased harm to the interests of Iran.

At the 27th meeting, the proposal of the representative of the U.S.S.R. to postpone consideration of the Iranian communication until April 10, 1946, received two votes and was declared lost. The representative of the U.S.S.R. stated that he was unable to participate further in the Council's discussion of the Iranian question, since his proposal had not been accepted. He then left the Council Chamber. The representative of the U.S.S.R. did not attend the next three meetings (the 28th, 29th and 30th) at which the Council discussed the Iranian question. He resumed participation in the Council's discussions of the Iranian question at the 32nd meeting on April 15, 1946.

The following proposal of the representative of Egypt was adopted by 8 votes at the 27th meeting of the Security Council:

> That the Council receive the complaint of the Iranian Government embodied in its letter dated March 18th addressed to the Secretary-General and ask the Iranian representative to appear before the Council to hear his point of view concerning the question of postponement requested by the Soviet representative, and subsequently that the Council take such action as it deems fit.

Pursuant to the above resolution, the Iranian Ambassador was invited to participate in the discussion. He reported that, pursuant to the resolution of January 30, 1946, the Iranian Government had sent a delegation to Moscow, headed by the Prime Minister. The delegation had requested the Soviet Government to refrain from interference in the internal affairs of Iran and to ensure the prompt evacuation of Soviet troops. The Soviet officials did not agree to these requests and proposed: (1) the stationing of Soviet troops in Iran for an indefinite period; (2) the recognition of the internal autonomy of Azerbaijan; and (3) the setting up of a Soviet-Iranian joint stock oil company.

The Iranian Prime Minister rejected these demands and the U.S.S.R. officially withdrew its proposals.

In conclusion the Iranian Ambassador informed the Council that, to his knowledge, no positive results had been achieved in negotiations under the resolution of January 30, 1946. He stated that he had no instructions to agree to postponement.

e. Request by the Secretary-General for Information Concerning Soviet-Iranian Negotiations and Replies

At the 28th meeting of the Security Council on March 29, 1946 the representatives present unanimously endorsed the suggestion of the representative of the United States that the President of the Council request the Secretary-General to ascertain at once from the U.S.S.R. and Iranian Governments, through their representatives, and report to the Council at its meeting on Wednesday, April 3, the existing status of the negotiations between the two Governments, and particularly whether or not the reported withdrawal of Soviet troops was conditioned upon the conclusion of agreements between the two Governments on other subjects.

In accordance with the President's instructions, the Secretary-General requested from the Iranian Ambassador and the representative of the U.S.S.R. the above information.

By a letter dated April 3, 1946, addressed to the Secretary-General, the representative of the U.S.S.R. stated on behalf of his Government that negotiations had already led to an understanding concerning the withdrawal of Soviet troops from Iran; the withdrawal was renewed on March 24, 1946, and would be completed within a period of one and a half months. Thus the question concerning the evacuation of Soviet troops raised before the Council by the Iranian Government on March 18 was solved by the understanding reached between the U.S.S.R. and Iranian Governments. As to the other questions, they were not connected with the question of the withdrawal of Soviet troops. As was known, the question concerning an oil concession or a joint stock company was raised in 1944, independently of the question of the evacuation of Soviet troops.

By a letter dated April 2, 1946, addressed to the Secretary-General, the Iranian Ambassador stated that, with regard to Soviet interference in the internal affairs of Iran, negotiations pursuant to the resolution of January 30, 1946, had achieved no positive results. Interference had continued, and the Iranian Government was still prevented from exercising any authority in the province of Azerbaijan. Regarding the withdrawal of Soviet troops, there had been and could be no negotiations.

As to the question whether withdrawal was conditional upon the conclusion of other agreements, the Iranian Ambassador gave a detailed account of conversations in Teheran since the arrival of the new Soviet Ambassador. These conversations referred, *inter alia*, to the formation of a joint Soviet-Iranian oil corporation, and to the formation of an autonomous government in Azerbaijan. After these subjects had been discussed, the Soviet Ambassador confirmed the promise to evacuate Iran, but on the condition that no unforeseen circumstances should occur.

In conclusion the Iranian Ambassador stated that, according to the latest information from his Government, despatched on April 1, 1946, no understanding had been reached. The Iranian Prime Minister stated that he could not accept any conditions attached to the complete withdrawal of Soviet forces.

The Soviet and Iranian replies were read at the 29th meeting on April 3, 1946, and in answer to a question the Iranian Ambassador stated that if the representative of the U.S.S.R. withdrew the condition concerning unforeseen circumstances, Iran would not at that time press the matter, provided that the communication remained on the Council's agenda.

f. Resolution of April 4, 1946

After discussion, the following resolution proposed by the representative of the United States was adopted by 9 votes at the 30th meeting held on April 4, (the representative of the U.S.S.R. did not attend this meeting):

Taking note of the statements by the Iranian representative that the Iranian appeal to the Council arises from the presence of Soviet troops in Iran and their continued presence there beyond the date stipulated for their withdrawal in the Tripartite Treaty of 29 January 1942;

taking note of the replies dated 3 April of the Soviet Government and the Iranian Government pursuant to the request of the Secretary-General for information as to the state of the negotiations between the two Governments and as to whether the withdrawal of Soviet troops from Iran is conditional upon agreement on other subjects;

and in particular taking note of and relying upon the assurances of the Soviet Government that the withdrawal of Soviet troops from Iran has already commenced;

that it is the intention of the Soviet Government to proceed with the withdrawal of its troops as rapidly as possible;

that the Soviet Government expects the withdrawal of all Soviet troops from the whole of Iran to be completed within five or six weeks;

and that the proposals under negotiation between the Iranian Government and the Soviet Government "are not connected with the withdrawal of Soviet troops";

being solicitous to avoid any possibility of the presence of Soviet troops in Iran being used to influence the course of the negotiations between the Governments of Iran and the Soviet Union; and recognizing that the withdrawal of all Soviet troops from the whole of Iran cannot be completed in a substantially shorter period of time than that within which the Soviet Government has declared it to be its intention to complete such withdrawal;

RESOLVED that the Council defer further proceedings on the Iranian appeal until 6 May, at which time the Soviet Government and the Iranian Government are requested to report to the Council whether the withdrawal of all Soviet troops from the whole of Iran has been completed and at which time the Council shall consider what, if any, further proceedings on the Iranian appeal are required;

PROVIDED, however, that if in the meantime either the Soviet Government or the Iranian Government or any member of the Security Council reports to the Secretary-General any developments which may retard or threaten to retard the prompt withdrawal of Soviet troops from Iran, in accordance with the assurances of the Soviet Union to the Council, the Secretary-General shall immediately call to the attention of the Council such reports, which shall be considered as the first item on the agenda.

The representative of Australia abstained from voting. He pointed out that the resolution did not deal with the first Iranian communication concerning interference by Soviet troops and agents in the internal affairs of Iran.

g. Proposal by the Representative of the U.S.S.R. that the Iranian Question be removed from the Council's Agenda

By a letter dated April 6, 1946, addressed to the President of the Council, the representative of the U.S.S.R. proposed that the Iranian question be removed from the agenda of the Council. He pointed out that, as was known from the joint U.S.S.R.-Iranian communique published on April 4, 1946, an understanding on all points had been reached between the Soviet and the Iranian Governments. The Council had no reason further to consider the Iranian question on May 6 and the resolution adopted on April 4 was incorrect and illegal, being in conflict with the Charter.

By a letter dated April 9, 1946, addressed to the Secretary-General, the Iranian Ambassador stated that it was his Government's desire that the question remain on the Council's agenda, as provided by the resolution adopted on April 4. By a letter dated April 15, 1946, addressed to the President of the Council, the Iranian Ambassador stated that on April 14 his Government had instructed him to make the following statement before the Council:

As a result of the signature of the agreement between the Iranian Government and the Government of the Soviet Union, it has been agreed that the Red Army evacuate all Persian Territory by the 6th May 1946. The Iranian Government has no doubt that this agreement will be carried out, but at the same time has not the right to fix the course the Security Council should take.

On April 15, 1946, he had received a further telegram from his Government, reading as follows:

In view of the fact that the Soviet Ambassador has again today 14 April, categorically reiterated that the unconditional evacuation of Iranian territory by the Red Army will be completed by 6th May 1946 it is necessary that you immediately inform the Security Council that the Iranian Government has complete confidence in the word and pledge of the Soviet Government and for this reason withdraws its complaint from the Security Council.

At the 33rd meeting, held on April 18, 1946, the Secretary-General submitted a letter to the President of the Council, setting out his views with respect to the legal aspects of the retention of the Iranian question on the agenda. He recalled that the powers conferred on the Council under Chapter VI of the Charter were defined in Articles 33, 34, 36, 37 and 38. He noted that the Council could be seized of a dispute or situation in one of three ways:

(1) under Article 35, by a State;
(2) under Article 34, by the Council itself;
(3) under Article 99, by the Secretary-General.

In the Iranian case, Article 99 was not applicable. Article 34 was not applicable, since the Council had not ordered an investigation, which was the only action possible under that Article.

The Council had originally been seized of the dispute under Article 35 (1). Since Iran had withdrawn its complaint, the Council could

not take action under Articles 33, 36, 37 or 38, as the necessary conditions for applying these Articles (namely, a dispute between two or more parties) did not exist.

It was therefore arguable that, following withdrawal by the Iranian representative, the question was automatically removed from the agenda, unless:

(1) the Council voted an investigation under Article 34; or

(2) a member brought it up as a situation or dispute under Article 35; or

(3) the Council proceeded under Article 36 (1), which appeared to require a preliminary finding that a dispute existed under Article 33, or that there was "a situation of like nature."

An argument which could be made against the view of automatic removal from the agenda was that once a matter was brought to the attention of the Council, it was no longer a matter solely between the original parties, but one in which the Council collectively had an interest, as representing the whole of the United Nations. However, it appeared that the only way in which, under the Charter, the Council could exercise that interest, was under Article 34, or under Article 36 (1). Since the Council had not chosen to invoke Article 34 in the only way in which it could be invoked, that is, through voting an investigation, and had not chosen to invoke Article 36 (1), by deciding that a dispute existed under Article 33 or that there was a situation of like nature, it might well be that there was no way in which it could remain seized of the matter.

The Council referred the Secretary-General's letter to the Committee of Experts, and the report of the Chairman of the Committee of Experts was considered at the 36th meeting on April 23, 1946. The report stated that the Committee of Experts had decided, by reason of the technical nature of its competence, to study from an abstract point of view the problem whether the Council could remain seized of a matter if the interested parties had requested its withdrawal.

There was agreement in principle that, when a matter had been submitted to the Council by a party, it could not be withdrawn from the list of matters of which the Council was seized without a decision by the Council.

In the discussions of the Committee of Experts, the representatives of Australia, Brazil, China, Egypt, Mexico, the Netherlands, the United Kingdom and the United States had considered that the Secretary-General's letter had put the problem on too narrow a basis, since it referred only to a dispute and since it treated such a dispute merely as a law suit between two parties. Such a definition implied an inexact understanding, in the first place, of the functions of the Council (which was not a court of justice), and in the second place of the nature of its competence, which included the consideration of situations, and which in any case far exceeded the narrow framework within which the letter would tend to confine it. Some of these representatives observed that, for the Council to drop the matter, it was not enough for the parties to the dispute to have come to an agreement. The problem should not be regarded from a purely legalistic point of view. In view of Articles 1 and 24, the Council might hold that even after an agreement had been reached between the parties, circumstances might continue to exist (for example, the conditions under which the agreement had been negotiated) which might still leave room for fears regarding the maintenance of peace and which justified the question being retained among the matters entrusted to its care. The Council might find it necessary to remain seized of the matter until the whole or part of the agreement had been executed, or even longer. The decision by which the Council was seized of a question was absolutely independent of and distinct from the measures which it might decide to take under Article 34. Several representatives questioned the argument in the letter which seemed to imply that unless the Council took a decision under Article 34 or 36, it could not remain seized of a dispute the withdrawal of which had been requested. Several representatives considered that Article 35 (1) proved that the action of the Council in its role as guardian of the peace was quite independent of the strictly legal circumstances in which a dispute occurred, since, according to that text, it was not necessarily a party to a dispute which had to bring it to the Council.

On the other hand, the representatives of France, Poland and the U.S.S.R. had considered that the rules governing the procedure for the withdrawal of a question submitted to the Council varied according to whether a dispute or a situation were involved. The notion of a dispute was of a subjective nature, and it was essentially a conflict between two

or more States, which existed only by virtue of the opposition between the interested parties. If all of the parties to a dispute had reached an agreement, the threat to the maintenance of peace from the prolongation of such a dispute thereby disappeared, and if they asked the Council to drop the dispute, the Council was bound to do so. On the other hand, a situation had an objective character, existing independently of the Member which had brought it to the Council's attention. The Council could remain seized of a situation even if that Member declared its desire to withdraw its communication. If the dispute originally submitted to the Council had reached the point where other parties were concerned, or if a new situation had arisen out of the original dispute, the question became a different one from that originally submitted to the Council. It could be brought to the attention of the Council by a Member of the United Nations under Article 35 (1), or else the Council itself might take it up under Article 34.

Accordingly, the Committee of Experts was unable to formulate a common opinion on the question put to it by the Council.

At the 36th meeting of the Council, the representative of France said that it would be unwise to establish the precedent that a Member of the United Nations which had submitted a communication to the Council could not withdraw its communication. He therefore proposed the following resolution:

THE SECURITY COUNCIL,

Having again considered at its meetings of 15 and 16 April the question which it had placed on its agenda on 26 March at the request of the Government of Iran and which formed the subject of its resolution of 4 April;

TAKES NOTE of the letter dated 14 April addressed to it by the representative of the Government of Iran in which the latter informs the Security Council of the withdrawal of his complaint;

NOTES that an agreement has been reached between the two Governments concerned;

REQUESTS the Secretary-General to collect the necessary information in order to complete the Security Council's report to the Assembly, in accordance with Article 24 of the Charter, on the manner in which it dealt with the case placed on its agenda on 26 March last at the request, now withdrawn, of the Government of Iran.

The representatives of Poland and the U.S.S.R. supported the French proposal, while the representatives of Australia, Brazil, China, Egypt, Mexico, the Netherlands, the United Kingdom and the United States maintained that the Council was master of its own agenda and had power to keep the Iranian question on the agenda despite the Iranian withdrawal of its complaint. The resolution submitted by the representative of France received three votes and was declared lost.

In connection with this vote, the representative of the U.S.S.R. stated that, in view of the existence of the agreement between the Soviet and Iranian Governments on all questions in dispute, and in view of the Iranian Government's withdrawal of its appeal to the Council, the Soviet delegation considered that the Council's decision to retain the Iranian question on its agenda was contrary to the Charter. For these reasons, the Soviet delegation did not consider it possible to take any further part in the discussion of the Iranian question in the Council.

h. Report by the Representative of Iran under Resolution of April 4, 1946

By a letter dated May 6, 1946, addressed to the President of the Council, the Iranian Ambassador stated that, pursuant to the Council's resolution of April 4, 1946, investigations made by responsible officials of the Iranian Government showed that Soviet troops had been completely evacuated from the provinces of Khorassan, Gorgan, Mazanderan and Gilan. Because of the interference previously complained of, the Iranian Government had been unable to exercise effective authority within Azerbaijan since November 7, 1945, and from that time had had no opportunity to ascertain conditions in Azerbaijan through its own officials. The Iranian Government had been unable to verify by direct observation reports that the evacuation from Azerbaijan had been proceeding and would be completed by May 7, 1946.

The Soviet Government made no report pursuant to the resolution of April 4, 1946.

i. Resolution of May 8, 1946

At the 40th meeting held on May 8, 1946, the Council considered the above report of the Iranian Ambassador. The representative of the U.S.S.R. was absent from this meeting. In view of the incomplete nature of the report,

the representative of the United States proposed the following resolution:

THE SECURITY COUNCIL RESOLVES,

in view of the statement made by the Iranian Government in its preliminary report of 6 May, submitted in compliance with the resolution of 4 April 1946, that it was not able as of 6 May to state whether the withdrawal of all Soviet troops from the whole of Iran had been completed,

to defer further proceedings on the Iranian matter in order that the Government of Iran may have time in which to ascertain through its official representatives whether all Soviet troops have been withdrawn from the whole of Iran;

that the Iranian Government be requested to submit a complete report on the subject to the Security Council immediately upon the receipt of the information which will enable it so to do; and that in case it is unable to obtain such information by 20 May, it report on that day such information as is available to it at that time;

and that immediately following the receipt from the Iranian Government of the report requested, the Council shall consider what further proceedings are required.

The resolution was adopted by ten votes.

j. Report by the Representative of Iran under Resolutions of April 4, 1946, and May 8, 1946

By letters dated May 20 and May 21, 1946, addressed to the President of the Council, the Iranian Ambassador submitted reports in compliance with the resolutions of April 4 and May 8, 1946. In his letter dated May 20, 1946, the Iranian Ambassador stated that the information then available to him was to the effect that, as a consequence of the interference previously complained of, the Iranian Government was still prevented from exercising any effective authority in the province of Azerbaijan, and that Soviet interferences in the internal affairs of Iran had not ceased. Therefore, it had not been possible to make such investigation as was required to establish that all Soviet troops had been withdrawn from the whole of Iran.

In his letter dated May 21, 1946, the Iranian Ambassador communicated the text of a telegram received by him that afternoon from the Iranian Prime Minister. The telegram stated that the Iranian Prime Minister had dispatched a commission of investigation, which in the course of one week had investigated carefully regions of Azerbaijan such as the following important centres: Tabriz and its suburbs, Marand, Jolfa, Khoy, Salmas, Maju, Rezacyeh and Mianduab. Telegraphic reports were to the effect that no trace whatever of Soviet troops, equipment or means of transport was found, and that, according to trustworthy local people who were questioned in all these places, Soviet troops evacuated Azerbaijan on May 6, 1946.

k. Resolution of May 22, 1946

At the 43rd meeting held on May 22, 1946, the Iranian Ambassador participated in the discussion.

The Council adopted by 9 votes to 1 the following resolution proposed by the representative of the Netherlands:

The discussion of the Iranian question is adjourned until a date in the near future, the Council to be called together at the request of any of its members.

The Council remained seized of the Iranian question.

l. Report by Iranian Ambassador

By a letter dated December 5, 1946, addressed to the Secretary-General, the Iranian Ambassador in Washington, D. C., forwarded a report concerning the state of affairs in the Province of Azerbaijan: The letter stated:

My Government has instructed me to submit this report in connection with the complaints previously made to the Security Council against interferences in the internal affairs of Iran. It will be recalled that a result of these interferences is that the Central Government has been denied the exercise of effective control in the Province of Azerbaijan. Unfortunately, in spite of every effort to remove by conciliatory means the consequences of these interferences, the Central Government has not yet been able to re-establish its authority in that Province.

Elections to provide for the selection of the Madjless, our National Legislature, have been called to take place throughout Iran beginning December 7th. In order to assure that the election procedures are duly followed, it has been arranged that military forces shall be stationed in all the provinces of Iran. Those in control of affairs in Azerbaijan have objected to the entry of such Government forces into that Province. The Soviet Ambassador at Teheran, acting under instructions from his Government, has given friendly admonition that the movement of Government forces into this part of Iran may result in disturbances

within that Province and on the Persian borders adjacent to Russia, and advised that the Government's plans be abandoned.

It is, of course, the duty of my Government to exercise its sovereign responsibilities, and to assure that the elections are carried out impartially, in Azerbaijan as well as in the rest of Iran; and my Government for that purpose must station its troops in Azerbaijan no less than in other parts of the Country. It is hoped that this will not be used as a pretext for hostile demonstrations, but my Government will not fail to take the action necessary to maintain law and order throughout Iran even though disturbances may be threatened.

The decision of the Security Council to remain seized of the questions raised by the complaints of Iran has demonstrated its concern regarding the consequences of the interferences that have occurred in the past. My Government has, therefore, felt it to be its duty to furnish the information contained in this report in order that the Council may be in a position better to interpret the course of events in the Northwestern portion of my Country.

2. THE GREEK QUESTION (SOVIET COMPLAINT)

a. Communication of the U.S.S.R. dated January 21, 1946

By a letter dated January 21, 1946, the acting chief of the Soviet delegation, under Article 35 of the Charter, requested the Security Council to discuss the situation in Greece on the grounds that the presence of British troops in Greece after the termination of the war meant interference in the internal affairs of Greece and caused extraordinary tension fraught with grave consequences both for the Greek people and for the maintenance of peace and security.

The Greek question was considered at the sixth meeting of the Security Council on February 1, 1946. A representative of Greece was asked to participate, without vote, in the discussions.

The representative of the U.S.S.R. was first asked to make an oral statement. He recalled that in a memorandum submitted by the Soviet delegation on January 21, 1946, during the Berlin Conference there were four main questions of substance: (1) a very tense situation prevailed in Greece, which might have very unhappy consequences not only for the Greek population, but also for peace and security; (2) the presence in Greece of British troops was not necessitated by circumstances, because there was no need to protect these communications as in the case of troops in defeated countries; (3) the presence of British troops in Greece had become a means of pressure on the political situation in the country; and (4) these circumstances had resulted very often in support of reactionary elements in the country against democratic ones.

The Soviet representative reminded the Council that in September 1945, during the first session of the London meeting of Ministers of Foreign Affairs, the Soviet Government had submitted a second memorandum on the situation in Greece. Finally, during the Moscow Conference of Ministers for Foreign Affairs in December 1945, the situation in Greece was brought up again and linked with the presence of British troops in Greece.

The representative of the U.S.S.R. described the activities of the Monarchist-Fascist organization known as "X" and stated that the Monarchists, helped by foreign elements, had created a reign of terror directed against the democratic population of the country.

He argued that there were no reasons for the presence of British troops in Greece and insisted upon the quick and unconditional withdrawal of British troops from that country.

The representative of the United Kingdom stated that the Greek question was discussed at Yalta and Marshal Stalin had expressed his complete confidence in the British policy in Greece. At Potsdam the U.S.S.R. circulated a memorandum and the attacks on British policy in Greece were really started. On July 31, 1945, Mr. Molotov, after reading a memorandum circulated by Mr. Eden, agreed to drop the matter. But it was significant that whenever the problem of Greece arose in any negotiations with the U.S.S.R. it had always come about when the problem of Roumania, Bulgaria or Poland had been under discussion.

Early in 1944 there was a meeting of Greek political leaders in the Levant and an all-party Government was formed. It was agreed that as there were no police, no army and no civil service list, British administrators and troops, with Marshal Stalin's agreement, should go to Greece to help revive the country, turn the Germans out and seek to get order and civil government in operation.

When the British went into Greece, a civil war broke out. From information received, the war was started primarily by the Communists seeking to obtain a minority government

to control the country. The British Government could have put in a minority government, but it had asked Greece to find its own government; Great Britain hoped that, out of its difficulties and experience, Greece would be able to reach its proper position. The British Government was anxious that the elections should be fair and not one-sided.

If the Greek Government decided that the British troops were not wanted, they would not impose themselves upon the country. As soon as they had carried out the obligations that they had undertaken with the Greek Government, those troops would be withdrawn.

The representative of the United Kingdom demanded that the Council give an answer as to whether the British Government, acting in response to the request of the Greek Government in lending some of its forces to help to get order and economic reconstruction in that country, endangered peace.

The representative of Greece stated that the people of Greece had not at any time regarded the presence of British troops in Greece as a condition imposed upon them from outside or as an act imputable to British initiative. They had regarded it as a consequence of a request made by the Greek Government and an agreement concluded in Italy and signed by representatives of all political parties, to which agreement the extreme Left was also a signatory.

The representative of Greece also stated that neither the civil nor the military authorities of Great Britain had at any time sought to intervene in any manner whatsoever in the internal affairs of Greece, or to impose any restrictions upon the free democratic Government of the country. He added that the Greek people regarded the continued presence of British military forces in Greece as indispensable, inasmuch as it constituted an extremely important factor in the consolidation of public order and security and the full restoration of normal political conditions, ensuring equal rights for all.

b. Suggestions and Proposals

The representative of the United States stated that the Government of the United States was satisfied that there was no reasonable ground for belief that the presence of British troops in Greece could be regarded as constituting a situation which was likely to endanger international peace and security. The Government of the United States was therefore convinced that the Council would not be justified under Chapter VI in making a finding to that effect. Without such a finding the Council had no authority to recommend appropriate procedures or methods of adjustment. He believed that it would be unwise for the Council to take a formal action in this case and, therefore, suggested that the Governments of the U.S.S.R., Great Britain, and Greece be thanked for the statements that had been made in explanation of the position and that no further action be taken.

The representative of France could not agree that the presence of British troops in Greece was likely to constitute a threat to peace and security. The representatives of China and the Netherlands associated themselves with the opinion expressed by the representative of the United States that no recommendation or formal action be taken by the Council on this question.

The representative of Poland proposed the following resolution:

> The Security Council takes note of the statements set forth in the declarations of the Soviet Union, Great Britain and Greece and of the assurance given by the delegate for the United Kingdom that British troops in Greece will be withdrawn as soon as possible and considers the question is closed.

The representative of Egypt proposed the following resolution:

> After having heard the declarations of the delegates for the Soviet Union, the United Kingdom and Greece, the Council notes with satisfaction the spirit of frankness and sincerity which has animated these declarations and will contribute to the maintenance of international peace and good understanding between nations. And while appreciating that the presence of British troops in Greece does not constitute a threat to international peace and security, takes note of the declaration of the delegate for the United Kingdom that British troops will be withdrawn from Greece as soon as the reasons for their presence have disappeared.

The President put the Polish proposal to vote and it was lost. The representative of the U.S.S.R. declared himself against the Egyptian resolution because he was not of the opinion that the presence of British troops did not constitute a threat to international peace and security.

c. Statement of the President

At the tenth meeting, on February 6, 1946, the President then summed up the views of the members in the following statement:

I feel we should take note of the declarations made before the Security Council by the representatives of the Soviet Union, the United Kingdom and Greece, and also the views expressed by representatives of the following Members of the Security Council: The United States of America, France, China, Australia, Poland, the Netherlands, Egypt and Brazil in regard to the question of the presence of British troops in Greece, as recorded in the proceedings of the Council and consider the matter as closed.

This statement was found satisfactory and the Greek question was considered as closed.

3. The Indonesian Question

a Consideration of the Ukrainian Communication dated January 21, 1946

By a letter dated January 21, 1946, the Ukrainian representative, under Articles 34 and 35 of the Charter, drew the attention of the Security Council to the fact that military action had allegedly been directed against the local population by the British and Japanese forces in Indonesia, and it was the opinion of his Government that this situation threatened the maintenance of international peace and security. He felt the Security Council should carry out the necessary investigation and take measures provided for in the Charter.

The communication was considered on February 7, 1946, at the twelfth meeting of the Security Council. The representative of the Ukrainian delegation was invited to the table to take part in the discussion of the Security Council.

The representative of the Ukrainian S.S.R. stated that the Netherlands troops on March 9, 1942, surrendered to the superior armed forces of Japan and the Japanese occupied unarmed Indonesia. For three and one-half years the Indonesian people suffered under the Japanese regime, and, by all the means at their disposal, resisted the measures of the Japanese invaders. As a result of the success of the Allied armies, the Japanese troops were compelled to surrender on August 17, 1945. The defeat of Japan encouraged the Indonesians in the hope that their national aspirations would at last be realized.

After the surrender of Japan, the Japanese military authorities were empowered to keep order pending the arrival of the British troops. On September 29, 1945, British and Indian troops arrived in Batavia. The British authorities began to employ ever more extensively all kinds of modern armies against the poorly armed Indonesians. Thus, it was quite evident that after the defeat of Japan, and the end of the war, there was a situation in Indonesia which, under the terms of Article 34 of the Charter, threatened the maintenance of international peace and security. It was beyond a doubt that such intervention by British and Indian troops in the internal affairs of Indonesia was in direct contradiction to Article 1 (2) of the Charter. This intervention was also in contradiction to Article 73 of the Charter.

The representative of the Ukrainian S.S.R. recognized that the British troops remained in Indonesia with the consent of the United Nations for the purpose of accepting the surrender of the Japanese troops and disarming them. He stated that he did not raise the question of the withdrawal of British troops from Indonesia, but considered it inadmissible that the British troops were used for the suppression of the national movement of the Indonesian people and that Japanese forces were used for participating in those operations against the Indonesian people.

The representative of the Ukrainian S.S.R. asked the Council to take the necessary measures to put an end to the existing situation. The most appropriate settlement would be the creation by the Council of a special commission for the investigation of the situation on the spot and the establishment of peace.

In his statement before the Council, the representative of the United Kingdom stated that since the representative of the Ukrainian S.S.R. had said he did not ask for the withdrawal of British troops from Indonesia, he supposed their presence there was not a danger to peace and security. The question was, therefore, whether there should be a commission.

The point as to who was the sovereign authority in Indonesia should also be made clear. It was the definite decision of the Allies to restore the territory taken by the enemy to the sovereign authority.

At the time of the Japanese surrender the British had been planning to launch a large

attack on the Japanese in Malaya and other places. After the surrender of Japan, Britain was given the task by the Allied Supreme Command of rounding up Japanese troops in Indonesia and rescuing more than 200,000 internees who had been placed in confinement by the Japanese.

General Christianson had a conference with Mr. Soekarno explaining Britain's purpose in Indonesia. General Mallaby had brought the leaders of the nationalist movement together and arranged a truce, but he had been assassinated. To forestall wholesale assassination throughout the country Admiral Mountbatten had made the Japanese responsible for seeing that this did not occur.

The representative of the United Kingdom denied that British troops had attacked local inhabitants but said that they had been compelled to defend themselves against attack and obliged to take security measures to enable them to carry out tasks assigned to them.

The representative of the United Kingdom said that, if the United Nations wished to help, it could do so, not by sending a commission there, but by trying to bring about a settlement. However, Britain was only carrying out the orders of the Allied Supreme Command and the question of sending commissions should be dealt with by the sovereign Power—the Netherlands.

The representative of the Netherlands stated that the task of the British was to accept the surrender of the Japanese and disarm them. In addition, part of their task was to rescue prisoners of war and some 200,000 Europeans. Regarding the behavior of the British troops, he wanted to bear testimony to the extreme restraint and forbearance of the British troops in Java and other areas in the Netherlands Indies. It was not the aim of the British troops to wage military actions against the local population, but the horrible deeds which had occurred in Indonesia justified the continued presence of the Allied troops.

Looking at this matter from the point of view of the Charter, the Netherlands representative observed, first that there was no "dispute"; second, there was no "situation" threatening to endanger international peace and security; third, there was no international friction which might lead to infringement of the peace; fourth, there was no infringement of Article 1, because apart from Article 1, Paragraphs 2 and 3, there was also Chapter XI in the Charter. Fifth, there was, therefore, no case for the Security Council to deal with.

So far as sending a commission was concerned he would make no difficulty if the parties to the discussion both wanted a commission to be sent in order to inquire into the point they were discussing. But since the representative of the United Kingdom appeared to be against that, he need not go into this point any further.

The representative of the Ukrainian S.S.R., in reply, pointed out that three points seemed to be incontestable: (1) that British troops had been used in Java for some months past against the Indonesian population; (2) that in the course of these military operations, Japanese troops were used against the Indonesian population; (3) that none of the facts which he adduced were contested either by the representative of the United Kingdom or by the representative of the Netherlands. The representative of the Ukrainian S.S.R. ther formulated his proposals under four heads:

(1) That the use of British troops against the Indonesian population was not just and not right.

(2) That it was inadmissible that Japanese troops were used against the Indonesian population.

(3) That the Indonesian population should be granted privileges and rights established in the Charter.

(4) That a commission be sent on behalf of the Security Council to Indonesia to deal with the abnormal situation existing there.

The representative of the United Kingdom stated that the sovereignty of the Netherlands was not questioned in all the statements heard. After pointing out the provision of Paragraph 7 of Article 2 of the Charter he declared that, when internal trouble arose, he could not agree that a commission should be sent to investigate and deal with the problems arising within the territory of a sovereign power.

The representative of the Netherlands reminded the Council of the fact that according to the Charter the internal matters of any given State were not for the United Nations to deal with.

The representative of the U.S.S.R. supported the statement of the Ukrainian delegation. He considered it necessary to point

this out loudly and clearly and to say that the events which were taking place in Indonesia contained a threat to peace and to security and that it was the duty of an international organization to prevent this danger and put an end to the tragedy. He insisted that a commission be sent which would objectively study the situation and outline the measures which it was imperative to take.

b. Discussion on the Appointment of a Commission of Inquiry

At the sixteenth meeting on February 11, 1946, the representative of the Ukrainian S.S.R. appealed to the members of the Council to adopt the following resolution:

After hearing the statement made by the delegation of the Ukrainian S.S.R. on the situation which in Indonesia threatens international peace and security, a situation in which British troops are being used in military action against the National Movement of Liberation, and in which enemy Japanese troops are also being used for the same purpose;

After hearing the statements made by the Foreign Minister of the United Kingdom, Mr. Bevin, and of the Netherlands, Mr. Van Kleffens;

After exchanging views on the question raised, THE SECURITY COUNCIL DECIDES:

to set up a commission consisting of representatives of the United States, the Soviet Union, China, the United Kingdom and the Netherlands which should carry out an inquiry on the spot, establish peace in Indonesia, and report to the Security Council on the result of their work.

The President questioned whether the representative of the Ukrainian S.S.R. had the right of proposition in the Security Council. He stated that Articles 31 and 32 of the Charter gave to States which were not members of the Security Council the right to participate without a vote in the discussion of the Council.

The representatives of China, Egypt and France observed that under Article 35 the representative of the Ukrainian S.S.R. was entitled to full participation in the discussion, and that he should be accorded freedom to make suggestions or proposals. The representative of the Netherlands moved that the representative of the Ukrainian S.S.R. should be given an opportunity to make a proposal.

The representative of the U.S.S.R. thought that neither Article 31, nor Article 35, nor yet Article 32 provided a solution. Article 35 did not say how the Security Council was to provide a solution to the matter brought to its notice. As to Article 31, the right to participate in the discussion was allowed, but the limits of discussion were not determined. It was also made clear that only when the interests of the Member were especially affected did it apply. He thought that the interests of the Ukrainian S.S.R. were not especially affected. Article 32 referred to "disputes"; the Council was faced with a "situation" which required study and treatment. Thus none of these three Articles applied. He thought the members of the Council must not limit themselves to the text of the Charter but apply logic and common sense. It was inconceivable that they could give the representative of the Ukrainian S.S.R. the right to participate in the discussion and draw their attention to a situation but withhold from him the right to propose a solution for the situation.

There was no objection to the right of proposition of the representative of the Ukrainian S.S.R.

The representatives of the U.S.S.R., Mexico and Poland were in favor of sending a commission to Indonesia. The representative of the United Kingdom declared that he would refuse to be a party to the commission, and the representative of the Netherlands reiterated his position that he would not stand in the way of having a commission in regard to the question only of the conduct of British troops in Indonesia, but refused to accept a commission which would busy itself with matters within domestic jurisdiction.

c. Decision of the Council

The Ukrainian proposal was put to a vote at the eighteenth meeting on February 13, 1945, and was lost.

Before the Ukrainian S.S.R. proposal was put to a vote, the representative of Egypt had made the following proposal:

After hearing the declarations of the representatives for the Ukraine, the United Kingdom, the Netherlands and the Soviet Union,

THE SECURITY COUNCIL

Regarding the presence of British troops in Indonesia;

DECLARES that it is clearly understood that British troops shall not be used in any circumstances against the national Indonesian movement, and that they will be withdrawn from Indonesia as soon as the strictly limited purposes which have brought about their presence, that is:

1. the surrender of Japanese troops,
2. the liberation of Allied prisoners of war and Allied nationals who are still interned have been accomplished.

Regarding the situation created by the Indonesian national movement;

While hoping that the negotiations which have started between the Netherlands Government and the chiefs of the Indonesian movement will rapidly be concluded by a happy solution inspired by the aims and principles of the Charter and principally by the right of self-determination of peoples,

THE COUNCIL expresses its will to be informed in a very short time of the results of these negotiations.

THE COUNCIL also reserves its right to take such further action as it thinks proper.

The representative of the U.S.S.R. proposed an amendment to the resolution proposed by the representative of Egypt as follows:

With a view to clarifying the situation in Indonesia and the re-establishment of peace, a commission should be dispatched to Indonesia consisting of the representatives of China, the Netherlands, the United Kingdom, the United States and the Soviet Union.

This amendment obtained three votes and was not carried.

The Egyptian resolution also did not obtain the required number of votes.

The President then declared that the matter was closed.

4. THE SYRIAN AND LEBANESE QUESTION

a. Syrian and Lebanese Communication dated February 4, 1946

By letter dated February 4, 1946, addressed to the Secretary-General, the heads of the Lebanese and Syrian delegations to the United Nations, in accordance with Article 34 of the Charter, brought to the attention of the Security Council the presence of French and British troops in Syria and Lebanon. The letter stated that the Governments of Syria and Lebanon had expected that these foreign troops would be withdrawn immediately on the cessation of hostilities with Germany and Japan, but that a Franco-British Agreement of December 13, 1945, made the withdrawal of troops subject to conditions which were inconsistent with the spirit and letter of the Charter.

The communication was considered at the 19th, 20th, 21st, 22nd and 23rd meetings, held on February 14, 15 and 16, 1946.

b. Discussion of Procedural Questions

At the 19th meeting the President suggested that it was unnecessary at that time to decide whether Article 32 applied. Syria and Lebanon were manifestly States whose interests were specially affected by the discussion of the question before the Security Council. He proposed that the Council should invite Syria and the Lebanon to participate, without vote, under Article 31. He further proposed that the representatives of Syria and Lebanon should have the right of proposition. The President's proposal was adopted without objection.

The representative of Egypt suggested that an immediate decision be taken on the type of vote required to determine whether a dispute or a situation existed; and he moved that this decision be considered a procedural matter. The representatives of Australia, Brazil, Mexico, the Netherlands and the United Kingdom preferred to proceed first with the oral statements of the parties concerned, and the representative of China suggested that the motion of the representative of Egypt be referred to the Committee of Experts for study and report. The representative of the U.S.S.R. felt that the Council should take an immediate decision on the point. The representative of the Netherlands moved that "no vote shall be taken at this stage in the proceedings of the Council upon the proposal that has been made by the delegate for Egypt," and this motion was carried with 8 votes.

The representative of Egypt argued that if one permanent member of the Security Council was enabled to decide whether a case constituted a dispute or a situation, that is, whether a procedural or a substantive issue were involved, then Article 27 (3) would be virtually inoperative. It would mean that a permanent member could exercise the right of veto on every question that came before the Council, which was contrary to the letter and spirit of the Charter.

The representative of the U.S.S.R. submitted that procedural questions were questions of the order in which, or the methods by

which, the business of an organ was conducted. He referred to a decision made in San Francisco on June 7, 1945, in the discussion of a report of the Third Committee. He considered that this decision was authority for the principle that the question whether a case constituted a dispute or a situation was a question of substance and not of procedure; so that any decision on such a question would have to be taken under Article 27 (3).

The representative of the Netherlands stated that the mere fact that a Member State contended that a dispute existed did not bind the Council to the conclusion that a dispute existed in the technical sense of the term.

The representative of the U.S.S.R. agreed that, regardless of the terminology used by any party, it was for the Council, in every case, to determine the question. He considered that a dispute existed whenever one party made claims or accusations which were denied by the other party.

The representatives of the United Kingdom and France stated that they would refrain from voting during consideration of the present question.

The Council took no formal decision on the procedural issues raised.

c. Discussion of Substantive Questions

The representatives of Syria and Lebanon were invited to participate, without vote, in the discussion of the question which they had brought before the Security Council. They argued that the presence of foreign troops on the territory of a sovereign State against its will constituted a dispute and threatened the maintenance of international peace and security; that the Franco-British Agreement of December 13, 1945, was a violation of the sovereignty of States Members of the United Nations, contrary to the terms of Article 2 of the Charter; that the presence of the troops could not be justified on any pretence of conducting military operations or of protecting lines of communication, or on the grounds that their territory was a menaced area; and that international security was clearly organized by the Charter and was not a function of any one great power The representatives stated that Syria and Lebanon had made constant unsuccessful representations to the Governments concerned, asking for the withdrawal of troops, and felt that the dispute had reached the stage where it should be brought before the Council.

In reply, the representative of France pointed out that the state of war had not ended, and as a result troops of many nationalities were stationed on the territory of every belligerent country; that the independence proclaimed in 1941 by the Government of General de Gaulle had become a reality in spite of the difficulties of the time; that the existing situation in Syria and Lebanon could not in good faith be regarded as likely to menace the maintenance of international peace and security under Article 34 of the Charter and could be settled by negotiations or other appropriate means under Article 33; that France, in full agreement with the United Kingdom, had given evidence of its good will in taking the initiative for the conclusion of an agreement relating to the evacuation of Syria and Lebanon and was disposed to proceed by submitting the matter to the Council with a view to making the international arrangements necessary for the maintenance of security in that part of the world. He made it clear that in the absence of a decision by the Security Council the French Government did not interpret the Agreement of December 13, 1945, as implying the maintenance of troops in the Levant indefinitely, and that he was prepared to negotiate with the Syrian and Lebanese Governments as to the methods by which the French troops should be evacuated.

In replying to the statements of the Syrian and Lebanese representatives, the representative of the United Kingdom stated that his Government was in sympathy with the Syrian and Lebanese Governments in their desire to see British troops withdrawn from their two countries. He said that British troops were in the two Levant States as a heritage of the needs of war; that at the invitation of the Syrian authorities British troops had intervened to restore order in a dispute between French troops and the Syrian population in May 1945; that in view of the possibility of further disorders, the local governments had asked for an assurance that British troops would not withdraw from the Levant so long as other foreign troops remained; that his delegation associated itself wholeheartedly with the declaration by the representative of France to the effect that the Agreement of December 13, 1945, implied no intention on their part to maintain effectives

in the Levant without limitation of time and in the absence of a discussion by the Security Council.

d. Resolutions Presented to the Council

The representative of the Netherlands proposed the following resolution:

The Council should take note of the statements made by the four parties; express our confidence that as a result of negotiations or otherwise the foreign troops in Syria and the Lebanon will be withdrawn at no distant date; request the parties to inform the Council when this has been done, in order that the Council may at any time revert to it, and pass on to the next item of the agenda.

This resolution was modified by a subsequent resolution submitted by the representative of the United States, and was later withdrawn by the representative of the Netherlands.

The representative of Mexico proposed the following resolution:

THE SECURITY COUNCIL SHOULD DECIDE:

1. That the claim of the Syrian and Lebanese Governments to the effect that the British and French troops should be withdrawn simultaneously and at the earliest possible date is justified.
2. That the date for the evacuation of such troops should be fixed by negotiations between the parties in this case, it being understood that such negotiations will be concerned exclusively with the military technical arrangements necessary for the adequate evacuation of such troops,
3. To request the parties to inform the Council when these arrangements have been made.

The Mexican representative subsequently amended his resolution by deleting the word "exclusively" in the second paragraph. Four representatives voted in favor of the resolution, which was declared lost.

The representative of Egypt proposed the following resolution:

After hearing the statements by the delegates for the Lebanon, Syria, France and the United Kingdom, and after having exchanged views on the case which is submitted to them . . .

THE SECURITY COUNCIL, considering that the presence of British and French troops on Lebanese and Syrian territory is incompatible with the principle of the sovereign equality of all Members laid down in the Charter;

Believing that this principle, the intangibility of which is fully recognized by all the parties concerned, should receive its full application by the immediate and simultaneous withdrawal by all British and French troops still in the territories referred to;

RECOMMENDS the British and French Governments on the one hand, and the Lebanese and Syrian Governments on the other hand, to enter into negotiations as soon as possible with a view to establishing exclusively the technical details of the said withdrawal, including the fixing of the date of its completion, and REQUESTS them to keep the Council informed of the result of these negotiations.

The last paragraph was later amended by its author by changing the word "recommends" to read "recommend"; and by deleting the word "exclusively."

Four representatives voted in favor of this resolution, which also was declared lost.

The representative of the United States proposed the following resolution:

THE SECURITY COUNCIL TAKES NOTE of the statements made by the four parties and by the other members of the Council;

EXPRESSES its confidence that foreign troops in Syria and Lebanon will be withdrawn as soon as practicable; and that negotiations to that end will be undertaken by the parties without delay;

AND REQUESTS the parties to inform it of the results of the negotiations.

The representatives of Syria and Lebanon suggested that the second and third paragraphs be amended to read:

EXPRESSES its confidence that the foreign troops in Syria and Lebanon will be withdrawn as soon as practicable and that technical negotiations exclusively to that end will be undertaken by the parties without delay;

AND REQUESTS the parties to inform it of the results of the negotiations as well as the final date of withdrawal.

The representative of the United Kingdom however, stated that he could not agree to this amendment, since it would prevent negotiations from taking place on other matters. The representatives of France and the United Kingdom accepted the addition by the representative of the United States of the words "independently of other issues" after "negotiations" in the second paragraph of the resolution.

The representative of the U.S.S.R. proposed the following amendments to the resolution of the representative of the United States:

1. The first amendment would be, instead of the words in the second paragraph "expresses its confidence that the foreign troops in Syria and Lebanon will be withdrawn," to say "recommends to the Governments of Great Britain and France to withdraw their troops from the territories of Syria and Lebanon." (The latter was further changed to read, "takes note of the statements made by the French and British Governments of their intention to withdraw their troops from Syria and Lebanon" as suggested by the representative of Egypt.)
2. The second amendment would be to say "immediately," in place of the words "as soon as possible."
3. The third amendment would be to insert the word "technical" before the word "negotiations."

These amendments were declared lost after having received the following affirmative votes: 1st amendment, 3; 2nd amendment, 2; 3rd amendment, 5.

e. Decision of the Council

Seven representatives voted in favor of the resolution of the representative of the United States, but it was not carried since the representative of the U.S.S.R., a permanent member, voted against it. In accordance with their previous statements, the representatives of France and the United Kingdom abstained from voting.

The representatives of France and the United Kingdom stated that although the United States resolution had not been legally adopted, their Governments would give effect to the majority decision of the Council. The Council then passed on to the next item on the agenda and was no longer seized of the Syrian and Lebanese question.

f. Further Communications to the Council on the Syrian and Lebanese Question

By letter dated April 30, 1946, addressed to the President of the Council, the representative of France reported that as regards Syria, the French and British Governments had jointly made the arrangements necessary for the full evacuation of Syrian territory by April 30, 1946. After negotiations between British and French experts and between the French and Lebanese Ministers for Foreign Affairs, and in view of the promise by the Lebanese Government to give certain assistance in matters of transport, etc., the French Government had stated that the withdrawal of French troops as a whole could be completed by August 31, 1946. A small group remaining for the control and transport of materials would be evacuated not later than December 31, 1946. The French Government stressed its desire to ensure the withdrawal of the bulk of its fighting forces before June 30, 1946. In conclusion, the letter referred to the exchange of letters between the French and Lebanese Ministers for Foreign Affairs on March 23, 1946, noting the happy outcome of the negotiations recommended in the above proposal of the representative of the United States.

By a letter dated May 1, 1946, addressed to the President of the Council, the representative of the United Kingdom reported that, pursuant to the above proposal of the representative of the United States, the following agreements had been reached between the British and French Governments:

(1) All British troops to be withdrawn from Syria by April 30, 1946.

(2) The first thousand British troops to be withdrawn from Lebanon with a similar number of French troops by March 31, 1946.

(3) The remainder of British troops, except for a small liquidation party, to be withdrawn from Lebanon by June 30, 1946.

This plan had been communicated to the Syrian and Lebanese Governments, which had suggested no modifications.

As regards item (1) above, British troops had actually been withdrawn from Syria by April 15, 1946. The movement required under item (2) above had been carried out by the date mentioned.

By telegram dated May 19, 1946, addressed to the President of the Council, the Syrian Prime Minister and Minister for Foreign Affairs stated that the evacuation of foreign troops from Syrian territory had been completed during the first two weeks of April, 1946.

By a letter dated May 9, 1946, addressed to the Secretary-General, the Lebanese Minister for Foreign Affairs stated that his negotiations with the French Foreign Minister concerning the evacuation of French troops from Lebanon had resulted in an agreement established by an exchange of letters dated March 23, 1946. He enclosed copies of these letters, which contained the full text of the agreement summarized in the above letter

from the representative of France to the President of the Security Council dated April 30, 1946. In conclusion, the Lebanese Minister for Foreign Affairs stated his Government's satisfaction with the outcome of the negotiations.

5. The Spanish Question

a. Polish Communications dated April 8 and 9, 1946

By letters dated April 8 and 9, 1946, addressed to the Secretary-General, the representative of Poland, under Articles 34 and 35 of the Charter, requested the Security Council to place on its agenda the situation arising from the existence and activities of the Franco regime in Spain, for consideration and for adoption of such measures as were provided for in the Charter.

The matter was considered at the 34th, 35th, 37th, 38th, 39th, 44th, 45th, 46th, 47th, 48th and 49th meetings of the Council.

The Polish representative pointed out that the Franco regime could not be regarded as an internal affair of Spain, but was of concern to all of the United Nations for the following reasons:

(1) The Franco regime had been put into power with the support of Fascist Italy and Nazi Germany;

(2) The Franco regime was an active partner of the Axis in the war against the United Nations;

(3) The Franco regime had caused a state of international friction by compelling France to close her border to Spain and by massing troops on the borders of France;

(4) The Franco regime had allowed Spain to become a refuge for German assets, for German personnel and for German scientists engaged in pursuits dangerous for the peace of mankind. The France government gave refuge and encouragement to a large number of war criminals, nazi leaders and agents who were using Spain as a base of operation for their activities and for their plans of reconquest.

The Polish representative stated that the situation, due to the existence and activities of the fascist Franco regime in Spain, was of the nature referred to in Article 34 of the Charter. Therefore, it was the duty of the organization to take the appropriate steps necessary to compel compliance with the principles and purposes of the United Nations according to paragraph 6 of Article 2 of the Charter.

The representative of Poland then moved the following resolution:

THE SECURITY COUNCIL DECLARES that the existence and activities of the Franco regime in Spain have led to international friction and endangered international peace and security.

In accordance with the authority vested in it, under Articles 39 and 41 of the Charter, THE SECURITY COUNCIL CALLS upon all Members of the United Nations who maintain diplomatic relations with the Franco Government to sever such relations immediately.

THE SECURITY COUNCIL EXPRESSES its deep sympathy to the Spanish people. It hopes and expects that the people of Spain will regain the freedom of which they have been deprived with the aid and connivance of Fascist Italy and Nazi Germany. The Security Council is convinced that the day will come soon when it will be able to welcome the Spanish nation into the community of the United Nations.

The representative of France defined his Government's position concerning the Spanish problem as set forth in the different notes addressed to the Washington, London and Moscow Governments, namely, that the continuance of the existing situation in Spain constituted a danger for international peace and security. He said that the French Government in taking these steps had had two aims: firstly, to persuade the United Nations to take a stand on a problem which was of primary importance to the international community, and secondly, to ensure that such action as might be taken should be as prompt and effective as possible. He accordingly hoped that the Polish proposal would receive the unanimous approval of the members of the Council.

The representative of Mexico stated that Mexico neither maintained nor had ever maintained any relations whatsoever with the Franco regime, which Mexico had always regarded as the creature of an armed intervention by foreign Powers. He said he was prepared to vote in favor of the motion presented by the representative of Poland.

The representative of the U.S.S.R. stressed the following points: (1) the Franco regime was the result of outside intervention on the

part of the Axis Powers which imposed Franco's fascist regime on the Spanish people; (2) during the Second World War Franco was the faithful ally of Hitler and Mussolini; (3) the Franco regime in Spain was a nest of fascism fraught with dangerous complications for the cause of peace.

The representative of the Netherlands, however, considered that there were not sufficient grounds for the Council to take any measures and that the matter was essentially within Spain's domestic jurisdiction.

The representative of the United States stressed the two objectives of his Government —namely, the elimination of the Franco regime and the restoration of a democratic regime without a resumption of a civil war.

At the 35th meeting of the Security Council on April 18, 1946, the representative of the United Kingdom maintained that before the Council embarked on collective action it must be sure that it would not interfere with matters which were essentially within domestic jurisdiction. In his opinion, the case so far made against the Spanish Government had not been established as such a threat to peace or act of aggression as to justify a collective severance of diplomatic relations.

The representative of China considered that until the Council was convinced beyond doubt that the relevant facts did constitute a threat to peace it should not resort to any immediate collective action.

The representative of Brazil supported the view that the matter was a national affair which belonged essentially within the national competence of the State.

b. Appointment of a Sub-Committee

The Australian representative proposed a resolution as an amendment to the Polish resolution which, as revised by the Australian representative himself and submitted at the 37th meeting of the Security Council on April 25, 1946, read as follows:

The attention of the Security Council having been drawn to the situation in Spain by a Member of the United Nations acting in accordance with Article 35 of the Charter, and the Security Council having been asked to declare that this situation has led to international friction and endangers international peace and security,

THE SECURITY COUNCIL HEREBY RESOLVES:

To make further studies in order to determine whether such a situation does exist.

To this end, the Security Council appoints a sub-committee of five of its members and instructs this sub-committee to examine the statements made before the Security Council concerning Spain, to call for further statements, documents and evidence and to conduct such inquiries as it may deem necessary in order that the sub-committee may report to the Security Council on 31 May 1946 on the results of such studies and especially the facts bearing on the following questions:

(1) Is the existence of the Franco regime a matter of international concern and not one essentially within the jurisdiction of Spain?
(2) Is the situation in Spain one which might lead to international friction or give rise to a dispute?
(3) If the answer to question (2) is "Yes," is the continuance of the situation likely to endanger the maintenance of international peace and security?

The representative of France submitted three amendments to the text proposed by the Australian representative, the aims of which were:

(1) to place on record the unanimity of the members of the Council in condemning the Franco regime, in saluting the Spanish people, and in expressing the hope that they would soon be welcomed among the United Nations.
(2) to omit the three questions at the end of the Australian resolution.
(3) to ask that the proposed working committee should submit proposals on the practical measures which might be taken by the Council in regard to the present situation in Spain.

At the 39th meeting the Australian resolution was read as revised. The amended text was as follows:

The attention of the Security Council has been drawn to the situation in Spain by a Member of the United Nations acting in accordance with Article 35 of the Charter, and the Security Council has been asked to declare that this situation has led to international friction and endangers international peace and security.

THEREFORE, THE SECURITY COUNCIL, keeping in mind the unanimous moral condemnation of the Franco regime in the Security Council and the resolutions concerning Spain which were adopted at the United Nations Conference on International Organization at San Francisco and at the first General Assembly of the United Nations and the views

expressed by members of the Security Council regarding the Franco regime, HEREBY RESOLVES:

To make further studies in order to determine whether the situation in Spain has led to international friction and does endanger international peace and security, and if it so finds, then to determine what practical measures the United Nations may take.

To this end, THE SECURITY COUNCIL APPOINTS a sub-committee of five of its members and instructs this sub-committee to examine the statements made before the Security Council concerning Spain, to receive further statements and documents, and to conduct such inquiries as it may deem necessary and to report to the Security Council before the end of May.

The resolution was adopted by 10 votes, the representative of the U.S.S.R. abstaining.

Before the vote was taken, the representative of the U.S.S.R. observed that the Australian proposal was made in spite of the fact that the discussion in the Security Council had fully confirmed that the existing Fascist regime in Spain constituted a serious threat to the maintenance of international peace and security. The adoption of the Australian draft resolution would mean that the Security Council, instead of taking effective measures, would take the path of delays and inaction in regard to Fascism in Spain. In view of this fact, the representative of the U.S.S.R. continued in his strongly negative attitude toward the draft resolution proposed by the representative of Australia.

Bearing in mind, however, that some members were still dissatisfied with the information at the disposal of the Council and that his voting against the Australian draft resolution would make its adoption impossible, the representative of the U.S.S.R. said he would abstain from voting. He declared that his abstention from voting on this matter, however, might in no way be regarded as a precedent capable of influencing in any way the question of the abstention of permanent members of the Security Council.

The representative of Poland said that he did not withdraw his earlier resolution demanding the collective breaking of diplomatic relations with Spain. He understood that his earlier resolution would again be considered after the sub-committee had presented its report.

c. The Sub-Committee

It was agreed that the Sub-Committee should be formed of the representatives of Australia (Chairman), Brazil, China, France and Poland.

The Sub-Committee held nineteen meetings and completed its report on May 31, 1946. The report was unanimously adopted by the five members of the Sub-Committee, subject to two reservations.

At the 44th meeting of the Security Council on June 6, 1946, the Chairman of the Sub-Committee submitted the Sub-Committee's report to the Council and a supplementary memorandum containing its factual findings concerning the Spanish situation.

The Sub-Committee's examination of the facts of the case had been based mainly upon documents received from Members of the United Nations in response to a request to supply all relevant information and also in response to inquiries on specific questions. A public announcement was made that the Sub-Committee would welcome information from any source.

The Sub-Committee came to the conclusion that in origin, nature, structure and general conduct, the Franco regime was a fascist regime patterned on and established largely as a result of aid received from Hitler's Nazi Germany and Mussolini's Fascist Italy.

In the opinion of the Sub-Committee the Security Council could not, on the present evidence, make the determination required by Article 39. No breach of the peace had yet occurred. No act of aggression had been proved. No threat to the peace had been established. Therefore, none of the series of enforcement measures set out in Articles 41 and 42 could at the present time be directed by the Security Council.

The Sub-Committee found, however, that the present situation in Spain, although not an existing threat within the meaning of Article 39, was a situation the continuance of which was, in fact, likely to endanger the maintenance of international peace and security. The situation in Spain thus was to be dealt with by the Secretary Council under Chapter VI of the Charter, which covered measures of peaceful settlement and adjustment.

The Sub-Committee declared that the Security Council was empowered under Article 36

to recommend appropriate procedures or methods of adjustment of such a situation.

The Sub-Committee added that while the Security Council exercised a primary duty in regard to the maintenance of international peace and security, the General Assembly was also vested by the Charter with the power to deal with such situations.

The conclusions of the Sub-Committee were as follows:

(a) Although the activities of the Franco regime do not at present constitute an existing threat to the peace within the meaning of Article 39 of the Charter and therefore the Security Council has no jurisdiction to direct or authorize enforcement measures under Article 40 or 42, nevertheless, such activities do constitute a situation which is a potential menace to international peace and security and which therefore is a situation "likely to endanger the maintenance of international peace and security" within the meaning of Article 34 of the Charter.

(b) The Security Council is therefore empowered by Article 36 (1) to recommend appropriate procedures or methods of adjustment in order to improve the situation mentioned in (a) above.

The Sub-Committee also recommended:

(a) The endorsement by the Security Council of the principles contained in the declaration by the Governments of the United Kingdom, the United States and France, dated 4 March 1946.

(b) The transmitting by the Security Council to the General Assembly of the evidence and reports of this sub-committee, together with the recommendation that unless the Franco regime is withdrawn and other conditions of political freedom set out in the declaration are, in the opinion of the General Assembly, fully satisfied, a resolution be passed by the General Assembly recommending that diplomatic relations with the Franco regime be terminated by each Member of the United Nations.

(c) The taking of appropriate steps by the Secretary-General to communicate these recommendations to all Members of the United Nations and all others concerned.

d. Amended Recommendations

At the 45th meeting of the Security Council on June 13, 1946, the representative of the United States suggested a modification of the second recommendation of the Sub-Committee. The five representatives on the Sub-Committee agreed with the change in the text and the Chairman of the Sub-Committee then formally moved the adoption of the following resolution:

IT IS HEREBY RESOLVED that the Security Council adopt the three recommendations of the sub-committee set out above, subject to the addition to the recommendation (b) after the words "each Member of the United Nations" of the following words "or alternatively such other action be taken as the General Assembly deems appropriate and effective under the circumstances prevailing at the time."

At the 46th meeting of the Council on June 17, 1946, the representative of the United Kingdom put forward the following view:

(1) His Government had grave doubts as to the juridical rights of the Security Council to take corporate action to bear on Spain unless there was a clear threat to the maintenance of international peace and security.

(2) The Sub-Committee was of the opinion that the Security Council could not, under present evidence, make the determination required by Chapter VII, but declared that the "situation in Spain was likely to endanger the maintenance of international peace and security." The finding was under Chapter VI. The representative of the United Kingdom had grave doubts as to whether this was correct and whether that chapter was, in fact, suitable for dealing with a case of this kind.

(3) Having invoked Chapter VI, however, the Sub-Committee recommended that the Member Governments of the United Nations should break diplomatic relations with the Government of Spain. This was one of the so-called sanctions provided for in Chapter VII of the Charter. It was for that reason that his Government had very grave doubts as to the juridical validity of the reasoning of the Sub-Committee and the recommendations based on that reasoning.

The representative of the United Kingdom then proposed an amendment which read as follows:

IT IS HEREBY RESOLVED that the Security Council adopt the three recommendations of the Sub-Committee set out above, subject to the deletion of paragraph (b) after the words "reports of this sub-committee," and the addition of the words "together with the minutes of the discussion of the case by the Security Council."

The representative of the Netherlands said that he was not in favor of the recommendation by the Sub-Committee because it was the

Council which had primary responsibility to take action. Appreciating the importance of an agreed decision, he would not oppose the draft resolution, but would reserve perfect freedom for his Government if and when the matter came up before the General Assembly.

At the 47th meeting of the Council, on June 18, 1946, the representative of the U.S.S.R. said that he found the conclusions of the Sub-Committee incorrect for the following reasons:

(1) The Sub-Committee came to the conclusion that the situation in Spain constituted merely a potential threat to peace. Introducing the idea of a potential threat to peace, the Sub-Committee renounced the precise sense of Article 39 of the Charter. The outcome would be that a real threat to peace would exist only if Fascist Spain took practical action of a warlike nature, but this would be not merely a threat to peace, it would already be an act of aggression.

(2) For the Security Council not to take a decision regarding the severance of diplomatic relations with Franco, but to recommend instead the taking of such action by the General Assembly, would have two drawbacks:

(a) Such action would be of a contradictory nature. On the one hand, the Sub-Committee considered that the Security Council had no right to take a decision regarding the severance of diplomatic relations with Franco; on the other hand, it considered it necessary that severance should be effected by the General Assembly.

(b) The Sub-Committee seemed to have confused the functions of the Security Council and the General Assembly. The Security Council had many responsibilities for the maintenance of peace and was the organ which should take the decision concerning this question.

After the representative of Australia had made a final appeal to adopt the recommendations of the Sub-Committee, votes were taken, first on the British amendment and then on the Sub-Committee's recommendations. The British amendment received 2 affirmative votes (the United Kingdom and the Netherlands), 6 negative (Australia, Brazil, China, France, Poland and the U.S.S.R.) and there were 3 abstentions (the United States, Egypt and Mexico).

The President then put the three recommendations of the Sub-Committee to a vote. The first recommendation received 10 affirmative votes and 1 negative (U.S.S.R.). The second and third recommendations received 9 affirmative votes and 1 negative (U.S.S.R.), with one abstention (the Netherlands).

In explaining why he had voted for the recommendations the representative of the United Kingdom stated that because of the overwhelming majority of the Council in favor of the resolution proposed by the Chairman of the Sub-Committee, his Government would not wish, by his single veto, to go against the will of the majority. He added that his Government reserved the right to raise the whole juridical issue at the forthcoming meeting of the General Assembly.

The whole recommendation of the Sub-Committee was then put to a vote; 9 votes were cast in favor of its adoption, with 1 against and 1 abstention.

The President declared that the three recommendations of the Sub-Committee were not carried, as there was the opposing vote of one permanent member.

e. Resolutions of the Representative of Poland

At the 48th meeting on June 24, 1946, the representative of Poland called the attention of the Council to his resolution of April 29. He stated that the original resolution still stood before the Council. Since the Council failed to agree upon the particular steps to be taken, he asked the Council on behalf of his Government to reconsider the steps proposed originally by him before the Council.

After discussion the Polish resolution was put to a vote. It was defeated by 7 negative votes to 4 affirmative votes.

The representative of Poland then urged the Council not to drop its interest in the case of the Fascist government of Spain. He therefore submitted the draft of a new resolution in order to take the matter up again whenever conditions warranted it. The text read as follows:

THE SECURITY COUNCIL TAKES NOTICE of the report of the sub-committee on the Spanish question appointed on 29 April 1946. The investigation of the sub-committee confirms fully the facts which have led to the condemnation of the Franco regime by the Conferences in San Francisco and Potsdam, by the General Assembly in London, and by the Security Council in its resolution of 29 April 1946. The investigation also establishes beyond any

doubt that Franco's Fascist regime is a serious danger to the maintenance of international peace and security.

THE SECURITY COUNCIL, THEREFORE, DECIDES to keep the situation in Spain under continuous observation and keep the question on the list of matters of which it is seized, in order to be able to take such measures as may be necessary in the interests of peace and security,

The Security Council will take up the matter again not later than 1 September, 1946, in order to determine what appropriate practical measures provided by the Charter should be taken. Any member of the Security Council has a right to bring the matter up before the Security Council at any time before the mentioned date.

After this resolution had been discussed, the representative of Poland suggested that a drafting committee be appointed to prepare a text which would be agreeable to the Council. This was agreed upon, and the President appointed the representatives of Australia, Poland and the United Kingdom as members of the Committee.

At the 49th meeting on June 26, 1946, the Committee reported that it had not been possible for the three members of the Committee to reach an agreement. The following text was submitted to the Council by two members of the Committee, namely Australia and the United Kingdom:

WHEREAS the Security Council on 29 April 1946 appointed a sub-committee to investigate the situation in Spain,

AND WHEREAS the investigation of the sub-committee has fully confirmed the facts which led to the condemnation of the Franco regime by the Potsdam and San Francisco Conferences, the General Assembly at the first part of its first session and by the Security Council by resolution of the date above mentioned,

AND WHEREAS the sub-committee was of opinion that the situation in Spain is one the continuance of which is likely to endanger the maintenance of international peace and security,

IT IS HEREBY RESOLVED that without prejudice to the rights of the General Assembly under the Charter, the Security Council keeps the situation in Spain under continuous observation and maintains it upon the list of matters of which it is seized in order that it will be at all times ready to take such measures as may become necessary to maintain international peace and security. Any member of the Security Council may bring the matter up for consideration by the Council at any time.

After discussion the representative of the U.S.S.R. held that the Polish proposal should be voted upon first and the proposal of the representative of the United Kingdom and Australia should be voted on afterwards, as the latter was an independent proposal.

The President, however, considered the draft resolution of the Drafting Committee as an amendment to the original proposal presented by the representative of Poland. The President's ruling was agreed to by a majority vote, with the U.S.S.R. and Poland dissenting.

A vote was taken on the amendment with the following results: 9 affirmative and 2 negative (Poland and the U.S.S.R.).

The President announced that the amended resolution was carried. The representatives of the U.S.S.R. and France objected to the President's ruling, pointing out that part of the resolution was of a procedural character and part of it was a question of substance. The President maintained that the main question was that the item be kept on the agenda. It was a question of procedure.

The President's ruling that the above amendment was a procedural question was put to vote. The results were: 8 for the ruling, 2 against the ruling (France and the U.S.S.R.), 1 abstention (Poland). As two permanent members had voted against the President's ruling, the amended resolution was not carried.

Votes were then taken on the amendments proposed by the representative of the U.S.S.R. to the text submitted by the Drafting Committee. The final text adopted by the Council was as follows:

WHEREAS the Security Council on 29 April 1946 appointed a sub-committee to investigate the situation in Spain,

AND WHEREAS the investigation of the sub-committee has fully confirmed the facts which led to the condemnation of the Franco regime by the Potsdam and San Francisco Conferences, the General Assembly at the first part of its first session, and by the Security Council by resolution of the date above mentioned,

THE SECURITY COUNCIL DECIDES to keep the situation in Spain under continuous observation and maintain it upon the list of matters of which it is seized in order that it will be at all times ready to take such measures as may become necessary to maintain international peace and security. Any member of the Security Council may bring the matter up for consideration by the Council at any time.

f. The Australian Resolution

The representative of Australia then proposed the following resolution:

That in the opinion of the Security Council, the carrying of the resolution on the Spanish Question dated 26 June does not in any way prejudice the rights of the General Assembly under the Charter.

As the representative of the U.S.S.R., a permanent member, voted against it, the President ruled that the resolution was not carried.

The Council remained seized of the Spanish question.

g. Resolution of the Council

At the 78th meeting of the Security Council on October 30, 1946, the Polish representative stated that during discussions in the General Assembly at its fall session great interest was shown in the Spanish question. He pointed out that according to Article 12 of the Charter, however, the General Assembly was not free to make recommendations on a matter on which the Council was exercising its functions. In order that there should be no doubt that the General Assembly was free to make recommendations on the matter, he proposed that the Spanish question be taken off the list of matters of which the Council was seized.

The Polish representative said it was his understanding that the adoption of such a resolution would not affect in any way the rights and privileges of the Security Council.

The proposal made by the representative of Poland was placed on the agenda of the 79th meeting of the Council on November 4 and, after some discussion, the Council unanimously adopted the following resolution:

THE SECURITY COUNCIL RESOLVES that the situation in Spain is to be taken off the list of matters of which the Council is seized, and that all records and documents of the case be put at the disposal of the General Assembly. THE SECURITY COUNCIL REQUESTS the Secretary-General to notify the General Assembly of this decision.

Referring to the observation of the Polish representative at the previous meeting as to the effect of the resolution upon the rights of the Security Council, the Chairman expressed the view that it would be open to any member, with good reason, to put the question back on the Security Council agenda.

6. THE GREEK QUESTION (UKRAINIAN COMPLAINT)

a. Ukrainian Communication dated August 24, 1946

By a telegram dated August 24, 1946, addressed to the Secretary-General, the Minister of Foreign Affairs of the Ukrainian S.S.R. stated:

(1) that as a result of the irresponsible policy of the present Greek Government a situation had arisen in the Balkans which represented a grave danger to peace and security in this part of Europe;

(2) that numerous border incidents were being provoked by Greek armed units with the connivance and encouragement of Greek authorities;

(3) that Greek armed troops penetrated into Albanian territory with the obvious object of provoking an armed conflict with Albania which would serve as a pretext for the wresting of the southern part of Albania in favor of Greece;

(4) that the situation was rendered still more tense by the repeated statements of representatives of the present Greek Government concerning the alleged state of war between Greece and Albania;

(5) that persecution by the Greek Government of national minorities in Macedonia, Thrace and Epirus threatened to convert the Balkan Peninsula into a centre of bitter conflicts; and

(6) that the principal factor conducive to the situation in the Balkans as created by this policy of the present Greek Government was the presence of British troops in Greece and the direct intervention of British military representatives in the internal affairs of Greece in behalf of agressive monarchist elements, especially in the preparation of the referendum set for September 1, 1946.

Accordingly the Ukrainian representative, pursuant to Article 35, Paragraph 1, of the Charter, asked the Security Council to place the Greek situation on its agenda and to consider without delay what measures it should adopt in order to eliminate this threat to the peace.

The communication from the Ukrainian S.S.R. was placed on the provisional agenda for the 54th meeting of the Security Council on August 28, 1946. The representative of

the Netherlands questioned whether the Ukrainian complaint, which was, he said, a series of unsubstantiated accusations against two Members of the United Nations, could be admitted on the agenda in the form in which it had been presented. If the Security Council were allowed to become a sounding board of unsubstantiated grievances, its position would sink rapidly in the esteem of the world. The representative of the United Kingdom suggested that the representative of the Ukrainian S.S.R. be requested to recast his communication in a different and better form.

Meanwhile, by a telegram dated August 28, 1946, the Minister of Foreign Affairs of Greece requested that the Security Council grant an adjournment of ten days for the discussion of the Ukrainian statement of August 24, 1946. Previously, by a telegram of August 26, 1946, the permanent representative of Greece to the United Nations had informed the Security Council that in accordance with Article 31 of the Charter, Greece wished to participate in the Security Council's debate concerning the Ukrainian statement.

By a letter dated August 29, 1946, the Minister of Foreign Affairs of the Ukrainian S.S.R. informed the Security Council that he was available in New York to give additional information and necessary explanations on his Government's application.

b. Discussion of Procedural Questions

At the 58th meeting on August 30, 1946, the President proposed that the Council invite the representatives of Greece and the Ukrainian S.S.R. to come to the Council table to answer any points upon which information was desired by the members of the Council.

The representative of the United Kingdom raised the question whether it was proper to invite the representatives of Greece and the Ukrainian S.S.R. to come to the Council table before it was decided whether to put the Ukrainian complaint on the agenda. The representative of the U.S.S.R. remarked that the representatives of the Netherlands and the United Kingdom had said that the Ukrainian charges required substantiation and that he could not understand the objection to inviting the Ukrainian representative to make supplementary statements.

A vote was then taken on the President's proposal. Australia, Brazil, Mexico, the Netherlands, Poland and the U.S.S.R. voted in the affirmative; France, the United Kingdom and the United States voted in the negative; China and Egypt abstained.

The representative of the Netherlands contended that a question should not be taken up by the Council so long as some sufficient *prima facie* evidence had not been made out. The representative of Australia questioned whether the Ukrainian charges represented a dispute or a situation as defined in Articles 34 and 35 of the Charter. The representative of the United Kingdom said that not a single argument or fact had been adduced in support of the allegation that the situation in the Balkans was to be attributed to the presence of British troops in Greece. His Government, he stated, was perturbed by the procedure adopted in this case of using the Security Council for the purpose of obtaining wide dissemination of unsupported charges.

At the outset of the 59th meeting of the Security Council on September 3, 1946, the President of the Council read a letter dated September 1, 1946, from the Ukrainian Foreign Minister protesting against attempts to preclude discussion of his statement. He had arrived in New York from the Paris Peace Conference, the Ukrainian Foreign Minister stated, in order to explain the point of view of his Government and to substantiate with facts and documents his statement of August 24.

The representative of the United States stated that the position of his Government had consistently been that the Council could not deny an opportunity to present its case to any Member of the United Nations which stated that a condition existed which was likely to threaten international peace and security. A minimum of technical requirements should be placed in the way of consideration of situations brought to the Council's attention.

The representatives of China and Mexico endorsed the general principle that any complaints should be heard by the Security Council. The representatives of the Netherlands and the United Kingdom stated that they opposed the inclusion of the Ukrainian paper in the Council's agenda in its present form.

The Council voted 7 to 2 to include the Ukrainian telegram of August 24, 1946, in the agenda. China, Egypt, France, Mexico, Poland, the U.S.S.R. and the United States voted in the affirmative; the Netherlands and the United Kingdom voted in the negative; Australia and Brazil abstained.

c. Discussion of Substantive Questions

At the 60th meeting on September 4, 1946 the representative of the Ukrainian S.S.R. stated that in February the representative of the U.S.S.R. on the Security Council had warned that aggressive monarchist elements in Greece were making use of the presence of British troops for the purpose of internal strife against EAM and other democratic parties and unions and to facilitate the realization of their aggressive plans toward other countries. On February 4 Mr. Bevin had promised in the meeting of the Security Council that the British Government would withdraw its troops from Greece and that he would use his influence with the Greek Government with a view to putting an end to frontier incidents. Seven months had elapsed and the situation in Greece was worse than in February.

The elections of March 31, the representative of the Ukrainian S.S.R. charged, were carried out with the help of terrorist measures. Immediately after the elections the Greek Government began to remove republican elements and replace them with aggressive monarchist elements. A month before the plebiscite of September 1, 1946, the trade unions were dissolved. Punitive expeditions were carried out against the national minorities. The British authorities were implicated in these expeditions. Special military courts were active in Greece trying, not Fascist collaborators, but Greek patriots who took part in the resistance movement. Many of the judges were persons who had collaborated with the Germans. Notorious collaborators had prepared and carried out the plebiscite of September 1, 1946.

The results of this plebiscite arose from a long intervention by the British authorities. The interference of the British Government in the internal affairs of Greece was a violation of Article 2, Paragraph 7, of the Charter.

The representative of the Ukrainian S.S.R. further stated that the question of the plebiscite ceased to be a purely internal question for Greece from the moment when the present Greek Government made this plebiscite an instrument for the carrying out of aggressive plans against other peoples. The Greek Government was demanding the dismemberment of Albania, and had published claims upon about one-third of the Albanian territory. In the light of these facts the intensification of frontier incidents assumed the most sinister significance. The provocations on the part of aggressive Greek elements, furthermore, were becoming a regular system applied to Greece's frontiers with other Balkan States.

The representative of Greece replied to the statement of the representative of the Ukrainian S.S.R. at the 61st and 62nd meetings of the Security Council on September 5, 1946. He stated that the Greek contribution to the Allied cause had been publicly recognized even by the U.S.S.R., Greece, therefore, expected help and aid in its efforts to obtain the satisfaction of its just claims and the imposition of sanctions against certain neighbors who had been the common enemies of Greece and of the U.S.S.R. The Greek people today were feeling a certain bitterness not only because this help had been refused, but also because it was under the impression that its neighbors, whether friends or enemies, were finding encouragement in the favor of the U.S.S.R. in going so far as to threaten or undertake a war of nerves against Greece.

The very modest demand expressed by Greece that northern Epirus be incorporated in the national territory and that Greece's frontiers with Bulgaria should be rectified were represented as a threat directed at Greece's neighbors.

If one could speak of a threat to peace in the Balkans, the representative of Greece asserted, this threat must be sought outside the confines of Greece. Both Bulgaria and Albania were maintaining military establishments larger and more powerful than those of Greece.

British troops had come to Greece in November 1940 and again at the time of the liberation at the request of the Greek Government. These troops had remained in Greece at the wish and with the free consent of all the successive Greek Governments.

The Greek representative stated that the election of March 31, 1946, as well as the plebiscite of September 1, 1946, had been carried out "in complete order, with every guarantee of authenticity and in conditions such as to render incontestable the popular judgment."

Albania, the representative of Greece stated, had been provoking incidents on the Greco-Albanian frontier with a view to continuing the extermination of Greek elements

in northern Epirus. It was impossible, furthermore, to believe certain of Greece's neighbors and their mouthpieces, when they denounced the persecution supposedly carried out against national minorities. So-called refugees who had crossed the border between Greece and neighboring countries were Slavophobes compromised by their criminal co-operation with the Bulgarians and Germans, or Bulgarians brought from Bulgaria by the Bulgarian authorities during the occupation. Bulgaria was laying claim to Thrace and Macedonia, which it had occupied in 1941 when it struck at the back of the peoples of Greece and Yugoslavia, who were fighting heroically, and opened the door to the German hordes. Today the Bulgarians were changing their mask. They were trying to obtain from the Allies what they were unable to obtain from Hitler.

The Albanians had acted in the same way. The representative of Greece mentioned an attack by members of a communist band aimed at the overthrow of the regime in Greece, which, he said, had been carried out with the help of the Albanian authorities. It appeared, moreover, that Russian military engineers were constructing a strategic route in Albania by which troops coming from Yugoslavia could be sent more rapidly to the Greek frontier. The Russians had reorganized and equipped the Albanian army. There was a Macedonian movement in northern Greece, the representative of Greece stated further, which had the support both of the Greek Communists and of the Macedonians born in Greece and which received propagandist support from Yugoslavia, Albania and Bulgaria. If the British armies were withdrawn from eastern Macedonia, it was doubtful whether the Greek Government could prevent a coup by the leftists in that region.

The representative of Greece denied that the judges of the special tribunals were collaborationists, and protested against accusations levelled against the Greek army, the gendarmerie and the police. As regards the workers' unions the representative of Greece stated that the measures taken by the Greek Government were due to the protests of the great majority of the working class, who asked that the tribunals proceed to the verification of the lists of trade union members because it had been proved that thousands of members having no connection with the working class had got themselves entered as trade unionists.

The Greek representative criticized Greek extremists who desired to create disorders with a view to using these disorders as a weapon for their revolutionary plans to obtain power. The Government was obliged to repress vigorously these attempts against public order. EAM was trying to break the links between Greece and the great Allies, and to establish a dictatorship in Greece controlled from abroad which would deprive the Greeks of their freedom.

The whole of the Yugoslav press and radio, the representative of Greece remarked, had been showering insults upon Greece. Recently semi-official organs of the Yugoslav press had been carrying on a campaign against the national claims of Greece, which they represented as manifestations of a Greek chauvinism issuing from reactionary circles and endangering peace in the Balkans.

The representative of Greece stated that the representative of the Ukrainian S.S.R. was inspired by a desire to support the Greek anarchists in their subversive campaign and to intimidate the Government of Greece and the Greek patriots who did not desire the destruction of their country. The Ukrainian representative would only have to give a few pieces of advice to the right quarters, and the incursions of bands into Greek territory would cease immediately.

At the 62nd meeting on September 5, 1946, the representative of the United Kingdom stated that the policy of his Government had been explained to the Soviet Government at Yalta and Potsdam and in Moscow in December 1945. On none of these occasions did the Soviet Government have any proposals to make or objections to raise. The charges brought against the United Kingdom were simply a rehash of the charges previously presented in London. At that time Mr. Bevin had proposed a four-power commission to investigate Greek frontier incidents, but there was no response from the Soviet Government to the suggestion. The U.S.S.R. had been asked to join the United Kingdom, France and the United States in supervising the elections. As they refused they had no right to criticize from a distance.

The representative of the United Kingdom stated that Article 2, Paragraph 7, of the Charter did not say that no Member of the United Nations might maintain troops in the territory of another Member. Actually the

Article provided that "nothing contained in the present Charter shall authorize the United Nations to intervene in matters which are essentially within the domestic jurisdiction of any State."

d. Statement of the Representative of Albania

By a letter dated September 5, 1946, the representative of the People's Republic of Albania and Minister of State asked that on the basis of Article 32 of the Charter he be invited to the Council table for the purpose of presenting a factual statement in connection with the Ukrainian charges against Greece.

The representative of Australia agreed with a statement by the President of the Security Council that Albania could not be admitted under Article 32 of the Charter, which provides that States not Members of the United Nations may participate in the discussion of a dispute, as the case before the Council had been classified as a situation under Article 34 of the Charter by the representative of the Ukrainian S.S.R., and not as a dispute. According to Rule 39 of the Rules of Procedure, however, the Council could "invite members of the Secretariat or other persons whom it considers competent for the purpose of supplying it with information or to give other assistance in examining matters within its competence." The next stage in the proceedings of the Council, however, was to decide whether the Council should undertake an investigation of the Greek situation in accordance with Article 34 of the Charter. Only after this decision had been taken should the Council apply Rule 39 in regard to the making of the statement of the representative of Albania.

The representative of the U.S.S.R. considered that the request of Albania to make a statement to the Council was absolutely justified.

At the 64th meeting on September 9, 1946, the representative of the United Kingdom stated that it was quite clear that under Article 32 the Council could not invite Albania to the table. He considered that it was not intended that Rule 39 should override a provision of the Charter and that under it a representative of a government not a Member of the United Nations could not be called to the Council table.

The representative of China expressed doubt as to whether the phrase "other persons" in Rule 39 included representatives of States. He also stated that permission to supply information might not necessarily mean an invitation to the Council table. If some suitable method or rule could be found, however, he would be glad to hear the representative of Albania.

The representative of the Netherlands stated that Rule 39 did not seem applicable because in drafting the rule the representatives of the Council were thinking of experts. The representative of Albania had announced himself in his letter not as an expert but as the "delegate of the People's Republic of Albania and Minister of State." As a matter of common sense, however, he did not see why the Council should not hear an interesting witness.

The representative of the United States stated that on a strict and technical interpretation of the Charter and the Rules of Procedure he was inclined to accept the opinion of the representative of the United Kingdom, but he considered that the admission of the request of the representative of Albania to the table was within the spirit of the Charter.

The Security Council voted 9 to 1 to invite the representative of Albania to make a factual statement before the Council, the United Kingdom voting in the negative, and the representative of Australia abstaining from voting.

The representative of Albania stated at the 64th meeting on September 9 that he refuted the "absurd" Greek charge that Albania was in a state of war with Greece. The Government of the People's Republic of Albania was not, and did not wish to be in a state of war with Greece.

During the war Albania had collaborated in fraternal harmony with the resistance forces of the people of neighboring countries, including those of Greece. After the war, because of the changed situation in Greece, there had come into power the kind of men who tried with every means at their disposal to create enmity between Greece and Albania. The results of this policy were as follows: (1) Greek provocations on the Albanian border, (2) systematic extermination of the Albanian minority in Greece, (3) absurd Greek claims to southern Albania and (4) accusations, fabrications and unbridled lies against Albania.

Greek terrorists were continuing to cause frontier provocations. The Albanian minority in Greece had been savagely persecuted and still was being most inhumanly persecuted.

The Greek Government was aiming to grab southern Albania.

The Albanian representative, therefore, asked that the Security Council should put an end to the present situation by obliging the Greek Government to cease its provocations on the Albanian border and to stop its inhuman persecution of the Albanian minority in Greece.

In answer to the representative of Albania the representative of Greece repeated that, technically speaking, a state of war existed between Albania and Greece because after the declaration of war by Albania on Greece there was no peace treaty and no armistice. He cited two documents to show that there had been no Albanian resistance movement at the time of the Axis attack on Greece. Concerning Greek territorial claims the Greek representative stated that no one in Greece thought of using force in this connection. Greece had brought its case before the Paris Peace Conference, where it was discussed.

e. Continuation of the Discussion of Substantive Questions

The representative of the United States stated that there were three major questions on which there seemed to be conflicting views: (1) the question of border incidents along the Greco-Albanian border, (2) the treatment of national minorities and (3) the question relating to the presence and activities of the British military forces in Greece. He said that certain specific Ukrainian charges could be disposed of as not having been substantiated. These were as follows: (1) that the Greek elections and referendum were falsified, (2) that Greece was threatening the peace because she claimed that a state of war existed with Albania, (3) that Greece was threatening the peace because she had put forward claims for northern Epirus and (4) that unbridled propaganda of the Greek monarchist extremists was endangering the peace.

The Australian representative stated that in spite of its contribution to the Allied cause Greece had twice been charged before the Security Council almost as if she were an ex-enemy country. One was compelled to ask whether the charges were real or whether they were to be regarded merely as a species of propaganda designed to place the Greek people and British troops in an unfavorable position irrespective of the real merits of the case.

At the 65th meeting of the Security Council on September 10 the Ukrainian representative quoted Generalissimo Stalin as having said that every bankrupt Government tried to justify its weakness or failure by attributing it to Soviet propaganda. He warned that the shadows of Munich were rising again as if there had not been the greatest war of all, in which the U.S.S.R. and the Ukrainian S.S.R. suffered such enormous sacrifices. He stated that the essence of the question before the Security Council was this: the aggressive policy of the extreme Greek monarchists had ceased long ago to be an internal affair of Greece. He requested the Security Council to take measures without delay to put an end to the situation which had arisen on the Greek-Albanian boundary, as this situation was threatening peace and security and consequently fell under Articles 34 and 35 of the Charter of the United Nations.

The representative of Brazil stated that the question of the presence of British troops in Greece had been dealt with by the Security Council at the beginning of the year in London. The matter the Security Council had to deal with now, therefore, was the Ukrainian representative's indictment of the Greek Government.

At the 66th meeting the representative of the U.S.S.R. said that the question discussed in London was the question of the withdrawal of British troops from Greece, but the main question raised in the Ukrainian letter was the problem of the aggressive policy of the present Greek Government with regard to Albania. This was a very serious question and the Security Council had no right to ignore the fact that on the Greco-Albanian frontier there were systematic provocations from the Greek military clique and systematic incursions into Albanian territory.

The representative of the United Kingdom said that at Yalta Marshal Stalin had expressed complete confidence in the British policy in Greece; at Potsdam Foreign Commissar Molotov, after reading a British memorandum, had agreed to drop the matter; after discussion in London in September 1945, the Soviet Foreign Commissar had said that the British Foreign Secretary would hear no more from the U.S.S.R. about Greece. In December 1945 the British Foreign Secretary had given a full explanation about Greece to

the Soviet Foreign Commissar, who had agreed not to press the matter further and had not asked that any specific action be taken. At the session of the Security Council of February 1946, the representatives of eight members of the Council had declared their view that the presence of British troops in Greece did not constitute a situation likely to endanger the maintenance of international peace and security. The representative of the United Kingdom repeated that in his view the representative of the Ukraine had failed entirely to substantiate his charges.

The representative of Greece assured the Soviet representative that if the Soviet Government would advise the Albanian Government to cease the provocations by armed bands entering Greek territory and the attacks of regular and irregular Albanian forces, these frontier incidents would cease immediately.

At the 67th meeting of the Security Council on September 16 the President of the Council submitted to the members a telegram from the Albanian Minister of Foreign Affairs drawing the attention of the Security Council to the situation created on the Greco-Albanian frontier by the continual provocations due to the action of Greek soldiers and requesting the Security Council to use its influence to put an end to the Greek provocations.

At the same time the President of the Council received from the World Federation of Trade Unions a letter which stated that Greece did not guarantee the syndicalist rights and social freedoms that other democratic and victorious nations assured their workers and asked the Security Council to consider the advisability of an investigation of the infringements of democratic rights in Greece.

f. Proposals and Resolutions

At the 67th meeting on September 16, 1946, the representative of the Netherlands, without making a formal proposal, said he wondered whether it would not be an excellent thing if henceforth a complaint submitted to the Security Council was placed in the first instance in the hands of a sub-committee of three members of the Council which would examine it in a preliminary way and publish a preliminary report on the subject. If such a report showed that there appeared to be a good case, then the matter would be taken up by the Security Council as a whole.

The representative of Australia repeated that the Australian Government did not believe that the Ukrainian complaint had been brought in good faith. He moved a resolution that the Security Council pass to the next item of business.

The representative of the U.S.S.R. then submitted the following resolution:

THE SECURITY COUNCIL ESTABLISHED THE FACT:

That on the Greco-Albanian border there have recently been an increasing number of frontier incidents provoked by aggressive Greek monarchist elements, who are thus striving to bring about an armed conflict between Greece and Albania with the purpose of detaching southern Albania for the benefit of Greece;

That the persecution of national minorities in Greece by the Greek Government, by provoking national strife, is bringing strain in the relations between Greece and her other neighbours;

That the unbridled propaganda of the aggressive Greek monarchist elements demanding the annexation of territories belonging to these neighbours, threatens to complicate the situation in the Balkans, where for the first time, as the result of the victory won by the armed forces of the United Nations, the foundation has been laid for the democratic development of the Balkan countries, and for their close collaboration in the cause of establishing a firm and lasting peace;

That in their policy of aggression the aggressive Greek monarchist elements are striving to exploit the results of the falsified plebiscite held on 1 September under terroristic conditions, in which all the democratic parties of various trends were removed from political life. They are likewise exploiting the presence of British troops on Greek territory, who in spite of the repeated declarations by the Minister for Foreign Affairs of Great Britain that these troops would be withdrawn after the elections of 31 March 1946, continue to remain even at the present time on the territory of Greece;

That all these circumstances create a situation envisaged by Article 34 of the Charter of the United Nations and endanger peace and security.

For the above-mentioned reasons THE SECURITY COUNCIL RESOLVES to call upon the Greek Government:

(1) to take measures in accordance with Article 2, Paragraph 4 of the Charter of the United Nations for immediate cessation of the provocative activities of the aggressive monarchist elements on the Greco-Albanian frontier;

(2) to call upon the Greek Government to put an end to the agitation regarding

the state of war which is said to exist between Greece and Albania, in spite of the fact that Albania is endeavouring to establish normal peaceful relations with Greece;

(3) to terminate the persecution of national minorities in Greece, as contrary to Article 1, Paragraphs 2 and 3, of the Charter of the United Nations;

(4) to retain on the agenda of the Security Council the question of the menacing situation brought about as the result of the activities of the Greek Government so long as the latter fails to carry out the recommendations proposed by the Security Council.

At the 68th meeting on September 17 the representative of Poland said that several factors in the internal situation of Greece seemed to him rather alarming: (1) the participation of nazi collaborationists in the present administration and police force of the Greek Government, (2) the destruction of the free trade union movement under the present Greek regime and (3) the internal terror against the opponents of monarchist restoration. He considered that the resolution presented by the representative of the U.S.S.R. provided a means of avoiding immediate international conflict. The resolution, essentially, contained only two very modest and moderate demands: (1) that the Greek Government stop considering itself in a state of war with Albania, and (2) that the persecution of national minorities be stopped.

At the 69th meeting on September 18 the representative of the United States said that under instructions from his Government he would vote against the Soviet resolution. He proposed that the Security Council should make a further examination of the border difficulties between Greece and all three of her northern neighbors, not overlooking the problem of national minorities insofar as it affected international peace and security. If a sub-committee were established for this purpose, it would have authority to examine incidents alleged to have taken place on both sides of the border, with power to call upon Albania, Yugoslavia, Bulgaria and Greece for information regarding these incidents.

The representative of the United Kingdom maintained that the basis of the main Ukrainian charge was patently absurd. He supported the proposal of the representative of Australia, which would simply dismiss the case.

The representative of the Netherlands presented the following resolution:

THE SECURITY COUNCIL,

Having been informed that a number of frontier incidents have taken place on the frontier between Greece on the one hand and Yugoslavia, Albania and Bulgaria, on the other hand,

INVITES the Secretary-General to notify the Governments of the said countries on behalf of the Security Council, that the Council, without pronouncing any opinion on the question of responsibility, earnestly hopes that these Governments, each in so far as it is concerned, will do their utmost, in as much as that should still be necessary, to stop those regrettable incidents by giving appropriate instructions to their national authorities and by making sure that these instructions be rigidly enforced.

At the 70th meeting on September 20 the representative of the United States submitted his proposal in the form of a resolution as follows:

RESOLVED, That the Security Council, acting under Article 34 of the Charter, establish a commission of three individuals to be nominated by the Secretary-General, to represent the Security Council on the basis of their competence and impartiality, and to be confirmed by the Security Council,

That the Security Council instruct the Commission:

(1) To investigate the facts relating to the border incidents along the frontier between Greece on the one hand and Albania, Bulgaria and Yugoslavia on the other,

(2) To examine the statements submitted to the Security Council concerning these incidents and such further information from other sources as it deems necessary; and

(3) To submit to the Security Council as soon as practicable a report on the facts disclosed by its investigation.

That the Commission shall have authority to conduct its investigation in the area and to call upon Albania, Bulgaria, Greece and Yugoslavia for information relevant to its investigation.

That the Security Council request the Secretary-General to communicate with the appropriate authorities in the countries involved in order to obtain permission for the Commission to conduct its investigation in these countries.

Before the Council proceeded to vote on the resolutions presented, the Secretary-General made a statement concerning his own position and the rights under the Charter of the Secretary-General. If the proposal of the United States representative should not be carried, he hoped that the Council would understand that the Secretary-General must reserve his right to make such inquiries or investigations

as he might think necessary in order to determine whether he would consider bringing any aspect of this matter to the attention of the Council under the provisions of the Charter or not.

g. Decision of the Council

The representative of Australia agreed that the Council should vote on his resolution after all other resolutions had been voted upon. The Council, therefore, proceeded to vote on the other resolutions in the order in which they were presented.

Upon the suggestion of the Soviet representative the Council first voted on the first part of the Soviet resolution containing a description of the situation in Greece, and then voted separately on each of the four recommendations contained in the second part of the resolution. The vote in each instance was as follows: affirmative—Poland and the U.S.S.R.; negative—Australia, Brazil, China, Egypt, France, Mexico, the Netherlands, the United Kingdom and the United States.

The Netherlands resolution was rejected by a vote of 6 to 3. Brazil, China, Mexico, the Netherlands, the United Kingdom and the United States voted in the affirmative. Egypt, Poland and the U.S.S.R. voted in the negative. Australia and France abstained.

The representative of France remarked that the United States proposal to create a commission of inquiry fell under Article 29 of the Charter and therefore came under the heading of procedure. The representative of the U.S.S.R. considered that the United States proposal recommended the taking of measures which dealt with the substance of the question examined. France, China, the United Kingdom, the United States and the U.S.S.R. had agreed at San Francisco to consider such matters, including investigations, as points of substance and not procedure. The representative of the United States considered that from the text of the statement of June 7, 1945, by the four sponsoring Governments on voting procedure, there was no doubt that the Soviet representative's statement of the situation was correct. The representative of Australia said that, if the commission to be established was a subsidiary organ as defined in Article 29, as indeed it was, then there was not the least doubt that a procedural vote could govern its establishment.

The representative of France did not press his point, and the United States resolution was therefore voted on as a matter of substance. The vote was as follows: affirmative—Brazil, China, Egypt, France, Mexico, the Netherlands, the United Kingdom and the United States; negative—Poland and the U.S.S.R.; abstaining—Australia. Although the resolution obtained 8 affirmative votes, it was not carried, as a result of the negative vote of the U S.S.R.

The representative of Poland stated that he would regret it if the Council finished consideration of the Greek case without arriving at least some positive result. His Government had always attached great importance to achieving positive, and if possible, unanimous action. He, therefore, proposed the following resolution:

THE SECURITY COUNCIL, having considered the situation brought to its attention by the Ukrainian S.S.R. decides to keep it on the list of the matters with which the Council is seized.

The vote on the Polish resolution was as follows: affirmative—Poland and the U.S.S.R.; negative—Australia, Brazil, China, Egypt, France, Mexico, the Netherlands, the United Kingdom and the United States.

The representative of Australia stated that he considered some formal decision necessary in order to remove an item from the agenda of the Council. He asked, therefore, that a vote be taken on his resolution.

The representative of China pleaded with the representative of Australia to withdraw his resolution as the Council had been divided often enough in voting on previous resolutions. If the Australian resolution were considered to be one of substance, and if, for example, China should vote against it, then the situation would remain unsolved with no decision.

The representative of Australia said that, if there were a clear understanding that the votes on the Polish and Soviet resolutions were understood to be a decision by 9 votes to 2 dismissing this item from the agenda of the Security Council, he would not press his motion.

The representative of the U.S.S.R., as President of the Council, then stated the following ruling:

That in view of the negative vote on the fourth point of my (U.S.S.R.) draft resolution and in view of the negative vote taken on

the Polish resolution, there is no need to take a vote on the proposal to retain the matter on the agenda or to exclude the matter from the agenda. Further, since the Security Council has no other proposals on the substance of the matter beside those which have already been voted upon the Security Council is ready to pass on to the next item on the agenda.

It was decided to ask the Secretary-General for an additional explanation. The Secretary-General stated that in his opinion the Council was no longer seized of the Greek case and that it was automatically taken off the agenda.

The representative of France agreed that it was not necessary to vote on the Australian proposal, as the Council had already answered the question it raised in rejecting the Polish proposal.

In view of these three statements the Australian representative agreed to withdraw his resolution.

7. The Greek Question (Greek Complaint)

A communication from the acting Chairman of the delegation of Greece dated December 3, 1946, was sent to the Secretary-General of the United Nations asking him to bring to the attention of the Security Council under Articles 34 and 35 of the Charter a situation leading to friction between Greece and its neighbors. The letter stated that the latter were lending their support to the violent guerrilla warfare then being waged in Northern Greece against public order and the territorial integrity of Greece. The situation, continued the letter, if not promptly remedied, was, in the opinion of the Greek Government, likely to endanger the maintenance of international peace and security.

The Greek Government desired to draw the attention of the Security Council to the urgent necessity for an investigation to be undertaken on the spot, in order that the causes of the situation might be brought to light. The Greek Government was confident that in this way the charges brought by it might be confirmed authoritatively, and means provided for the settlement of the question.

A detailed memorandum in support of this request was submitted with the letter, which was placed on the agenda of the Security Council at its 82nd meeting on December 10, 1946. The representative of the United States, as President of the Council, reminded the members that that was the third time in less than eleven months that the Security Council had been called upon to consider a matter in which the Greek Government was involved and had a deep and intimate concern. As President of the Council, he felt it his duty to state that the new complaint required the members of the Council to search with the utmost diligence for methods or devices which might assist in eliminating the causes of what appeared to be a friction-laden situation, and to aid in providing for settled conditions in that part of the Balkan area.

At that meeting the Council resolved to invite the representatives of Greece and of Yugoslavia to participate in the discussion without vote. The representatives of Albania and Bulgaria, whose countries were non-members of the United Nations, were invited to enable the Security Council to hear such declarations as they might wish to make. It was further resolved that should the Security Council find at a later stage that the matter under consideration was a dispute, the representatives of Albania and Bulgaria would be invited to participate in the discussion without vote.

At the 83rd meeting of the Council on December 10, the representative of Greece stated, among other things, that acts of aggression against Greece were being committed on the basis of a systematic plan, worked out in minutest detail, which had two tactical aspects: (1) intensive propaganda in favor of the incorporation of Greek Macedonia in the Federal Yugoslav State of Macedonia, and (2) active assistance to the insurgent bands which used the territory of Yugoslavia, Albania and Bulgaria as operational bases for their raids into Greek territory.

The representative of Yugoslavia argued that the accusations against Albania, Bulgaria and Yugoslavia had no basis in fact. He contended that they were false and invidious, intended only to confuse the long-suffering people of Greece and mislead democratic public opinion throughout the world. There were no grounds for an inquiry based upon allegations that Yugoslavia, Albania and Bulgaria were interfering in the internal affairs of Greece. That would be a misleading way in which to approach this problem, he stated. As a positive solution to the problem, he proposed an investigation of conditions inside Greece at the earliest possible moment. This,

he was confident, would show where the causes of the present violent civil strife within Greece lay.

Statements of the interested parties were continued at the 84th meeting of the Council on December 16. The representative of Albania rejected the accusations made by the Greek Government and argued that the constant provocations of Greek soldiers along the Albanian frontier were arranged by the Greek Government for the purpose of paving the way for expansionist designs on Albania.

The representative of Bulgaria called to the attention of the members of the Security Council the present status of Bulgaria, a fact which by itself, he said, disqualified the Greek accusations entirely. He stated that ever since September, 1944, Bulgaria had been and continued to be under direct supervision of an Allied Control Commission, which, by means of numerous organs, effectively exercised immediate, absolute and strict control over all Bulgarian territory. The fact remained that the Bulgarian Government, he continued, had not been notified by this Allied Control Commission of any violations or irregularities along any of the frontiers.

After hearing the statements of the four Governments directly involved in the case, the Security Council decided that the case was of such a nature as made it appropriate for the Council to invite Albania and Bulgaria to participate without vote in future discussions on the matter. The Council resolved to do so on the condition that Albania and Bulgaria accept in advance, for the purposes of the case, the obligations of pacific settlement provided in the Charter. This condition was accepted by both countries.

a. Commission of Investigation

At the 85th meeting of the Security Council on December 18 the representative of the United States proposed that the Security Council, without passing any judgment, establish a commission to ascertain the facts relating to alleged border violations, with authority to conduct on-the-spot investigations in such areas of Albania, Bulgaria, Greece and Yugoslavia as the Commission might consider necessary, and to report the results to the Security Council. This draft resolution, modified and expanded by amendments proposed by the representatives of Mexico, Poland and the United Kingdom, was adopted unanimously at the 87th meeting of the Security Council on December 19, 1946.

The text of the resolution establishing a Commission of Investigation was as follows:

WHEREAS, there have been presented to the Security Council oral and written statements by the Greek, Yugoslav, Albanian and Bulgarian Governments relating to disturbed conditions in northern Greece along the frontier between Greece on the one hand and Albania, Bulgaria and Yugoslavia on the other, which conditions, in the opinion of the Council, should be investigated before the Council attempts to reach any conclusions regarding the issues involved.

RESOLVES:

That the Security Council under Article 34 of the Charter establish a Commission of Investigation to ascertain the facts relating to the alleged border violations along the frontier between Greece on the one hand and Albania, Bulgaria and Yugoslavia on the other.

That the Commission be composed of a representative of each of the members of the Security Council as it will be constituted in 1947.

That the Commission shall proceed to the area not later than January 15, 1947, and shall submit to the Security Council at the earliest possible date a report of the facts disclosed by its investigation. The Commission shall, if it deems it advisable or if requested by the Security Council, make preliminary reports to the Security Council.

That the Commission shall have authority to conduct its investigation in northern Greece and in such places in other parts of Greece, in Albania, Bulgaria and Yugoslavia as the Commission considers should be included in its investigation in order to elucidate the causes and nature of the above-mentioned border violations and disturbances.

That the Commission shall have authority to call upon the Governments, officials and nationals of those countries, as well as such other sources as the Commission deems necessary for information relevant to its investigation.

That the Security Council request the Secretary-General to communicate with the appropriate authorities of the countries named above in order to facilitate the Commission's investigation in those countries.

That each representative on the Commission be entitled to select the personnel necessary to assist him and that, in addition, the Security Council request the Secretary-General to provide such staff and assistance to the Commission as it deems necessary for the prompt and effective fulfilment of its task.

That a representative of each of the Governments of Greece, Albania, Bulgaria and

Yugoslavia be invited to assist in the work of the Commission in a liaison capacity.

That the Commission be invited to make any proposals that it may deem wise for averting a repetition of border violations and disturbances in these areas.

Soon after the adoption of the resolution by the Security Council, the Secretariat of the United Nations began making preparations for operations and transport of the Commission, and the eleven members of the Security Council appointed their representatives.

The representatives to the Commission of Investigation were as follows:

Australia
Representative John D. L. Hood, External Affairs Officer, London

Belgium
Representative Lt.-Gen. Delvoie, former Military Attaché, Paris

Brazil
Representative Antonio Vianna, First Secretary, Brazilian Embassy, Madrid
(Because of illness, General Santos was unable to serve)

China
Representative Dr. Wunsz King, Ambassador to Belgium

Colombia
Representative Francisco Urrutia, Minister to Belgium

France
Representative Georges Daux, Professor of History, University of Paris

Poland
Representative Jerzy Putrament, Minister to Switzerland

Syria
Representative Ihsan el-Sherif, Minister to Turkey

U.S.S.R.
Representative A. A. Lavrishchev, Ministry of Foreign Affairs, Moscow

United Kingdom
Representative R. T. Windle, Chief National Agent of the British Labour Party

United States
Representative Mark Foster Ethridge, Publisher, *Courier-Journal* and *Louisville Times*

The following liaison representatives were appointed by their respective Governments to serve with the Commission pursuant to the resolution of the Security Council:

Albania
Representative Col. Nesti Kerenxhi

Bulgaria
Representative George Kulishev, Former Minister of Foreign Affairs

Greece
Representative Alexander Kyrou, Ministry of Foreign Affairs

Yugoslavia
Representative Josip Djerdja, Minister to Albania

The Commission assembled in Athens on January 29, 1947, where it held 32 meetings between January 30 and February 18. Its second main base of operations in Greece was established in Salonika, where it held 28 meetings from February 25 to March 22.

The main body of the Commission also undertook a number of field trips out of Salonika, during the period March 15 to 19. The main body of the Commission left Salonika on March 24 - 25 for Sofia, Bulgaria, where it held six meetings between March 26 and March 28. The Commission then proceeded to Belgrade, Yugoslavia, where it held seven meetings between March 30 and April 2.

It soon became apparent to the Commission that in order to cover as wide an area as possible in its investigation and to hear the maximum number of witnesses, it would be necessary for it to send out investigating teams which could operate while the main body was functioning in its headquarters in Athens, Salonika, Sofia and Belgrade. Seven such investigating teams were established by the Commission. The itineraries of the teams and the categories of witnesses to be heard were determined in a general way by the Commission.

The Commission received varying types of evidence during the course of its work, in the form both of direct evidence from witnesses and of written and oral statements from the liaison representatives of the Albanian, Bulgarian, Greek and Yugoslav Governments, as well as from individuals and from non-governmental organizations whose representatives were invited to appear before the Commission.

During the early meetings of the Commission, there was considerable discussion as to its competence to request the Greek Government, informally and without publicity, to suspend the execution of death sentences. The Commission on February 6 decided to refer the question to the Security Council. Accordingly, a cable was sent to the Security Council of the United Nations in which the Commission requested that the Security Council deal with this matter immediately and inform the Commission whether the action by the Commission in requesting the Greek Government to postpone the executions to be carried out for political offences was covered by the terms of reference of the resolution adopted by the Security Council on December 19, 1946, which, *inter alia*, empowered the Commission to call on any national who might assist the Commission with information relevant to its inquiry. The Commission was informing the Greek Government of its reference to the Security Council for guidance on the action and procedure adopted hitherto.

By a letter dated February 7, 1947, the representative of Greece to the United Nations stated that the Greek Government had directed him to lodge the most emphatic protest in regard to the interference of the Commission of Investigation in the domestic affairs of his country, contrary to Article 2, Paragraph 7 of the Charter of the United Nations and the terms of reference of the Commission.

The Security Council discussed the problem on February 19, and declared that the Commission, acting under the resolution of December 19, 1946, was not empowered to request appropriate authorities in Albania, Bulgaria, Greece and Yugoslavia to postpone execution of any persons sentenced to death unless the Commission had reason to believe that examination of any such person as a witness would assist the Commission in its work, and made its request on this ground.

On the basis of the resolution of the Security Council, a team of the Commission interrogated some fourteen condemned persons with a view to ascertaining whether they had evidence of value to present to the Commission. Some were subsequently heard by the Commission, and some by teams.

It was agreed that the Commission should write its report in Geneva, Switzerland, where the first meeting took place on April 7.

In the meantime, however, the deputy United States representative on the Security Council, addressed a letter on March 25 to the Secretary-General requesting that the Greek question to be placed on the provisional agenda of the next meeting of the Security Council. This letter was placed on the agenda of the Council at its 123rd meeting on March 28.

b. Proposal for Establishment of Subsidiary Group

The United States representative, speaking at that meeting, expressed the belief that the Commission of Investigation should continue its work, including its investigations along the northern Greek border, until the Security Council itself had disposed of the Greek case. He stated that it was necessary that the Commission members, following the preparation of its first report, come to the seat of the United Nations and be available for the Security Council until the termination of the Council's consideration of the Greek complaint.

He went on to state that because of the approach of spring in northern Greece, it was reasonable to expect an intensification of the activities of guerilla bands operating in that area. In those circumstances, the United States was of the opinion that it was of the utmost importance that the Commission leave representatives in the border area during the time of the preparation of its report in Geneva and of the Security Council's consideration of its report in New York. Such representatives would be able to report immediately any violations of the border and to furnish the Commission and the Security Council with any additional information which might come to light or be needed in dealing with the case. The presence of representatives of the United Nations on the spot would also inevitably have the effect of stabilizing the situation pending Security Council action.

The United States representative stated that on March 3 the Government of Greece addressed to the Government of the United States an urgent appeal for immediate additional economic, financial and expert assistance. On March 12 the President of the United States, he continued, proposed to the Congress a program of assistance which the President believed would result in meeting the immediate requirements of Greece and would

materially contribute to that country's economic and political recovery. The proposed program of assistance by the United States was directly related to the act of the United Nations in creating a Commission of Investigation, he argued. A continuing Commission, combined with the proposed emergency program of assistance by the United States, would advance the prospects of peace and security in the northern area of Greece. Neither action would be effective if taken alone, for those were complementary and not conflicting proposals, the United States representative declared.

At the Security Council's 126th meeting on April 7, the representative of the U.S.S.R. stated, among other things, that the measures taken by the Government of the United States in respect to Greece and Turkey seriously undermined the authority of the United Nations organization and inevitably produced distrust in relations among the Members of the United Nations. He went on to state that the attempt of the United States Government to connect *post-factum* its action in regard to the above countries with the work of the Special Commission of the Security Council in Greece was unfounded and only emphasized the danger of the blow to the authority of the United Nations which was dealt by a unilateral move of the United States Government. He concluded by stating that the actual material aid which the Greek people were in need of, could and must be real aid, and must not serve as a screen for purposes which had nothing in common with aid at all. Aid must be rendered through the United Nations, in which case it would exclude all possibilities of any foreign influence on Greece.

At the same meeting, the representative of the United States submitted a draft resolution, amended by the representative of France, requesting the Commission of Inquiry, pending a new decision of the Security Council, to maintain in the area concerned a subsidiary group composed of a representative of each of the members of the Commission.

The U.S.S.R. representative also formally proposed that a committee should be set up to ensure that the help given to Greece should be used exclusively in the interests of the Greek people.

At the 131st meeting of the Council on April 18, the Security Council, by 9 votes in favor and with Poland and the U.S.S.R. abstaining, adopted the following United States resolution as amended by the representatives of France:

RESOLVED. that pending a new decision of the Security Council, the Commission, established by the resolution of the Council of December 19, 1946, shall maintain in the area concerned a subsidiary group composed of a representative of each of the members of the Commission to continue to fulfil such functions as the Commission may prescribe in accordance with its terms of reference.

In pursuance of the resolution of the Security Council, the Commission of Investigation established a Subsidiary Group with headquarters at Salonika on April 30, composed of a representative of each of the members of the Commission. The terms of reference of the Subsidiary Group were those set out in the resolution of the Security Council of December 19, 1946, with the following qualifications: (1) it was to investigate such incidents as might be brought to its attention which had occurred since March 22, 1947; (2) it was not to hear evidence which had been or could have been available to the main Commission; (3) no incident was to be investigated nor evidence heard except by formal decision of the Subsidiary Group. Members of the Subsidiary Group left Geneva for Salonika on May 6 and 10, 1947, to begin their work.

By cablegram dated May 5, 1947, the Chairman of the Commission informed the President of the Security Council that the Commission had decided to refer to the Security Council the question arising from the refusal of Albania, Bulgaria, and Yugoslavia to appoint liaison representatives to the Subsidiary Group. By cablegram dated May 6, 1947, the Chairman of the Commission requested the opinion of the Security Council concerning the appearance of the Commission in New York for presenting its report. By letter dated May 7, the representative of the U.S.S.R. requested the Secretary-General to place the Greek Question on the agenda for the next meeting of the Security Council. Discussion of the above communications took place at the 133rd meeting on May 12.

At that meeting, the representative of the U.S.S.R., repeating the objections of the Soviet representative on the Commission of Investigation, drew attention to the fact that it was quite impossible for the Commission mechanically to transfer the functions and

powers which it had received from the Security Council to a Subsidiary Group; that if the Commission attempted to do this, the very sense and existence of a Subsidiary Group would lose all meaning. The Subsidiary Group would not, in fact, be a Subsidiary Group but would be a commission. In other words, he continued, there would be not one commission but two commissions acting along parallel lines. He went on to state that the Commission adopted a resolution regarding the powers and functions of the Subsidiary Group without the participation of the representatives of Bulgaria, Albania and Yugoslavia. Such a situation could not be approved.

It was decided at the 133rd meeting of the Council that the Commission of Investigation as a body should appear in New York to present its report to the Security Council.

At subsequent meetings of the Security Council, representatives of Yugoslavia, Albania and Bulgaria spoke against the terms of reference of the Subsidiary Group.

The Security Council at its 137th meeting on May 22, 1947, resolved to postpone further discussion of the Greek question until such time as the report of the Commission was submitted to the Security Council.

c. Report of Commission of Investigation

The report of the Commission of Investigation was made public on June 25, and the Security Council began its consideration of the document at its 147th meeting on June 27, 1947.

The Commission's report consisted of three volumes containing a total of 767 pages. It was divided into four parts and had nine annexes; it represented the work of 84 meetings held by the full Commission and 95 meetings held by its nine investigating teams.

Part I, which included a narrative account of the work of the Commission, was approved unanimously by the members of the Commission. Part II, which included a survey of the evidence submitted to the Commission, was approved unanimously but with reservations on the part of the United Kingdom and the U.S.S.R. delegations.

Part III was divided into three Chapters. Chapter 1 consisted of the conclusions subscribed to by the delegations of Australia, Belgium, Brazil, China, Colombia, Syria, the United Kingdom and the United States. The delegations of Poland and the U.S.S.R. did not approve these conclusions. The French delegation abstained from approving Chapter 1 and submitted a statement embodying its views. Chapter 2 consisted of the conclusions subscribed to by the delegation of the U.S.S.R. The delegation of Poland supported these conclusions. Chapter 3 set out the attitude of the delegations to the conclusions contained in Chapters 1 and 2. Part IV, which included proposals to be submitted to the Security Council, was approved by the delegations of Australia, Belgium, Brazil, China, Colombia, France, Syria, the United Kingdom and the United States. The delegations of Poland and the U.S.S.R. did not approve the proposals set out in Part IV, Chapter 1, and made statements setting forth their attitude on them.

Annex I contained the composition of the Commission; Annex II, the terms of the Commission; Annex III, the list of witnesses heard by the Commission and its teams; Annex IV, the bibliography of Commission documentation; Annex V, field investigations of the Commission and its teams. Annex VI contained comments and oral statements made by the liaison representative of Albania on Parts II and III of the report. Annex VII contained comments and oral statements made by the liaison representative of Bulgaria on Parts II and III of the report. Annex VIII contained comments and oral statements made by the liaison representative of Greece on Parts II and III of the report. Annex IX contained comments and oral statements made by the liaison representative of Yugoslavia on Parts II and III of the report.

The survey of evidence submitted to the Commission covered the following:

(1) Charges by Greece that Albania, Bulgaria and Yugoslavia supported the guerrilla movement in Greece, and refutations by Albania, Bulgaria and Yugoslavia.

(2) Greek charges that the neighboring countries interfered in the internal affairs of Greece, aiming at detaching from Greece parts of its territories (Aegean Macedonia and Western Thrace) and refutations by Bulgaria and Yugoslavia.

(3) Greek charges in respect of provocation of border incidents by Albania, Bulgaria and Yugoslavia; counter-accusations and refutations by Albania and Bulgaria; refutations by Yugoslavia.

(4) Albanian, Bulgarian and Yugoslav contentions that the present Greek regime was

responsible for a state of civil war in Greece and for the disturbances in the northern charges that a state of civil war existed tions. Contentions were the following: charges that a state of civil war existed throughout the whole territory of Greece and not only in the northern districts of the country; charges of persecution of the democratic forces in Greece by the gendarmerie, regular troops and fighting bands; charges that persecution of national minorities (Macedonians and Tchams) was one of the causes of the tense situation in Greece.

(5) Albanian, Bulgarian and Yugoslav contentions that the Greek Government conducted a policy of provocations on the borders of those countries, and Greek refutations.

(6) Albanian, Bulgarian and Yugoslav contentions that the Greek Government conducted in respect of those countries a policy of provocation by the maintenance in Greek territory of quislings and subversive activities of these quislings in respect of Albania, Bulgaria and Yugoslavia, and Greek refutations.

(7) Albanian, Bulgarian and Yugoslav contentions that the Greek Government conducted an expansionist foreign policy which was a provocation to those countries, and Greek refutations.

d. Summary of Conclusions

Following is a summary of the conclusions reached by both the majority and the minority group of the Commission:

Eight of the eleven delegations to the Balkan Commission—Australia, Belgium, Brazil China, Colombia, Syria, the United Kingdom, and the United States—subscribed to the conclusions contained in the Commission's report. The delegations of Poland and of the U.S.S.R. did not approve these conclusions.

The report also included conclusions which were approved by the U.S.S.R. and Poland but were not accepted by the other nine delegations.

The French delegation abstained from approving the majority conclusions.

It was a majority conclusion that Yugoslavia and, to a lesser extent, Albania and Bulgaria, had supported the guerrilla warfare in Greece. Although the liaison representatives of Albania, Bulgaria, and Yugoslavia repeatedly denied the Greek charges to this effect, and attacked the credibility of the witnesses who testified in support of the charges, little direct evidence was brought forward to disprove them, the majority report stated.

The Soviet conclusions questioned the credibility of the evidence presented on behalf of Greece. In many cases, the Soviet statement said, the Greek authorities selected their witnesses from fascist and criminal elements. There was evidence that threats, torture, and blackmail were used in the prisons of Greece in order to obtain appropriate statements for the Commission. Repressive measures were taken by the Greek authorities against persons and organizations who appealed to the Commission. There was evidence that a number of statements contained in the White Book entitled "Evidence in Confirmation of the Greek Complaint to the Security Council" were falsified.

Further, the Soviet statement declared, the giving of shelter and medical treatment to political refugees was not contrary to the universally recognized standards of international law.

YUGOSLAVIA.—In the case of Yugoslavia, the majority conclusions cited evidence that assistance was rendered in that country to the guerrillas in the form of training refugees from Greece, recruiting and dispatching them to Greece for action with the guerrilla units there, supplying them for this purpose with arms, supplies, transport, guides, hospitalization, etc., and providing an avenue of escape for guerrillas fleeing from Greek Government forces.

In regard to the refugee camp at Bulkes, in Yugoslavia, the report stated that evidence was received that a special course for guerrilla leaders was established there in the spring of 1946, and that subsequently actual training in partisan warfare was given to selected personnel among the refugees.

At the time of the Commission's visit to the camp on April 2, 1947, it was unable to find evidence of military activities or training, but there was no doubt that refugees from Greece were subjected to political indoctrination and propaganda looking toward the overthrow of the Greek Government, the report said.

The Soviet statement, in turn, concluded that all the charges brought against Yugoslavia by the Greek Government must be considered as unfounded. By the use of bribery,

blackmail and compulsion, the Greek authorities induced witnesses to give false statements. The documents and witnesses submitted by the Yugoslav representative refute these "concoctions," it said.

ALBANIA.—The majority conclusions found, in the case of Albania, that Greek refugees in a camp at Rubig received political instruction as well as practical and theoretical military training, but not after October 1945, when they were transferred to Bulkes, in Yugoslavia.

The evidence indicated, however, that, as late as November, 1946, Albanian assistance to the Greek guerrillas continued in the form of providing arms and ammunition, as well as making available routes of entry, guides, and liaison assistance for guerrilla groups returning to Greece from both Albania and Yugoslavia.

Witnesses testified that, after the Varkiza Agreement of February 12, 1945, former members of ELAS (the military arm of EAM, the National Liberation Front) were advised by KKE (the Communist Party of Greece) or by their ELAS comrades to cross into Albania, as well as into Bulgaria and Yugoslavia, to avoid persecution.

The Soviet statement, on the other hand, contended that it was clearly shown to the Commission that the real cause of the mass emigration of the former combatant-members of ELAS and of democratically-minded citizens of Greece was, in general, the terrorism and persecution carried on against this category of citizens.

It should be considered as established, the Soviet statement declared, that Greek democrats and former participants in the resistance movement fled in thousands to Albania and other countries bordering on Greece from the terrorism carried on by Rightist bands, the police, and the gendarmerie in order to save their lives and not in order to organize any hostile actions directed against Greece.

BULGARIA.—In the case of Bulgaria, the majority conclusions stated that the Commission felt that the weight of the evidence indicated that aid was provided to the Greek guerrillas by the Bulgarian Government in the form of assistance in entering and leaving Bulgarian territory, provision of transportation for guerrillas crossing Bulgaria to and from Yugoslavia, and hospitalization of guerrillas wounded in Greece. Less evidence was provided, however, on the arming and equipping of guerrillas.

In this case, too, the Soviet statement declared that it was clear from the documents examined that the evidence submitted on behalf of Greece—evidence founded on the contradictory and false statements of witnesses—in no way confirmed the accusations brought against Bulgaria of aiding the Greek guerrillas.

The next charge dealt with in the majority conclusions was the Greek Government's allegation that support was being given by the Yugoslav and Bulgarian Governments, through propaganda and otherwise, looking toward the detachment of the province of Macedonia from Greece and its incorporation, together with Bulgarian and Yugoslav Macedonia, into the Federated Peoples's Republic of Yugoslavia.

The Commission stated as its majority opinion that unrest and discontent on the part of the Slavic minority in Greek Macedonia resulted from the treatment accorded by Greece, and that this situation provided a fertile breeding ground for separatist movements. This did not, of course, absolve the northern neighbors from their responsibility for their support of the Macedonian movement, the report stated.

It continued: "Although it is undoubtedly true, as pointed out by the Yugoslav liaison representative, that during the war the Axis occupying authorities had themselves supported a Macedonian autonomist movement in an effort to create controversy among the Balkan states, it seems equally clear that since the war the Yugoslav and Bulgarian Governments, by speeches of responsible officials and articles in the press, have themselves revived and promoted a separatist movement among the Slavo-Macedonians in Greece."

The Soviet conclusion, on the other hand, stated that it was evident that the so-called Macedonian autonomy movement was aimed against Yugoslavia, that its object was to complicate the relations between the Balkan states, and that the leaders of this movement were in touch with reactionary circles in Greece.

The Greek representative's statement that Bulgaria allegedly was carrying on intensive propaganda to annex Greek Macedonia to Yugoslavia, and his surmise that Bulgaria

was doing this in order to get Yugoslavia to support its claims to Western Thrace, were entirely uncorroborated, the Soviet statement said. The representatives of Yugoslavia and Bulgaria had clearly stated that their countries had no aggressive intentions in regard to Greece.

The territorial aspects of Macedonian and Aegean questions, the Soviet statement continued, did not come under the terms of reference of the Commission, and therefore could not be considered by it.

It was obvious, it concluded, that the Greek Government raised the Macedonian question in order to conceal the real causes of the civil war in Greece, and to disclaim responsibility for the tense situation inside the country.

The majority conclusions pointed out that the Greek Government charged that Albania, Bulgaria, and Yugoslavia were deliberately provoking incidents on their common frontiers, and that in turn Albania, Bulgaria, and Yugoslavia made similar accusations against Greece. The incidents brought to the Commission's attention ranged from penetrations of a few yards across the border to sheep-stealing and exchanges of shots between frontier guards.

The evidence showed clearly that since the war there had been a large number of violations on each side. On the other hand, no evidence of probative value was introduced which tended to indicate that the frontier violations not connected with guerrilla activities were deliberately provoked either by the Governments of the northern neighbors or by the Government of Greece, or that there was any policy of systematic provocation on either side, or that the incidents themselves were evidence of the aggressive intentions of either country.

The conclusion was inevitable, however, the report continued, that the large number of incidents, the accusations, and counter-accusations made by the Governments against one another, and the willingness of the authorities on both sides to magnify minor incidents into important skirmishes, accompanied by shooting and bloodshed, were evidence of the strained relations between the countries.

In regard to these frontier incidents, the Soviet statement submitted that, in view of the great number of important discrepancies and contradictions between the Greek Government's memorandum to the Security Council of December 3, 1946, and the White Book on "Greek Frontier Incidents," and also between the English and French texts of the White Book itself, these documents could not be accepted as proof of the Greek assertions.

Also cited were contradictory statements by witnesses and the fact that several sectors of the frontier were entirely unguarded by the Greek frontier authorities, who thus were unable to observe, far less to describe, the incidents in detail.

There could be no doubt, it continued, that there were crossings of the frontier into neighboring countries from Greece, but the persons involved were escaping from persecution and terrorism in Greece. The Governments of Albania, Bulgaria, and Yugoslavia could not be charged with unfairness towards Greece for giving shelter to these refugees.

The conclusion drawn in the Soviet statement was that there had been no violations of the Greek frontiers on the part of Albania, Bulgaria, and Yugoslavia which could cause disorder and civil war in Greece.

The majority conclusions stated that it was felt by the Commission that insofar as it might constitute a factor contributing to the disturbed conditions in northern Greece along the Greek frontier, the Greek internal situation could not be ignored, despite the Greek Government's position. This position was that an investigation of the Albanian, Bulgarian, and Yugoslav charges that the present regime was responsible for a state civil war in Greece and for the disturbed conditions in the northern provinces would involve the internal affairs of Greece, which were not within the Commission's competence. On these grounds the Greek Government did not present evidence in refutation, and in consequence the evidence before the Commission was one-sided.

The evidence revealed that the great majority of the clashes between the guerrillas and the forces of the Greek Government had occurred in the northern Greek provinces of Epirus, Macedonia, and Thrace.

Yet, while conditions in northern Greece were far more acutely disturbed than elsewhere, there was a general condition of unrest in Greece as a whole. The Commission did not find, however, that this condition amounted to a state of civil war. An important factor in this unrest was the persistent effort of the Greek Communist Party, which directed the

EAM coalition and the operations of the Greek guerrillas, to participate in the Government without elections.

Although there was some testimony indicating political activities against Albania, Bulgaria, and Yugoslavia on the part of Albanian, Bulgarian and Yugoslav "war criminals and quislings" interned in Greece, the Commission did not feel that the Greek Government itself encouraged it. The Commission was of the majority opinion that the charge that the internees received preferential treatment was refuted.

Further, the majority view was that the discrimination and persecution to which minorities and political opposition groups were subjected by the Greek Government in the atmosphere of bitterness and reprisal after the civil war of 1944-45, as well as Communist propaganda, had caused several thousand persons to flee to the mountains or take refuge on the soil of Greece's three northern neighbors, where they formed groups actively hostile to the Greek regime.

To this extent, it was the Commission's opinion that the present general disturbed conditions in Greece, which had existed since the beginning of the war, were factors which helped to explain, and thus bore an indirect relation to, the situation investigated by the Commission.

On the other hand, the existence of disturbed conditions in Greece in no way relieved the three northern neighbors of their duty under international law to prevent and suppress subversive activity in their territory aimed against another government, nor did it relieve them of direct responsibility for their support of the Greek guerrillas.

A contrary view was taken in the Soviet conclusions, which declared that the present situation in Greece was one of civil war throughout the whole country. The situation and civil war were the result of internal causes and, above all, of the persecution and terrorism carried on against the democratically-minded citizens and national minorities by the gendarmerie, regular troops, and Rightist bands.

The assertions of the Greek Government regarding the alleged interference of Albania, Bulgaria, and Yugoslavia in the internal affairs of Greece were absolutely unfounded, the Soviet delegation contended.

The Commission did not regard the settlement of territorial claims raised before appropriate international bodies as coming within the scope of its work. It nevertheless felt that the continued reiteration of Greece's claims against Bulgaria (regarding strategic frontier rectifications), and Bulgaria's claim to the province of Western Thrace, after they had been rejected at the Peace Conference, as well as Greece's claim against Albania (for northern Epirus), were factors which tend to increase the tension between the countries. The Commission noted that the EAM coalition supported Greek territorial claims, both against Albania and Bulgaria, and was therefore in the same position as the Greek Government in this regard, the report stated.

The Soviet conclusion relative to territorial claims was linked with the charges of Greek provocations on its northern borders and of the harboring of war criminals and collaborationists who fled from the neighboring countries into Greece.

It was evident, the Soviet statement said, that after the expulsion of the occupation forces from Albania, Bulgaria, and Yugoslavia, and after establishment of democratic regimes in these countries, the former agents and direct accomplices of the occupation authorities and all kinds of war criminals fled from these countries to Greece. They were not only welcomed by the Greek authorities, but were also used in the struggle against the democratic elements of Greece. Their activities were directed against Albania, Bulgaria, and Yugoslavia and against the democratic regimes of those countries.

The "expansionist tendencies of the present ruling circles of Greece" in regard to their northern neighbors should also be noted, the Soviet statement declared.

In a declaration in which it supported the conclusions subscribed to by the U.S.S.R., the Polish delegation stated that the Commission did not determine that the Albanian, Bulgarian, and Yugoslav Governments had provoked or supported the civil war in Greece; did not determine the existence in Greek Macedonia of a separatist movement inspired by Bulgaria or Yugoslavia; and did not determine that the three Governments were responsible for the frontier incidents investigated pursuant to the Greek appeal to the Security Council.

Regarding the internal situation in Greece, the Polish delegation concluded that the civil

war taking place on the whole of Greek territory constituted the principal cause of disorders in northern Greece and originated directly from the abnormal internal political situation; and that the disturbed situation in northern Greece and along the frontier was considerably increased by the persecutions on the part of the Greek Government against national minorities.

The Commission was not competent to examine territorial claims, but the existence in Greece of jingoist propaganda must be observed, the Polish declaration stated. Patterned on the model of racial propaganda and directed particularly against the Slavs, it did not encounter any hindrance from the Greek Government, and was sometimes linked with frontier incidents directed against the three neighboring countries, the statement concluded.

A statement by the delegations of Belgium and Colombia was also included in the Commission's report. This declared that, despite the numerous presumptions which fitted in with each other, tending to substantiate the charges brought by Greece against its northern neighbors, the Belgian and Colombian delegations considered that it was not for the Commission, which was set up in the spirit of conciliation of Chapter VI of the Charter of the United Nations (the chapter which dealt with the pacific settlement of disputes), to give any decision as to the possible responsibility of the Albanian, Bulgarian, and Yugoslav Governments.

In abstaining from approving the majority conclusions, the delegation of France also made a statement in which it expressed doubt as to the necessity, and apprehension as to the advisability, of including formal conclusions in the report.

The French delegation contended that the Commission was instructed to verify facts, not to pronounce judgment on those facts, a task which the Security Council envisaged for itself.

Further, the Commission could propose definite recommendations to the Council without basing them on formal conclusions. The proposals had infinitely more chance of being adopted by the Council and put into practice willingly by the States in question if they did not come as a corollary to a formal division of responsibility.

Conditions under which the inquiry was carried out were probably not such as to allow the Commission to draw from it any conclusions based on sound juridical principles, and it therefore seemed unjustified to base conclusions on incomplete evidence.

No conclusions implying condemnation, in most of the cases dealt with in the report, could be formulated except in the light of what had happened in Greece and elsewhere in the Balkans since 1940, the statement continued. To give a correct interpretation to the heated but contradictory statements of the various witnesses, and also to their reticences, a number of events not covered by the investigation must be taken into account.

The task of the Commission should aim at pacification and reconciliation, the statement declared. The future was of more consequence than the past. "It is to be feared that in reaching conclusions with insufficient legal foundations, we might only aggravate an already critical situation and do unnecessary harm to perfectly natural sensitivities. . . . The problem which has to be solved was initiated before the birth of the United Nations; a summary decision and a simple solution are equally impossible."

c. Proposals of the Commission

The Commission made the following proposals in pursuance of the final paragraph of the Security Council's resolution of December 19, 1946:

CHAPTER I

Proposals

Before coming to its actual proposals the Commission feel it would be useful to recapitulate in brief the situation along Greece's northern border which these proposals are designed to alleviate and remedy. First there are the allegations by the Greek Government that its three northern neighbors are assisting the guerrilla warfare in Greece. Secondly, there is the present disturbed situation in Greece which is a heritage from the past and the causes of which are to be found in Greece's tragic experience during the war, in her occupation by the Italians, Germans and Bulgarians, in the guerrilla warfare waged during the occupation and the political bitterness and economic difficulties to which this war gave rise.

Next to be mentioned is the refusal of most of the countries concerned to accept as final their frontiers as at present defined. Some of these claims have been advanced in a perfectly legitimate manner before the forum of the United Nations or other competent

international instances but their reiteration has undoubtedly exacerbated an already dangerous situation.

Furthermore in the case of the Macedonian question, claims have been ventilated not before the United Nations but in speeches by representatives of individual Governments or in government controlled organs of press. The exploitation of the Macedonian question in this manner is in the Commission's opinion a positive threat to the tranquillity of the Balkans and can only add to existing tension and suspicion and increase national passions which, far from being decreased as the result of the experience of the war, have been sharpened by their identification in many cases with political ideas.

Also to be mentioned is the presence in Greece on the one hand and Yugoslavia, Bulgaria and Albania on the other, of political refugees from each other's territory, many of whom have taken part in the political struggles which have raged in their own countries both during and since the war. Some of these refugees have been quartered near the frontier of the country from which they came. Some again have, during their exile, engaged in political and military activity, and all too many live in hope that there will be some violent turn of the tide which will enable them to return to their homes on the conditions they choose. Other of these refugees have been victims of panic flight and would, if given a free choice, gladly return to their homes. The continued presence of all of them under the conditions in which they live at present is however all too clearly a serious contributory factor to the present situation.

Lastly the violence and scale of the propaganda used by some of the protagonists in their relations with each other could not escape the notice of the Commission during its stay in the four countries. Such propaganda always serves to inflame passions which are already too high.

In such a set of circumstances it would be idle to believe that the situation in northern Greece could be cured by a stroke of the pen but the proposals which now follow have been framed in the spirit of Chapter VI of the Charter of the United Nations with a view first to preventing any aggravation of the situation, and secondly to alleviating it and eventually restoring it to normal.

The Commission has not made any suggestions in matters which are essentially within the domestic jurisdiction of the countries concerned as they would be contrary to the provisions of Paragraph 7 of Article 2 of the Charter. However, in the event the Greek Government decides to grant a new amnesty for political prisoners and guerrillas, the Commission suggests that the Security Council make known to the Greek Government its willingness, if that Government so requests, to lend its good offices in order to secure by all possible means the realisation of this measure.

The following are the Commission's proposals:

A. The Commission proposes to the Security Council that it should recommend to the Governments of Greece on the one hand and Albania, Bulgaria and Yugoslavia on the other, to do their utmost to establish normal good-neighborly relations, to abstain from all action direct or indirect which is likely to increase or maintain the tension and unrest in the border areas, and rigorously to refrain from any support, overt or covert, of elements in neighboring countries aiming at the overthrow of the lawful governments of those countries. Should subjects of complaint arise these should be made not the object of propaganda campaigns, but referred either through diplomatic channels to the government concerned, or should this resource fail, to the appropriate organ of the United Nations. In the light of the situation investigated by it the Commission believes that, in the area of its investigation future cases of support of armed bands formed on the territory of one State and crossing into the territory of another State, or of refusal by a government in spite of the demands of the State concerned to take all possible measures on its own territory to deprive such bands of any aid or protection, should be considered by the Security Council as a threat to the peace within the meaning of the Charter of the United Nations.

B. With a view to providing effective machinery for the regulation and control of their common frontiers, the Commission proposes that the Security Council recommend to the governments concerned that they enter into new conventions along the lines of the Greco-Bulgarian Convention of 1931, taking into account the needs of the present situation.

C. For the purpose of restoring normal conditions along the frontiers between Greece on the one hand and Albania, Bulgaria and Yugoslavia on the other, and thereby assisting in the establishment of good neighbourly relations, the Commission recommends the establishment of a body with the following composition and functions:

1) The body should be established by the Security Council in the form of either a small Commission or a single Commissioner. If the body is a small Commission it should be composed of representatives of Governments. If the body is to consist of a Commissioner he and his staff should be nationals of States who are neither permanent members of the Security Council nor have any direct connection or interest in the affairs of the four countries concerned.

2) The Commission or Commissioner should have the staff necessary to perform their functions, including persons able to act as border observers and to report on the observance of the frontier conventions referred to in recommendation B, the state of the frontier area, and cognate matters.

3) The Commission or Commissioner should have the right to perform their functions on both sides of the border and the Commission or Commissioner should have the right of direct access to the four Governments of Albania, Bulgaria, Yugoslavia and Greece.

The functions and duties of the Commission or the Commissioner should be:

(i) To investigate any frontier violations that occur;

(ii) To use its good offices for the settlement, by the means mentioned in Article 33 of the Charter, of:

a. Controversies arising from frontier violations;
b. Controversies directly connected with the application of the Frontier Conventions envisaged in B;
c. Complaints regarding conditions on the border which may be brought by one government against another.

(iii) To use its good offices to assist the governments concerned in the negotiation and conclusion of the frontier conventions envisaged in recommendation B.

(iv) To study and make recommendations to the governments concerned with respect to such additional bilateral agreements between them for the pacific settlement of disputes relating to frontier incidents or conditions on the frontier, as the Commission considers desirable.

(v) To assist in the implementation of Recommendation D below; to receive reports from the four Governments with respect to persons who have fled from any one of such countries to any of the others; to maintain a register for their confidential use of all such persons and to assist in the repatriation of those who wish to return to their homes, and in connection with these functions to act in concert with the appropriate agency of the United Nations.

(vi) To report to the Security Council every three months, or whenever they think fit.

It is recommended that this body should be established for a period of at least two years, before the expiry of which the necessity for its continued existence should be reviewed by the Security Council.

D. The Commission recognises that owing to the deep-rooted causes of the present disturbances and to the nature of the frontiers it is physically impossible to control the passage of refugees across the border. As the presence of these refugees in any of the four countries is a disturbing factor each government should assume the obligation to remove them as far as it is physically and practically possible.

These refugees should be placed in camps or otherwise segregated. The governments concerned should undertake to ensure that they should not be permitted to indulge in any political or military activity.

The Commission would also strongly recommend that if it is practicable the camps containing the refugees should be placed under the supervision of some international body authorised by the United Nations to undertake the task.

In order to ensure that only genuine refugees return, their return to their country of origin shall not take place except after (1) arrangement with the government of such country and (2) notification to the Commission or Commissioner or to the international United Nations body if such is established. The Commission would here point out the desirability of the governments concerned encouraging the return of refugees to their homes.

E. The Commission proposes that the Security Council recommend to the governments concerned that they study the practicability of concluding agreements for the voluntary transfer of minorities. In the meantime minorities in any of the countries concerned desiring to emigrate should be given all facilities to do so by the government of the State in which they at present reside. The arrangements of any such transfers could be supervised by the Commission or Commissioner who would act as a registration authority for any person desiring to emigrate.

CHAPTER II

The Delegations of Australia, Belgium, Brazil, China, Colombia, France, Syria, the United Kingdom and the United States subscribed to the proposals set out in Part IV, Chapter I.

The Delegation of U.S.S.R. did not approve these proposals and made the following statement:

The Soviet Delegation objects to the proposals put forward by the Delegations of the United States, United Kingdom, France, China, Brazil, Belgium, Colombia, Australia and Syria on the Greek Question for the following reasons:

1. The above-mentioned proposals in no way proceed from the facts and documents gathered by the Commission during the investigation of the situation in Northern Greece and on her northern frontiers, but are based merely on the unfounded assertions of the Greek Government regarding aid to the guerrillas by the northern neighbors of Greece.

2. The proposals admit the possibility of frontier incidents, conflicts and even acts of

aggression in the future in the relations between Greece on the one hand and Yugoslavia, Bulgaria and Albania on the other, although the Commission has no grounds whatever for proposals of such a nature.

3. The proposals contemplate measures concerning not only Greece but Yugoslavia, Bulgaria and Albania as well, although it is evident from the documents at the disposal of the Commission that there is a tense situation in Greece and that disorders are taking place there, not only in the northern part but throughout the country, and that the tense situation and disorders in Greece are due to internal causes.

4. The establishment of a permanent frontier commission or body representing the Security Council, as contemplated in the proposals, and also the conclusion of conventions and agreements between Greece, Yugoslavia, Bulgaria and Albania is tantamount to a limitation of the sovereign rights of these States in settling their relations among themselves.

The Delegation of Poland did not approve the proposals set out in Part IV Chapter I and made the following statement:

The Polish Delegation cannot approve of the measures proposed by some delegations in Part IV for the solution of the problem which have formed the object of the investigation of the Commission.

The Polish Delegation makes the following objections:

1. The measures as a whole seem ineffectual, since they take into account only the symptoms and not the causes of the troubles existing in northern Greece and along her northern frontiers. The fact that the measures proposed are ineffectual could easily prejudice the prestige of the United Nations.

2. Some of the measures proposed do not seem to take into account the fact that diplomatic relations do not exist beween Greece on the one hand and Bulgaria and Albania on the other.

3. Concerning proposal C, which suggests the establishment of a permanent body of control, this measure appears inadequate for the following reasons:

(i) such a body of control would prejudice the sovereign rights of Greece as well as those of Albania, Bulgaria and Yugoslavia.

(ii) it would constitute a measure of coercion toward Albania, Bulgaria and Yugoslavia. This measure would be in no way justified by the results of the Commission's investigation. Therefore, instead of improving the existing difficulties it could quite well do the opposite.

The Polish Delegation considers that the choice of recommendations for the solution of the problems which form the object of the inquiry should be left to the Security Council.

f. Resolution by United States Representative

The Security Council began discussing the report of the Commission at its 147th meeting on June 27, 1947. At that meeting the representative of the United States stated that in the opinion of his Government the matter before the Security Council was one of the most serious which the United Nations up to that time had been called upon to consider. The action which the Security Council took in the case, he continued, would be of vital importance to all Member States of the United Nations and might be a decisive factor in strengthening the confidence of the world in the effectiveness of the Council to deal with situations such as the one before it. He summarized the phases leading to the establishment of the Commission, its work and its report. He went on to state that the facts elicited had substantiated without a doubt the conclusions subscribed to by the majority of eight of the Commission's eleven members with respect to the Greek charges. He argued that in supporting guerrillas in northern Greece, Yugoslavia, Bulgaria and Albania had been using force against the territorial integrity and political independence of Greece. They had in fact, he stated, been committing the very kind of acts which the United Nations was designed to prevent, and had violated the most important of the basic principles upon which the organization was founded.

The United States representative stated that his Government was convinced that the Security Council should at that stage in the case continue to act under Chapter VI of the Charter, bearing in mind that if the acts and practices found by the Investigation Commission should continue, the Council would be compelled to consider that there was no longer a dispute, but that there existed a threat to the peace, a breach of the peace, or an act of aggression within the meaning of Chapter VII of the Charter. For those reasons, he proposed that the Security Council adopt the substance of the proposals of the Commission. He submitted for the consideration of the Council the following resolution, which, he maintained, followed closely the text of the proposals:

The Security Council, having received and considered the report of the Commission of Investigation established by resolution of the Council dated 19 December 1946;

Convinced, on the basis of the Commission's report, that further action is required by the Security Council;

RESOLVES THAT:

1. The Security Council adopts the proposals made by the majority of the Members of the Commission;

2. In giving effect to proposals contained in paragraphs A, B, D and E the Security Council hereby recommends to the Governments of Greece on the one hand, and Albania, Bulgaria and Yugoslavia on the other, that they take the action proposed therein;

3. In giving effect to paragraph C of these proposals, the Security Council for the purpose of restoring normal conditions along the frontiers between Greece on the one hand and Albania, Bulgaria and Yugoslavia on the other, and thereby assisting in the establishment of good neighborly relations, establishes a Commission as a subsidiary organ.

The Commission shall be composed of a representative of each of the Nations Members of the Security Council as they may be from time to time.

The duties and powers of the Commission shall be:

(1) To use its good offices for the settlement, by the means mentioned in Article 33 of the Charter, of:

(a) Controversies arising from frontier violations;

(b) Controversies directly connected with the application of the frontier conventions recommended to the four Governments under this resolution;

(c) Complaints regarding conditions on the border which may be brought to the attention of the Commission by one government against another;

and in order to carry out these tasks the Commission is empowered to make an investigation of any frontier violations that occur and of any complaints brought by one government against another in connection with the application of the frontier conventions or regarding conditions on the border.

(2) To use its good offices to assist the governments concerned in the negotiation and conclusion of the frontier conventions recommended under this resolution.

(3) To study and make recommendations to the governments concerned with respect to such additional bilateral agreements between them for the pacific settlement of disputes relating to frontier incidents or conditions on the frontier as the Commission considers desirable.

(4) To assist in the implementation of the recommendations made to the four Governments under this resolution with respect to refugees; to receive reports from the four Governments with respect to persons who may cross or have crossed from the territory of any one of such countries to any of the others; to maintain a register for its confidential use of all such persons and to assist in the repatriation of those who wish to return to their homes; and in connection with these functions to act in concert with the appropriate agency of the United Nations.

(5) If called upon by any of the governments concerned to supervise the arrangements for the transfer of minorities recommended to such governments under this resolution and to act as a registration authority for any persons desiring to emigrate.

(6) To have such other duties and powers as the Security Council may determine from time to time.

The Commission shall have its headquarters in Salonika and shall have authority to perform its functions on either side of the frontier.

The Commission shall have the right of direct access to the Governments of Albania, Bulgaria, Greece and Yugoslavia and shall have authority to call upon the nationals and officials of those Governments to testify before it on any matters coming within its competence.

The Commission shall establish its own rules of procedure and methods of conducting its business.

The Commission shall render regularly quarterly reports to the Security Council, or more frequently if it thinks fit.

The Commission shall commence its work as soon as practicable and shall remain in existence until 31 August 1949, before which date the necessity for its continued existence after that date shall be reviewed by the Security Council.

The Commission shall have the staff necessary to perform its functions, including persons able to act as border observers and to report on the observance of frontier conventions recommended under this resolution, the state of the frontier area, and cognate matters.

After the representative of the United States had completed his remarks, the Security Council, on the suggestion of the President, agreed to hear statements by the representatives of the four Governments concerned.

The representative of Greece was the first speaker. He stated that the Commission of Investigation had made certain recommendations. So far as those recommendations went, and in the light of the powers of the Commission, the recommendations were good. Greece, he said, favored their adoption by the Security Council

and pledged itself to carry out its part in them fully and in good faith. He went on to state that the adequacy of those recommendations, however, was open to serious question.

The representative of Albania, the next speaker, stated that the disturbed situation on the Albanian frontier with Greece—which Albania regretted—was a situation provoked by Greece, which was prompted by an expansionist policy and which did not take account of the desires of the peoples to live in peace. He went on to state that there was abundant documentation which showed that the causes of the civil war then in full swing throughout the territory of Greece were of an internal character. He argued that Greek Government circles provoked the civil war which was taking place throughout Greece by their policy of terrorism toward the democratic masses, and by their policy of uprooting national minorities. He claimed that there were Greek witnesses who by their false statements to the Commission of Investigation gained not only liberty but also the protection of the Greek authorities. It had been found, he continued, that the Greek Government authorities had exerted physical and moral pressure upon witnesses in order to bring false statements before the Commission.

The Albanian representative concluded by asserting that the report of the Commission suffered from a marked incertitude. Five countries had not wished the neighboring countries of Greece to be declared responsible, he continued, and, accordingly, Albanian responsibility had been declared by only six representatives of the Commission. The result was rather meager; it was not of a binding character, he maintained.[1]

8. The General Regulation and Reduction of Armaments and Information on Armed Forces of the United Nations

By a letter dated December 27, 1947, addressed to the Secretary-General, the representative of the U.S.S.R. submitted a proposal regarding the implementation of the resolution adopted by the General Assembly on December 14, 1946, on the "Principles Governing the General Regulation and Reduction of Armaments". The letter advocated the establishment of a commission, to be composed of the representatives of countries members of the Security Council, which should be charged with preparing and submitting to the Council, within a period of not later than three months, proposals for the general regulation and reduction of armaments and armed forces.

At its 88th meeting on December 31, 1946, the Security Council placed the U.S.S.R. proposal on its agenda, but discussion of the substance of the question was postponed to a later date. The United States representative, however, submitted a draft resolution at the meeting which proposed that the Security Council give first priority to the establishment of international control over atomic energy by considering and acting on the report of the Atomic Energy Commission to the Council. Thereafter, the proposal continued, the Council would consider what further measures it should take, and in what order of priority, for the implementation of the General Assembly resolution.

At the 90th meeting of the Security Council on January 9, 1947, the U.S.S.R. representative contended that the United States draft resolution required the Council to consider at the present time only one question envisaged by the General Assembly, namely, the control of atomic energy, and left to the future the consideration of other questions. This procedure was not in conformity with, but was rather a contradiction of the General Assembly resolution. He argued that the Assembly resolution did not give any priority to consideration of any questions involved but he emphasized the necessity for the Security Council to proceed without delay with the working out of measures on both questions—the general reduction of armaments and armed forces and the control of atomic energy. The resolution did not provide for postponement of consideration of any of the questions set forth in it nor for postponement of adoption by the Council of appropriate measures. The United States proposal, he contended, would lead to delay in the working out of practical measures in the general regulation and reduction of armaments and armed forces, since it artificially made the solution of this task dependent on the progress and results of the consideration of the report of the Atomic Energy Commission.

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[1] The Yearbook of the United Nations covers events only through July 1, 1947. The Greek Question continued to be discussed by the Council, and it should be noted that other viewpoints regarding the conclusions and the proposals of the Commission were subsequently expressed at the Security Council, but are not here presented.

The United States representative felt that effective international control of atomic energy was the key to the whole problem and must come first. He found it difficult to believe that regulation of armaments generally could be effectively achieved without general agreement on the fundamental problems relating to the control of atomic energy. He felt that substantial progress in the crucial field of international atomic energy control was a prerequisite to success in the general field of the regulation of armaments. Establishment of a system of effective regulation was fundamentally a problem of devising effective international controls and safeguards which would protect complying States against the hazards of violations and evasions.

In the view of the United States, he continued, the field of atomic energy was a test case. Unless the Council was able to devise safeguards which the nations of the world would feel were adequate to protect them against the use of atomic weapons, they would have no security. On the other hand, if the Council could devise an international system with the necessary safeguards to protect the nations from atomic weapons, the problem of applying these same principles to the lesser weapons should not prove of insurmountable difficulty.

The Australian and French representatives expressed the belief that simultaneous action was possible in both fields—atomic energy and armaments generally. In the opinion of the Australian representative, neither the U.S.S.R. nor the United States proposal excluded the other. The representative of France believed that the Security Council could combine the two studies and find a procedure enabling the Council simultaneously to start work on the report on atomic energy and to create a committee on disarmament and set it to work. He presented to the Council a draft resolution embodying those ideas.

The representative of Poland suggested that the Security Council adopt formally the resolution of the General Assembly. He advanced a legal and a political reason for such action. With respect to the legal aspect, he stated that although the Security Council was not bound automatically to accept recommendations of the General Assembly, by doing so it would help to remove all legal doubts of the Council's being bound to the recommendations contained in the resolution. From the political viewpoint, it was important to take such action in order that the Council might manifest to the world that the purposes and recommendations contained in the resolution coincided with the objectives which the Council wished to attain.

After these remarks, the President of the Council announced the Council's formal acceptance of the resolution of the General Assembly.

At the 92nd meeting of the Security Council of January 15 the representative of Australia submitted a resolution to the Council. He explained that although the Australian delegation was in general agreement with the purpose of both the United States and the U.S.S.R. resolutions, he did not think that either of them, taken by itself, would be sufficient to give effect to the recommendation which the Security Council had accepted. The Australian resolution had therefore been drafted in an attempt to combine both the United States and the U.S.S.R. viewpoints, and to bring about action which would meet the main purpose of both of those countries and which would be likely to lead to concerted and co-operative action by all of the powers concerned in discharging the great responsibility placed upon the Security Council in respect of disarmament. It was the view of Australia that if its resolution were accepted by the Council, then the new disarmament committee—proposed in the resolution—should commence work on general disarmament immediately, and the Atomic Energy Commission should also continue its work without waiting for the formal endorsement by the Security Council of its first report. Co-ordination of the two bodies could be ensured by the fact that their membership would be almost identical with each other and with the Security Council. Moreover, their work would be under constant review by the Security Council.

The representative of Colombia, at the 93rd meeting of the Council on January 15, submitted an alternative proposal which, he believed, gave the constructive suggestions made by the Australian and French delegations more flexibility, and allowed a little more time to the Security Council to consider the various proposals.

At the same meeting the representative of the United States asked that a decision on the various proposals submitted be postponed for a period of approximately three weeks, in order to allow himself—a newcomer to the deliberations of the Council—and the new Secretary of State expected shortly in the United

States Government, as well as the Council itself more time to arrive at a decision deliberately.

At the 95th meeting on January 20, the Council adopted by 9 votes to 2 (Poland and the U.S.S.R. voting against) a resolution submitted by the representative of the United States to postpone discussion on the General Assembly resolution on general regulation and reduction of armaments to February 4, 1947.

Discussion was resumed at the 98th meeting on February 4, when a new draft resolution was submitted by the representative of the United States. It proposed that the Security Council should establish a commission, composed of the members of the Council, whose function would be to make recommendations to the Council regarding the practical measures for the general regulation and reduction of armaments and armed forces. These measures would include the provision of effective safeguards, but would not relate to those matters which fell within the competence of the Atomic Energy Commission as determined by the General Assembly resolutions of January 24, 1946, and December 14, 1946.

The draft resolution further proposed that the Council should establish a committee of the Council consisting of a representative of each of its members, to make recommendations regarding the terms or reference of the proposed commission, including its relations with the Council, the Military Staff Committee and the Atomic Energy Commission.

At its next meeting after adoption of the draft resolution, the proposal continued, the Council would begin consideration of the first report of the Atomic Energy Commission dated December 31, 1946, with particular reference to the recommendations contained in Part III thereof.

The representative of the U.S.S.R. then explained why he was opposed to the new draft resolution presented by the United States. Among other things, he stated that the proposal that the Council set up a commission of the representatives of countries members of the Security Council repeated a proposal made in a Soviet motion on December 27, 1946. The reference to the Atomic Energy Commission, he contended, added nothing whatever to what had already been agreed upon. Regarding the proposal to establish a committee to determine the terms of reference of the proposed commission, he said he could see no need for such a committee. The task of the commission, he contended, was defined precisely and exhaustively in the General Assembly resolution. It was the task of the commission to work out its own program, to work out the conduct of its own proceedings and, therefore, to set up such a committee, as proposed in the new draft resolution, would mean a delay in the consideration and preparation of practical measures to implement the Assembly resolution.

At the 99th meeting of the Council on February 4, the representative of Australia stated that his Government could not support the United States resolution as it stood. In its present form, it would give priority to the consideration of the Atomic Energy Commission's report, and it was quite plain, he argued, that the Council was not going to make any progress if it tried to establish priorities in that way. Such action would defer the commencement of work directed toward the general reduction and regulation of armaments. He went on to state that he could see no necessity for establishing a committee to make preliminary studies regarding the work to be done by the proposed commission, as it should be possible for the Security Council itself to establish the commission, to decide on its membership and to agree on its terms of reference. He added that the American draft resolution omitted any reference to other urgent matters, particularly matters requiring the attention of the Military Staff Committee, which was referred to in the Assembly resolution. He agreed that the matters relating to the control of atomic energy should be proceeded with immediately, but he also believed that action to that end should not in any way delay the consideration concurrently and on parallel lines of other matters which the General Assembly had asked the Security Council to examine.

At the suggestion of the Australian representative, the Security Council agreed that the authors of the various draft resolutions —that is to say the representatives of the U.S.S.R., the United States, France, Colombia and Australia respectively—should meet unofficially with the President of the Council (the representative of Belgium) to try to work out a common text upon which unanimous agreement of the Council could be obtained.

The Conferees met on February 5, 6 and 7. Although their deliberations resulted in a large measure of agreement, they were unable to achieve unanimous agreement on all points and therefore decided to submit to the Council a text consisting of a preamble and four paragraphs and embodying two different versions of paragraph 3. Disagreement on the point concerned the question of jurisdiction as between the Atomic Energy Commission and the proposed new commission. One version contained specific limitations to the proposed commission's field of activity; the other contained no such limitations. Concerning the text upon which full agreement was reached, paragraph 1 defined the general tasks which were incumbent upon the Security Council after it had accepted the resolution of the General Assembly of December 14, 1946; paragraph 2 pointed to the necessity of the Council's considering, as soon as possible, the report submitted by the Atomic Energy Commission, and the importance of the Council's taking a suitable decision to facilitate the work of that Commission; the last paragraph called upon the Military Staff Committee to submit to the Council, as soon as possible, the recommendations for which it had been asked by the Security Council on February 15, 1946, in pursuance of Article 43 of the Charter.

The Security Council at its 102nd meeting on February 11, decided to link the examination of the following two items on its agenda: (1) the resolution of the General Assembly on the principles governing the general regulation and reduction of armaments and proposals regarding its implementation, and (2) the resolution of the General Assembly concerning information on the armed forces of the United Nations.

In the general debate that ensued, the United States representative pressed his support of the proposal to exclude from the jurisdiction of the new commission those matters which fell within the competence of the Atomic Energy Commission. He wanted the resolution to leave no doubt as to the Council's intention in this regard. He was certain that the General Assembly would never have agreed that the Council should set up a new commission which would have authority to encroach on the jurisdiction of the Atomic Energy Commission. The United States insisted that the Council should not delegate any such authority to the new commission. He went on to state that the work of the Atomic Energy Commission should be expedited; it was a matter of principle not to permit the overlapping or derogation of its functions.

With respect to information on armed forces of the United Nations, the United States representative contended that the debate in the General Assembly leading up to the adoption of that particular resolution revealed that the kind of information comprehended by the resolution was information on armed forces and not on weapons and armaments. He believed that the intent of the Security Council in that connection should be made clear by excluding from the competence of the proposed commission those matters relating to atomic weapons. He submitted that the terms of reference of the new commission should be so clear that it could not legally call for information regarding weapons and armaments and those other matters which fell within the competence of the Atomic Energy Commission, as determined by the General Assembly resolutions of January 24 and December 14, 1946.

At the same meeting the U.S.S.R. representative argued that the Security Council must be guided in its decisions by the resolutions of the General Assembly and must carry out carefully the tasks contained and defined in those resolutions. The resolutions adopted by the General Assembly on the general regulation and reduction of armaments and armed forces did not speak separately of provisions governing atomic weapons, on the one hand, and other conventional weapons, on the other, he stated. Atomic arms were mentioned within the general framework of arms and armaments, and there was no opposition in those resolutions of the General Assembly, as there was in the United States proposals, between atomic arms, on the one hand, and armaments of other kinds, on the other. He went on to state that the United States proposals created an artificial opposition between the Atomic Energy Commission and the proposed new commission. Such opposition diverted the attention of the Security Ciuncil from the fundamental task lying before it to secondary organizational and procedural matters and did not contribute to the rapid implementation of the resolutions adopted by the General Assembly.

On the question of information on armed forces, the representative of the U.S.S.R. summarized the attitude of his Government in the matter during the discussion in the General Assembly. He reiterated that information only on forces, without information on armaments, would be useless; but information on forces and armaments would be useful to both the Security Council and the Military Staff Committee.

Discussion was continued at the 103rd and 104th meetings of the Council on February 12. The French representative felt that in order to carry out the General Assembly's recommendation, it was the duty of the Security Council to define a method of work which would enable the Atomic Energy Commission to carry on a task that had had a very encouraging beginning, which would provide for the establishment of a disarmament commission that should in no case encroach on the sphere of the Atomic Energy Commission, and which would most urgently remind the Military Staff Committee of the task entrusted to it on February 15, 1946,—a task which, so far as the Council was aware, it had not begun to carry out.

The representative of Colombia considered it necessary to limit and define the new commission's terms of reference in some way or other.

The representative of the United Kingdom was convinced that it was not the intention of the General Assembly to give the new commission the full task of implementing the whole of the General Assembly resolution, but reserved, and rightly so, certain ground for the Atomic Energy Commission.

The representative of Brazil considered that the jurisdiction of the two commissions must be kept separate.

The Australian representative in what he termed as a last attempt to find some way out of the present impasse, submitted the following amendment dealing with the jurisdiction of the new commission:

> Those matters which fall within the competence of the Atomic Energy Commission, as determined by the General Assembly resolutions of January 24 and December 14, 1946, shall be dealt with in accordance with such resolutions, and the jurisdiction of the commission hereby established shall be without prejudice to the competence and jurisdiction of the Atomic Energy Commission.

The Australian representative admitted that the draft amendment did not settle the question of jurisdiction once and for all but that it did allow a certain amount of flexibility.

The representative of the U.S.S.R. proposed the following amendment to replace the provisions on jurisdiction:

> The results of the work of this commission, and also the results of the work of the Atomic Energy Commission, must be a basis for working out the measures for general regulation and reduction of armaments.

After the general debate was closed, the Security Council proceeded to vote paragraph by paragraph on the draft disarmament resolution submitted to it by the sponsors of the five separate proposals. It was understood that each amendment would be considered in relation to the paragraph to which it referred, and that after a decision on each of the individual paragraphs was taken, there would be a final vote on the resolution as a whole.

The preamble and the first and second paragraphs of the resolution were adopted without discussion.

Two votes (Australia and Syria) were cast in favor of the Australian amendment to provide less precise terms of reference; 5 against (Belgium, Brazil, China, the United Kingdom and the United States); and there were 4 abstentions (Colombia, France, Poland and the U.S.S.R.).

Two votes (Poland and the U.S.S.R.) were cast in favor of the U.S.S.R. amendments; 8 against (Belgium, Brazil, China, Colombia, France, Syria, the United Kingdom and the United States); and there was 1 abstention (Australia).

A vote was then taken on the proposal of the U.S.S.R. to vote on paragraph 3 by subparagraphs. Australia, Colombia, France, Poland, Syria and the U.S.S.R. voted for; Brazil and the United States voted against; and Belgium, China and the United Kingdom abstained. As the proposal failed to obtain the affirmative vote of seven members of the Council, it was not adopted.

The representative of the U.S.S.R. then proposed that paragraph 3 be divided into and voted upon two parts. The first part of the paragraph which he favored would include that part of paragraph 3 not limiting the

jurisdiction of the new commission; the second part included the limitations on its jurisdiction. On the proposal to divide paragraph 3 into two parts, Australia, Colombia, Poland, Syria and the U.S.S.R. voted in favor; Brazil and the United States voted against; and Belgium, China, France and the United Kingdom abstained.

A vote was then taken on the whole of paragraph 3. Australia, Belgium, Brazil, China, Colombia, France, Syria, the United Kingdom and the United States voted for; and Poland and the U.S.S.R. abstained.

Explaining his absention, the U.S.S.R. representative stated that it was clear that the U.S.S.R. delegation supported and voted in favor of that part of the text which envisaged the establishment, of a commission, for that was proposed in the original Soviet proposal; in favor of that part which referred to the composition, as that was also proposed by the U.S.S.R.; and, finally, in favor of the provision that the commission should formulate proposals to ensure the implementation of the General Assembly resolution of December 14. He went on to state that he abstained from voting on the first part only because in his opinion it was artifically and incorrectly tied to the second part as a result of the erroneous procedure adopted by the Council.

The Security Council concluded voting on the draft disarmament resolution at its 105th meeting on February 13. At the meeting, the last paragraph of the draft was disposed of and then a vote on the resolution as a whole was taken. The last paragraph as originally drafted was as follows:

> To request the Military Staff Committee to submit to it, as soon as possible, the recommendations for which it has been asked by the Security Council on February 15, 1946, in pursuance of Article 43 of the Charter.

The United Kingdom submitted an amendment to the last paragraph which consisted of adding the following words:

> and as a first step to submit to the Security Council, not later than April 30, 1947, the recommendations with regard to the basic principles which should govern the organization of the United Nations Armed Force.

A vote was taken on the United Kingdom amendment and it was adopted by 9 votes, with 2 abstentions. Australia, Belgium, Brazil, China, Colombia, France, Syria, the United Kingdom and the United States voted in favor; Poland and the U.S.S.R. abstained.

The Australian representative's amendment, which consisted of adding the words "and as a matter of urgency" after the words, "to request the Military Staff Committee to submit to it, as soon as possible," was then voted upon. Australia, Belgium, Brazil, China, Colombia, France, Syria, the United Kingdom and the United States voted for; Poland and the U.S.S.R. abstained.

A vote was then taken on the draft resolution as a whole. Australia, Belgium, Brazil, China, Colombia, France, Poland, Syria, the United Kingdom and the United States voted for and the U.S.S.R. abstained.

The final text of the resolution of the Security Council concerning the implementation of the resolutions of the General Assembly regarding the principles governing the general regulation and reduction of armaments and information on armed forces of the United Nations was as follows:

> The Security Council, having accepted the resolution of the General Assembly of 14 December 1946 and recognizing that the general regulation and reduction of armaments and armed forces constitute a most important measure for strengthening international peace and security, and that the implementation of the resolution of the General Assembly on this subject is one of the most urgent and important tasks before the Security Council,
>
> RESOLVES:
>
> 1. to work out the practical measures for giving effect to the resolutions of the General Assembly on 14 December 1946 concerning, on the one hand, the general regulation and reduction of armaments and armed forces, and the establishment of international control to bring about the reduction of armaments and armed forces, and, on the other hand, information concerning the armed forces of the United Nations;
> 2. to consider as soon as possible the report submitted by the Atomic Energy Commission and to take suitable decisions in order to facilitate its work;
> 3. to set up a Commission consisting of representatives of the Members of the Security Council with instructions to prepare and to submit to the Security Council within the space of not more than three months, the proposals:
>
> (a) for the general regulation and reduction of armaments and armed forces, and
>
> (b) for practical and effective safeguards in connection with the general regulation and reduction of armaments which the Com-

mission may be in a position to formulate in order to ensure the implementation of the above-mentioned resolutions of the General Assembly of 14 December 1946, in so far as these resolutions relate to armaments within the new Commission's jurisdiction.
The Commission shall submit a plan of work to the Council for approval.
Those matters which fall within the competence of the Atomic Energy Commission as determined by the General Assembly Resolution of 24 January 1946 and 14 December 1946 shall be excluded from the jurisdiction of the Commission hereby established.
The title of the Commission shall be the Commission for Conventional Armaments.
The Commission shall make such proposals as it may deem advisable concerning the studies which the Military Staff Committee and possibly other organs of the United Nations might be asked to undertake.
4. to request the Military Staff Committee to submit to it, as soon as possible and as a matter of urgency, the recommendations for which it has been asked by the Security Council on 16 February 1946 in pursuance of Article 43 of the Charter, and as a first step, to submit to the Security Council not later than 30 April 1947, its recommendations with regard to the basic principles which should govern the organization of the United Nations Armed Force.

The Commission for Conventional Armaments held its first meeting at Lake Success on March 24, 1947.[1]

9. Free Territory of Trieste

a. Consideration of Annexes to Peace Treaty with Italy

At the 88th meeting of the Security Council of December 31, 1946, the President of the Council—the representative of the United States—notified the members of a letter from the Chairman of the Council of Foreign Ministers to the Secretary-General, dated December 12, 1946, and received by the Secretary-General on December 20, dealing with the decisions of the Council of Foreign Ministers regarding Trieste. The letter was not included in the provisional agenda of that meeting, however, as the President felt that the Governments represented on the Council would desire to send instructions to their representatives, and that it would be better to have the item considered at an early meeting in the new year.

The letter explained that the Council of Foreign Ministers had prepared a peace treaty with Italy which would come into force when ratified by the four powers—France, the U.S.S.R., the United Kingdom, and the United States.

The treaty would establish a Free Territory of Trieste whose independence and integrity would be ensured by the Security Council. The permanent statute and the provisional statute of the Territory appeared as an annex to the treaty, as did an instrument on the Free Port of Trieste.

In order to permit the Security Council to study the texts in question, the relevant articles and annexes of the draft peace treaty with Italy were transmitted with the letter, which advised that the Ministers of Foreign Affairs had instituted a Committee which would hold itself at the disposal of the Security Council for the purpose of furnishing it with all necessary information concerning the Free Territory, its statute and the provisions concerning the Free Port of Trieste.

The letter stated that the Ministers of Foreign Affairs were desirous that the texts submitted on the terms of the treaty for approval by the Security Council should be decided on by the Council before January 15, 1947, as the signing of the treaty of peace with Italy was to occur at the beginning of February.

Transmitted with the letter were the following: Description of Frontiers, General Provisions Concerning the Status of the Free Territory of Trieste, Property and Debt Provisions Relating to the Free Territory of Trieste, Technical Guarantees, Instrument for the Provisional Regime of the Free Territory of Trieste, Permanent Statute for the Free Territory of Trieste and Instrument for the Free Port of Trieste.

The item was placed on the agenda of the Security Council at its 89th meeting of January 7, 1947. At the meeting the representative of Australia stated that the proposals before the Security Council were to the effect that the Council should accept various new responsibilities and, in particular, the responsibility of assuring the integrity and the independence of the Free Territory. The acceptance of such responsibilities was clearly not authorized by the Charter, he stated. No

[1] See sections of Yearbook on Commission for Conventional Armaments, Atomic Energy Commission and Military Staff Committee.

amendment of the Charter had yet been proposed, and to accept these responsibilities in the absence of such an amendment would be a grave precedent affecting all Members of the United Nations. He asked further what countries would be bound by the obligation to ensure the integrity and independence of the Free Territory.

In reply to the representative of Australia, the representative of the U.S.S.R. stated that the power to assume responsibility in respect of the execution of the task outlined in the documents was given to the Council by a whole series of articles contained in the Charter and in particular by Article 24.

The representative of the United States stated that the particular problem of Trieste had been rightly brought to the Security Council by the Council of Foreign Ministers. He contended that the only possible solution for the Trieste Territory was internationalization, and that it seemed far more in keeping with the spirit of the world organization that the Security Council, representing the United Nations, should be the body charged with the responsibility for guaranteeing that Territory, rather than the principal powers which were engaged in the war, or any single power arbitrarily chosen as a so-called trustee. He then presented the following draft resolution:

> The Security Council having received and examined the Annexes to the proposed Peace Treaty with Italy relating to the creation and government of the Free Territory of Trieste (including an arrangement for a Free Port), hereby records its approval of the said Annexes, and its acceptance of the responsibilities devolving upon it under the same, and directs the Secretary-General to notify the United States of America, France, the United Kingdom and the U.S.S.R., of its action.

As a matter of clarification, the representative of the U.S.S.R. explained to the members of the Council that the Council was not asked to approve all the documents passed to it by the Council of Foreign Ministers, but only the following documents: (1) the instrument for the Free Port of Trieste; (2) the instrument for the provisional regime of the Free Territory of Trieste; (3) the permanent Statute for the Free Territory of Trieste. The other documents were submitted to the Security Council for its information.

Discussion of the item was continued at the 91st meeting of the Council on January 10, 1947. At that meeting, the Assistant Secretary-General in charge of Security Council affairs, by direction of the Secretary-General, submitted to the Council a statement with regard to the legal issues raised in connection with the question of Trieste. The legal questions raised were: (1) the authority of the Security Council to accept the responsibilities imposed by the three instruments relating to the Free Territory of Trieste, and (2) the obligation of Members of the United Nations to accept and carry out the decisions of the Security Council pursuant to these instruments. With respect to (1), the Assistant Secretary-General stated that in paragraph 1 of Article 24 the words "primary responsibility for the maintenance of international peace and security," coupled with the phrase, "acts on their behalf," constituted a grant of power sufficiently wide to enable the Security Council to approve the documents in question and to assume the responsibilities arising therefrom. Furthermore, he continued, the records of the San Francisco Conference demonstrated that the powers of the Security Council under Article 24 were not restricted to the specific grants of authority contained in Chapters VI, VII, VIII and XII. It was recognized in the discussion at San Francisco that the responsibility to maintain peace and security carried with it a power to discharge this responsibility.

With respect to the second legal question raised, the Assistant Secretary-General stated that Article 24 provided that in carrying out its duties, the Security Council acted on behalf of Members of the United Nations. Moreover, Article 25 expressly provided that "the Members of the United Nations agree to accept and carry out the decisions of the Security Council in accordance with the present Charter". Further, at the San Francisco Conference, there was a proposal in Committee III/1 to limit the obligation of the Security Council solely to those decisions of the Council undertaken pursuant to the specific powers enumerated in Chapters VI, VII, VIII and XII of the Charter. This amendment was put to a vote in the Committee and rejected. The rejection of this amendment, he concluded, was clear evidence that the obligation of the Members to carry out the decisions of the Security Council applied equally to decisions made under Article 24 and to the decisions made under the grant of specific powers.

At the same meeting, the representative of the United States asked for leave to revise the resolution he had submitted to the Council at the last meeting. After a number of observations had been offered concerning the revised draft and after the part directing the Secretary-General to notify the Council of Foreign Ministers of its action had been deleted in order to meet objections of certain members of the Council who felt that it was entirely unnecessary, the following resolution was put to a vote:

The Security Council, having received and examined the Annexes to the proposed Peace Treaty with Italy relating to the creation and government of the Free Territory of Trieste (including an arrangement for a Free Port), hereby records its approval of the three following documents:

1. The instrument for the provisional regime of the Free Territory of Trieste;
2. The permanent Statute for the Free Territory of Trieste;
3. The instrument for the Free Port of Trieste;

and its acceptance of the responsibilities devolving upon it under the same.

Belgium, Brazil, China, Colombia, France, Poland, Syria, the United Kingdom, the United States and the U.S.S.R. voted for the resolution. Australia abstained from voting.

The text of the three documents approved follows:

INSTRUMENT FOR THE PROVISIONAL REGIME OF THE FREE TERRITORY OF TRIESTE[1]

ARTICLE 1

The present provisions shall apply to the administration of the Free Territory of Trieste pending the entry into force of the Permanent Statute.

The Governor shall assume office in the Free Territory at the earliest possible moment after the entry into force of the present Peace Treaty. Pending assumption of office by the Governor, the Free Territory shall continue to be administered by the Allied military commands within their respective zones.

ARTICLE 2

On assuming office in the Free Territory of Trieste, the Governor shall be empowered to select from among persons domiciled in the Free Territory, and after consultation with the Governments of Yugoslavia and Italy, a Provisional Council of Government. The Governor shall have the right to make changes in the composition of the Provisional Council of Government whenever he deems it necessary. The Governor and the Provisional Council of Government shall exercise their functions in the manner laid down in the provisions of the Permanent Statute, as and when these provisions prove to be applicable and in so far as they are not superseded by the present Instrument. Likewise, all other provisions of the Permanent Statute shall be applicable during the period of the provisional regime as and when these provisions prove to be applicable and in so far as they are not superseded by the present Instrument. The Governor's actions will be guided mainly by the needs of the population and its well-being.

ARTICLE 3

The seat of Government will be established in Trieste. The Governor will address his reports directly to the President of the Security Council and will, through that channel, supply the Security Council with all necessary information on the administration of the Free Territory.

ARTICLE 4

The first concern of the Governor shall be to ensure the maintenance of public order and security. He shall appoint, on a provisional basis, a Director of Public Security, who will reorganize and administer the police force and security services.

ARTICLE 5

(*a*) From the date of the coming into force of the present Treaty, troops stationed in the Free Territory shall not exceed 5,000 men for the United Kingdom, 5,000 men for the United States of America and 5,000 men for Yugoslavia.

(*b*) These troops shall be placed at the disposal of the Governor for a period of ninety days after his assumption of office in the Free Territory. As from the end of that period, they will cease to be at the disposal of the Governor and will be withdrawn from the Territory within a further period of forty-five days, unless the Governor advises the Security Council that, in the interests of the Territory, some or all of them should not, in his view, be withdrawn. In the latter event, the troops required by the Governor shall remain until not later than forty-five days after the Governor has advised the Security Council that the security services can maintain internal order in the Territory without the assistance of foreign troops.

(*c*) The withdrawal prescribed in paragraph (*b*) shall be carried out so as to maintain, in so far as possible, the ratio prescribed in paragraph (*a*) between the troops of the three Powers concerned.

ARTICLE 6

The Governor shall have the right at any time to call upon the commanders of such

[1] Annex VII of the Peace Treaty.

contingents for support, and such support shall be given promptly. The Governor shall, whenever possible, consult with the military commanders concerned before issuing his instructions but shall not interfere with the military handling of the forces in the discharge of his instructions. Each commander has the right to report to his Government the instructions which he has received from the Governor, informing the Governor of the contents of such reports. The Government concerned shall have the right to refuse the participation of its forces in the operation in question, informing the Security Council accordingly.

ARTICLE 7

The necessary arrangements relating to the stationing, administration and supply of the military contingents made available by the United Kingdom, United States of America and Yugoslavia shall be settled by agreements between the Governor and the commanders of those contingents.

ARTICLE 8

The Governor, in consultation with the Provisional Council of Government, shall be responsible for organizing the elections of members of the Constituent Assembly in accordance with the conditions provided for in the Statute for elections to the popular Assembly.

The elections shall be held not later than four months after the Governor's assumption of office. In case this is technically impossible, the Governor shall report to the Security Council.

ARTICLE 9

The Governor shall, in consultation with the Provisional Council of Government, prepare the provisional budget and the provisional export and import programmes and shall satisfy himself that appropriate arrangements are made by the Provisional Council of Government for the administration of the finances of the Free Territory.

ARTICLE 10

Existing laws and regulations shall remain valid unless and until revoked or suspended by the Governor. The Governor shall have the right to amend existing laws and regulations and to introduce new laws and regulations in agreement with the majority of the Provisional Council of Government. Such amended and new laws and regulations, as well as the acts of the Governor in regard to the revocation or suspension of laws and regulations shall be valid unless and until they are amended, revoked or superseded by acts of the popular Assembly or the Council of Government within their respective spheres after the entry into force of the Constitution.

ARTICLE 11

Pending the establishment of a separate currency regime for the Free Territory, the Italian *lira* shall continue to be the legal tender within the Free Territory. The Italian Government shall supply the foreign exchange and currency needs of the Free Territory under conditions no less favourable than those applying in Italy.

Italy and the Free Territory shall enter into an agreement to give effect to the above provisions as well as to provide for any settlement between the two Governments which may be required.

PERMANENT STATUTE FOR THE FREE TERRITORY OF TRIESTE[1]

ARTICLE 1

Area of Free Territory

The area of the Free Territory of Trieste shall be the territory within the frontiers described in Articles 4 and 22 of the present Treaty as delimited in accordance with Article 5 of the Treaty.

ARTICLE 2

Integrity and independence

The integrity and independence of the Free Territory shall be assured by the Security Council of the United Nations. This responsibility implies that the Council shall:

(*a*) Ensure the observance of the present Statute and in particular the protection of the basic human rights of the inhabitants;

(*b*) Ensure the maintenance of public order and security in the Free Territory.

ARTICLE 3

Demilitarization and neutrality

1. The Free Territory shall be demilitarized and declared neutral.

2. No armed forces, except under direction of the Security Council, shall be allowed in the Free Territory.

3. No para-military formations, exercises or activities shall be permitted within the Free Territory.

4. The Government of the Free Territory shall not make or discuss any military arrangements or undertakings with any State.

ARTICLE 4

Human rights and fundamental freedoms

The Constitution of the Free Territory shall ensure to all persons under the jurisdiction of the Free Territory, without distinction as to ethnic origin, sex, language or religion, the enjoyment of human rights and of the fundamental freedoms, including freedom of religious worship, language, speech and publication, education, assembly and association. Citizens of the Free Territory shall be assured of equality of eligibility for public office.

[1] Annex VI of the Peace Treaty.

ARTICLE 5
Civic and political rights

No person who has acquired the citizenship of the Free Territory shall be deprived of his civic or political rights except as judicial punishment for the infraction of the penal laws of the Free Territory.

ARTICLE 6
Citizenship

1. Italian citizens who were domiciled on 10 June 1940 in the area comprised within the boundaries of the Free Territory, and their children born after that date, shall become original citizens of the Free Territory with full civil and political rights. Upon becoming citizens of the Free Territory they shall lose their Italian citizenship.

2. The Government of the Free Territory shall, however, provide that the persons referred to in paragraph 1 over the age of eighteen years (or married persons whether under or over that age) whose customary language is Italian shall be entitled to opt for Italian citizenship within six months from the coming into force of the Constitution under conditions to be laid down therein. Any person so opting shall be considered to have re-acquired Italian citizenship. The option of the husband shall not constitute an option on the part of the wife. Option on the part of the father, or if the father is not alive, on the part of the mother, shall, however, automatically include all unmarried children under the age of eighteen years.

3. The Free Territory may require those who take advantage of the option to move to Italy within a year from the date on which the option was exercised.

4. The conditions for the acquisition of citizenship by persons not qualifying for original citizenship shall be determined by the Constituent Assembly of the Free Territory and embodied in the Constitution. Such conditions shall, however, exclude the acquisition of citizenship by members of the former Italian Fascist Police (OVRA) who have not been exonerated by the competent authorities, including the Allied military authorities who were responsible for the administration of the area.

ARTICLE 7
Official languages

The official languages of the Free Territory shall be Italian and Slovene. The Constitution shall determine in what circumstances Croat may be used as a third official language.

ARTICLE 8
Flag and coat-of-arms

The Free Territory shall have its own flag and coat-of-arms. The flag shall be the traditional flag of the City of Trieste and the arms shall be its historic coat-of-arms.

ARTICLE 9
Organs of government

For the government of the Free Territory there shall be a Governor, a Council of Government, a popular Assembly elected by the people of the Free Territory and a Judiciary, whose respective powers shall be exercised in accordance with the provisions of the present Statute and of the Constitution of the Free Territory.

ARTICLE 10
Constitution

1. The Constitution of the Free Territory shall be established in accordance with democratic principles and adopted by a Constituent Assembly with a two-thirds majority of the votes cast. The Constitution shall be made to conform to the provisions of the present Statute and shall not enter into force prior to the coming into force of the Statute.

2. If in the opinion of the Governor any provisions of the Constitution proposed by the Constituent Assembly, or any subsequent amendments thereto, are in contradiction to the Statute, he may prevent their entry into force, subject to reference to the Security Council if the Assembly does not accept his views and recommendations.

ARTICLE 11
Appointment of Governor

1. The Governor shall be appointed by the Security Council after consultation with the Governments of Yugoslavia and Italy. He shall not be a citizen of Yugoslavia or Italy or of the Free Territory. He shall be appointed for five years and may be re-appointed. His salary and allowances shall be borne by the United Nations.

2. The Governor may authorize a person selected by him to act for him in the event of his temporary absence or temporary inability to perform his duties.

3. The Security Council, if it considers that the Governor has failed to carry out his duties, may suspend him and, under appropriate safeguards of investigation and hearing, dismiss him from his office. In the event of his suspension or dismissal, or in the event of his death or disability, the Security Council may designate or appoint another person to act as Provisional Governor until the Governor recovers from his disability or a new Governor is appointed.

ARTICLE 12
Legislative authority

The legislative authority shall be exercised by a popular Assembly consisting of a single chamber elected on the basis of proportional representation, by the citizens of both sexes of the Free Territory. The elections for the Assembly shall be conducted on the basis of universal, equal, direct and secret suffrage.

ARTICLE 13
Council of Government

1. Subject to the responsibilities vested in the Governor under the present Statute, executive authority in the Free Territory shall be exercised by a Council of Government which will be formed by the popular Assembly and will be responsible to the Assembly.

2. The Governor shall have the right to be present at all meetings of the Council of Government. He may express his views on all questions affecting his responsibilities.

3. When matters affecting their responsibilities are discussed by the Council of Government, the Director of Public Security and the Director of the Free Port shall be invited to attend meetings of the Council and to express their views.

ARTICLE 14
Exercise of judicial authority

The judicial authority in the Free Territory shall be exercised by tribunals established pursuant to the Constitution and laws of the Free Territory.

ARTICLE 15
Freedom and independence of Judiciary

The Constitution of the Free Territory shall guarantee the complete freedom and independence of the Judiciary and shall provide for appellate jurisdiction.

ARTICLE 16
Appointment of Judiciary

1. The Governor shall appoint the Judiciary from among candidates proposed by the Council of Government, or from among other persons, after consultation with the Council of Government unless the Constitution provides for a different manner for filling judicial posts; and, subject to safeguards to be established by the Constitution, may remove members of the Judiciary for conduct incompatible with their judicial office.

2. The popular Assembly, by a two-thirds majority of votes cast may request the Governor to investigate any charge brought against a member of the Judiciary which, if proved, would warrant his suspension or removal.

ARTICLE 17
Responsibility of the Governor to the Security Council

1. The Governor, as the representative of the Security Council, shall be responsible for supervising the observance of the present Statute including the protection of the basic human rights of the inhabitants and for ensuring that public order and security are maintained by the Government of the Free Territory in accordance with the present Statute, Constitution and laws of the Free Teritory.

2. The Governor shall present to the Security Council annual reports concerning the operation of the Statute and the performance of his duties.

ARTICLE 18
Rights of the Assembly

The popular Assembly shall have the right to consider and discuss any matters affecting the interests of the Free Territory.

ARTICLE 19
Enactment of legislation

1. Legislation may be initiated by members of the popular Assembly and by the Council of Government, as well as by the Governor, in matters which in his view affect the responsibilities of the Security Council as defined in Article 2 of the present Statute.

2. No law shall enter into force until it shall have been promulgated. The promulgation of laws shall take place in accordance with the provisions of the Constitution of the Free Territory.

3. Before being promulgated, legislation enacted by the Assembly shall be presented to the Governor.

4. If the Governor considers that such legislation is in contradiction to the present Statute, he may, within ten days following presentation of such legislation to him, return it to the Assembly with his comments and recommendations. If the Governor does not return the legislation within such ten days, or if he advises the Assembly within such period that it calls for no comments or recommendation on his part, the legislation shall be promulgated forthwith.

5. If the Assembly makes manifest its refusal to withdraw legislation returned to the Assembly by the Governor, or to amend it in conformity with his comments or recommendations, the Governor shall, unless he is prepared to withdraw his comments or recommendations—in which case the law shall be promulgated forthwith—immediately report the matter to the Security Council. The Governor shall likewise transmit without delay to the Security Council any communication which the Assembly may wish to make to the Council on the matter.

6. Legislation which forms the subject of a report to the Security Council under the provisions of the preceding paragraph shall only be promulgated by the direction of the Security Council.

ARTICLE 20
Rights of Governor with respect to administrative measures

1. The Governor may require the Council of Government to suspend administrative measures which in his view conflict with his responsibilities as defined in the present Statute (observance of the Statute; maintenance of public order and security; respect for human rights). Should the Council of Government object, the Governor may suspend these administrative measures and the Governor or the Council of Government may refer the whole question to the Security Council for decision.

2. In matters affecting his responsibilities as defined in the Statute the Governor may propose to the Council of Government the adoption of any administrative measures. Should the Council of Government not accept such proposals the Governor may, without prejudice to Article 22 of the present Statute, refer the matter to the Security Council for decision.

ARTICLE 21

Budget

1. The Council of Government shall be responsible for the preparation of the budget of the Free Territory, including both revenue and expenditure, and for its submission to the popular Assembly.

2. If the Assembly should fail to vote the budget within the proper time limit, the provisions of the budget for the preceding period shall be applied to the new budgetary period until such time as the new budget shall have been voted.

ARTICLE 22

Special powers of Governor

1. In order that he may carry out his responsibilities to the Security Council under the present Statute, the Governor may, in cases which in his opinion permit of no delay, and which threaten the independence or integrity of the Free Territory, public order or respect of human rights, directly order and require the execution of appropriate measures subject to an immediate report thereon being made by him to the Security Council. In such circumstances the Governor may himself assume, if he deems it necessary, control of the security services

2. The popular Assembly may petition the Security Council concerning any exercise by the Governor of his powers under paragraph 1 of this Article.

ARTICLE 23

Power of pardon and reprieve

The power of pardon and reprieve shall be vested in the Governor and shall be exercised by him in accordance with provisions to be laid down in the Constitution.

ARTICLE 24

Foreign relations

1. The Governor shall ensure that the foreign relations of the Free Territory shall be conducted in conformity with the Statute, Constitution, and laws of the Free Territory. To this end the Governor shall have authority to prevent the entry into force of treaties or agreements affecting foreign relations which, in his judgment, conflict with the Statute, Constitution or laws of the Free Territory.

2. Treaties and agreements, as well as exequaturs and consular commissions, shall be signed jointly by the Governor and a representative of the Council of Government.

3. The Free Territory may be or become a party to international conventions or become a member of international organizations provided the aim of such conventions or organizations is to settle economic, technical, cultural, social or health questions.

4. Economic union or associations of an exclusive character with any State are incompatible with the status of the Free Territory.

5. The Free Territory of Trieste shall recognize the full force of the Treaty of Peace with Italy, and shall give effect to the applicable provisions of that Treaty. The Free Territory shall also recognize the full force of the other agreements or arrangements which have been or will be reached by the allied and associated Powers for the restoration of peace.

ARTICLE 25

Independence of Governor and staff

In the performance of their duties, the Governor and his staff shall not seek or receive instructions from any Government or from any other authority except the Security Council. They shall refrain from any act which might reflect on their position as international officials responsible only to the Security Council.

ARTICLE 26

Appointment and removal of administrative officials

1. Appointments to public office in the Free Territory shall be made exclusively on the ground of ability, competence and integrity.

2. Administrative officials shall not be removed from office except for incompetence or misconduct and such removal shall be subject to appropriate safeguards of investigation and hearing to be established by law.

ARTICLE 27

Director of Public Security

1. The Council of Government shall submit to the Governor a list of candidates for the post of Director of Public Security. The Governor shall appoint the Director from among the candidates presented to him, or from among other persons, after consultation with the Council of Government. He may also dismiss the Director of Public Security after consultation with the Council of Government.

2. The Director of Public Security shall not be a citizen of Yugoslavia or Italy.

3. The Director of Public Security shall normally be under the immediate authority of the Council of Government from which he will receive instructions on matters within his competence.

4. The Governor shall:

(*a*) Receive regular reports from the Director of Public Security, and consult with him on any matters coming within the competence of the Director;

(*b*) Be informed by the Council of Government of its instructions to the Director of Public Security and may express his opinion thereon.

ARTICLE 28
Police force

1. In order to preserve public order and security in accordance with the Statute, the Constitution and the laws of the Free Territory, the Government of the Free Territory shall be empowered to maintain a police force and security services.

2. Members of the police force and security services shall be recruited by the Director of Public Security and shall be subject to dismissal by him.

ARTICLE 29
Local government

The Constitution of the Free Territory shall provide for the establishment on the basis of proportional representation of organs of local government on democratic principles, including universal, equal, direct and secret suffrage.

ARTICLE 30
Monetary system

The Free Territory shall have its own monetary system.

ARTICLE 31
Railways

Without prejudice to its proprietary rights over the railways within its boundaries and its control of the railway administration, the Free Territory may negotiate with Yugoslavia and Italy agreements for the purpose of ensuring the efficient and economical operation of its railways. Such agreements would determine where responsibility lay for the operation of the railways in the direction of Yugoslavia or Italy respectively and also for the operation of the railway terminal of Trieste, and of that part of the line which is common to all. In the latter case such operation may be effected by a special commission comprised of representatives of the Free Territory, Yugoslavia and Italy under the chairmanship of the representative of the Free Territory.

ARTICLE 32
Commercial aviation

1. Commercial aircraft registered in the territory of any one of the United Nations which grants on its territory the same rights to commercial aircraft registered in the Free Territory, shall be granted international commercial aviation rights, including the right to land for refueling and repairs, to fly over the Free Territory without landing and to use for traffic purposes such airports as may be designated by the competent authorities of the Free Territory.

2. These rights shall not be subject to any restrictions other than those imposed on a basis of non-discrimination by the laws and regulations in force in the Free Territory and in the countries concerned, or resulting from the special character of the Free Territory as neutral and demilitarized.

ARTICLE 33
Registration of vessels

1. The Free Territory is entitled to open registers for the registration of ships and vessels owned by the Government of the Free Territory or by persons or organizations domiciled within the Free Territory.

2. The Free Territory shall open special maritime registers for Czechoslovak and Swiss ships and vessels upon request of these Governments as well as for Hungarian and Austrian ships and vessels upon the request of these Governments after the conclusion of the treaty of peace with Hungary and the treaty for the re-establishment of the independence of Austria respectively. Ships and vessels entered in these registers shall fly the flags of their respective countries.

3. In giving effect to the foregoing provisions, and subject to any international convention which may be entered into concerning these questions, with the participation of the Government of the Free Territory, the latter shall be entitled to impose such conditions governing the registration, retention on and removal from the registers as shall prevent any abuses arising from the facilities thus granted. In particular as regards ships and vessels registered under paragraph 1 above, registration shall be limited to ships and vessels controlled from the Free Territory and regularly serving the needs or the interests of the Free Territory. In the case of ships and vessels registered under paragraph 2 above, registration shall be limited to ships and vessels based on the port of Trieste and regularly and permanently serving the needs of their respective countries through the port of Trieste.

ARTICLE 34
Free Port

A Free Port shall be established in the Free Territory and shall be administered on the basis of the provisions of an international instrument drawn up by the Council of Foreign Ministers, approved by the Security Council, and annexed to the present Treaty.[1] The Government of the Free Territory shall enact all necessary legislation and take all necessary steps to give effect to the provisions of such instrument.

ARTICLE 35
Freedom of transit

Freedom of transit shall, in accordance with customary international agreements, be assured by the Free Territory and the States whose territories are traversed, to goods transported by railroad between the Free Port and the States which it serves, without any discrimination and without customs duties or charges other than those levied for services rendered.

[1] Annex VIII of the Peace Treaty.

ARTICLE 36
Interpretation of Statute

Except where any other procedure is specifically provided under any Article of the present Statute, any dispute relating to the interpretation or execution of the Statute, not resolved by direct negotiations, shall, unless the parties mutually agree upon another means of settlement, be referred at the request of either party to the dispute to a commission composed of one representative of each party and a third member selected by mutual agreement of the two parties from nationals of a third country. Should the two parties fail to agree within a period of one month upon the appointment of the third member, the Secretary-General of the United Nations shall be requested to make the appointment. The decision of the majority of the members of the commission shall be the decision of the commission, and shall be accepted by the parties as definitive and binding.

ARTICLE 37
Amendment of Statute

This Statute shall constitute the permanent Statute of the Free Territory, subject to any amendment which may hereafter be made by the Security Council. Petitions for the amendment of the Statute may be presented to the Security Council by the popular Assembly upon a vote taken by a two-thirds majority of the votes cast.

ARTICLE 38
Coming into force of Statute

The present Statute shall come into force on a date which shall be determined by the Security Council of the United Nations.

INSTRUMENT FOR THE FREE PORT OF TRIESTE[1]

ARTICLE 1

1. In order to ensure that the port and transit facilities of Trieste will be available for use on equal terms by all international trade and by Yugoslavia, Italy and the States of Central Europe, in such manner as is customary in other free ports of the world:

(*a*) There shall be a customs-free port in the Free Territory of Trieste within the limits provided for by, or established in accordance with, Article 3 of the present Instrument;

(*b*) Goods passing through the Free Port of Trieste shall enjoy freedom of transit as stipulated in Article 16 of the present Instrument.

2. The international regime of the Free Port shall be governed by the provisions of the present Instrument.

ARTICLE 2

1. The Free Port shall be established and administered as a State corporation of the Free Territory, having all the attributes of a juridical person and functioning in accordance with the provisions of this Instrument.

2. All Italian State and para-statal property within the limits of the Free Port which, according to the provisions of the present Treaty, shall pass to the Free Territory shall be transferred, without payment, to the Free Port.

ARTICLE 3

1. The area of the Free Port shall include the territory and installations of the free zones of the port of Trieste within the limits of the 1939 boundaries.

2. The establishment of special zones in the Free Port under the exclusive jurisdiction of any State is incompatible with the status of the Free Territory and of the Free Port.

3. In order, however, to meet the special needs of Yugoslav and Italian shipping in the Adriatic, the Director of the Free Port, on the request of the Yugoslav or Italian Government, and with the concurring advice of the International Commission provided for in Article 21, may reserve to merchant vessels flying the flags of either of these two States the exclusive use of berthing spaces within certain parts of the area of the Free Port.

4. In case it shall be necessary to increase the area of the Free Port such increase may be made upon the proposal of the Director of the Free Port by decision of the Council of Government with the approval of the popular Assembly.

ARTICLE 4

Unless otherwise provided for by the present Instrument, the laws and regulations in force in the Free Territory shall be applicable to persons and property within the boundaries of the Free Port and the authorities responsible for their application in the Free Territory shall exercise their functions within the limits of the Free Port.

ARTICLE 5

1. Merchant vessels and goods of all countries shall be allowed unrestricted access to the Free Port for loading and discharge both for goods in transit and goods destined for or proceeding from the Free Territory.

2. In connexion with importation into, exportation from, or transit through the Free Port, the authorities of the Free Territory shall not levy on such goods customs duties or charges other than those levied for services rendered.

3. However, in respect of goods, imported through the Free Port for consumption within the Free Territory or exported from this Territory through the Free Port, appropriate legislation and regulations in force in the Free Territory shall be applied.

ARTICLE 6

Warehousing, storing, examining, sorting, packing and repacking and similar activities which have customarily been carried on in

[1] Annex VIII of the Peace Treaty.

the free zones of the Port of Trieste shall be permitted in the Free Port under the general regulations established by the Director of the Free Port.

ARTICLE 7

1. The Director of the Free Port may also permit the processing of goods in the Free Port.

2. Manufacturing activities in the Free Port shall be permitted to those enterprises which existed in the free zones of the port of Trieste before the entry into force of the present Instrument. Upon the proposal of the Director of the Free Port, the Council of Government may permit the establishment of new manufacturing enterprises within the limits of the Free Port.

ARTICLE 8

Inspection by the authorities of the Free Territory shall be permitted within the Free Port to the extent necessary to enforce the customs or other regulations of the Free Territory for the prevention of smuggling.

ARTICLE 9

1. The authorities of the Free Territory will be entitled to fix and levy harbour dues in the Free Port.

2. The Director of the Free Port shall fix all charges for the use of the facilities and services of the Free Port. Such charges shall be reasonable and be related to the cost of operation, administration, maintenance and development of the Free Port.

ARTICLE 10

In the fixing and levying, in the Free Port, of harbour dues and other charges under Article 9, as well as in the provision of the services and facilities of the Free Port, there shall be no discrimination in respect of the nationality of the vessels, the ownership of the goods or on any other grounds.

ARTICLE 11

The passage of all persons into and out of the Free Port area shall be subject to such regulations as the authorities of the Free Territory shall establish. These regulations, however, shall be established in such a manner as not unduly to impede the passage into and out of the Free Port of nationals of any State who are engaged in any legitimate pursuit in the Free Port area.

ARTICLE 12

The rules and by-laws operative in the Free Port and likewise the schedules of charges levied in the Free Port must be made public.

ARTICLE 13

Coastwise shipping and coastwise trade within the Free Territory shall be carried on in accordance with regulations issued by the authorities of the Free Territory, the provisions of the present Instrument not being deemed to impose upon such authorities any restrictions in this respect.

ARTICLE 14

Within the boundaries of the Free Port, measures for the protection of health and measures for combating animal and plant diseases in respect of vessels and cargoes shall be applied by the authorities of the Free Territory.

ARTICLE 15

It shall be the duty of the authorities of the Free Territory to provide the Free Port with water supplies, gas, electric light and power, communications, drainage facilities and other public services and also to ensure police and fire protection.

ARTICLE 16

1. Freedom of transit shall, in accordance with customary international agreements, be assured by the Free Territory and the States whose territories are traversed to goods transported by railroad between the Free Port and the States which it serves, without any discrimination and without customs duties or charges other than those levied for services rendered.

2. The Free Territory and the States assuming the obligations of the present Instrument through whose territory such traffic passes in transit in either direction shall do all in their power to provide the best possible facilities in all respects for the speedy and efficient movement of such traffic at a reasonable cost, and shall not apply, with respect to the movement of goods to and from the Free Port, any discriminatory measures with respect to rates, services, customs, sanitary, police or any other regulations.

3. The States assuming the obligations of the present Instrument shall take no measures regarding regulations or rates which would artificially divert traffic from the Free Port for the benefit of other seaports. Measures taken by the Government of Yugoslavia to provide for traffic to ports in southern Yugoslavia shall not be considered as measures designed to divert traffic artificially.

ARTICLE 17

The Free Territory and the States assuming the obligations of the present Instrument shall, within their respective territories and on non-discriminatory terms, grant, in accordance with customary international agreements, freedom of postal, telegraphic and telephonic communications between the Free Port area and any country for such communications as originate in or are destined for the Free Port area.

ARTICLE 18

1. The administration of the Free Port shall be carried on by the Director of the Free Port who will represent it as a juridical

person. The Council of Government shall submit to the Governor a list of qualified candidates for the post of Director of the Free Port. The Governor shall appoint the Director from among the candidates presented to him after consultation with the Council of Government. In case of disagreement the matter shall be referred to the Security Council. The Governor may also dismiss the Director upon the recommendation of the International Commission or the Council of Government.

2. The Director shall not be a citizen of Yugoslavia or Italy.

3. All other employees of the Free Port will be appointed by the Director. In all appointments of employees preference shall be given to citizens of the Free Territory.

ARTICLE 19

Subject to the provisions of the present Instrument, the Director of the Free Port shall take all reasonable and necessary measures for the administration, operation, maintenance and development of the Free Port as an efficient port adequate for the prompt handling of all the traffic of that port. In particular, the Director shall be responsible for the execution of all kinds of port works in the Free Port; shall direct the operation of port installations and other port equipment; shall establish in accordance with legislation of the Free Territory, conditions of labour in the Free Port; and shall also supervise the execution in the Free Port of orders and regulations of the authorities of the Free Territory in respect to navigation.

ARTICLE 20

1. The Director of the Free Port shall issue such rules and by-laws as he considers necessary in the exercise of his functions as prescribed in the preceding Article.

2. The autonomous budget of the Free Port will be prepared by the Director, and will be approved and applied in accordance with legislation to be established by the popular Assembly of the Free Territory.

3. The Director of the Free Port shall submit an annual report on the operations of the Free Port to the Governor and the Council of Government of the Free Territory. A copy of the report shall be transmitted to the International Commission.

ARTICLE 21

1. There shall be established an International Commission of the Free Port, hereinafter called "the Commission," consisting of one representative from the Free Territory and from each of the following States: France, United Kingdom of Great Britain and Northern Ireland, Union of Soviet Socialist Republics, United States of America, Federated People's Republic of Yugoslavia, Italy, Czechoslovakia, Poland, Switzerland, Austria and Hungary, provided that such State has assumed the obligations of the present Instrument.

2. The representative of the Free Territory shall be the permanent Chairman of the Commission. In the event of a tie in voting, the vote cast by the Chairman shall be decisive.

ARTICLE 22

The Commission shall have its seat in the Free Port. Its offices and activities shall be exempt from local jurisdiction. The members and officials of the Commission shall enjoy in the Free Territory such privileges and immunities as are necessary for the independent exercise of their functions. The Commission shall decide upon its own secretariat, procedure and budget. The common expenses of the Commission shall be shared by member States in an equitable manner as agreed by them through the Commission.

ARTICLE 23

The Commission shall have the right to investigate and consider all matters relating to the operation, use and administration of the Free Port or to the technical aspects of transit between the Free Port and the States which it serves, including unification of handling procedures. The Commission shall act either on its own initiative or when such matters have been brought to its attention by any State or by the Free Territory or by the Director of the Free Port. The Commission shall communicate its views or recommendations on such matters to the State or States concerned, or to the Free Territory, or to the Director of the Free Port. Such recommendations shall be considered and the necessary measures shall be taken. Should the Free Territory or the State or States concerned deem however that such measures would be inconsistent with the provisions of the present Instrument, the matter may at the request of the Free Territory, or any interested State be dealt with as provided in Article 24.

ARTICLE 24

Any dispute relating to the interpretation or execution of the present Instrument, not resolved by direct negotiations shall, unless the parties mutually agree upon another means of settlement, be referred at the request of either party to the dispute to a commission composed of one representative of each party and a third member selected by mutual agreement of the two parties from nationals of a third country. Should the two parties fail to agree within a period of one month upon the appointment of the third member, the Secretary-General of the United Nations shall be requested to make the appointment. The decision of the majority of the members of the commission shall be the decision of the commission, and shall be accepted by the parties as definitive and binding.

ARTICLE 25

Proposals for amendments to the present Instrument may be submitted to the Security

Council by the Council of Government of the Free Territory or by three or more States represented on the International Commission. An amendment approved by the Security Council shall enter into force on the date determined by the Security Council.

ARTICLE 26

For the purposes of the present Instrument a State shall be considered as having assumed the obligations of this Instrument if it is a party to the Treaty of Peace with Italy or has notified the Government of the French Republic of its assumption of such obligations.

b. Appointment of a Governor

By a letter dated June 13, 1947, addressed to the Secretary-General, the representative of the United Kingdom requested that an early date be fixed for the discussion by the Security Council of the question of the appointment of a Governor of the Free Territory of Trieste. The question was placed on the provisional agenda at the 143rd meeting of the Security Council.

At the 143rd meeting of the Security Council on June 20, 1947, the representative of the U.S.S.R. spoke against the inclusion of this question in the agenda of the Security Council. He argued that the Security Council could not discuss the matter until the peace treaty with Italy had been ratified. The discussion of the question in the Security Council before a corresponding previous decision had been taken by the representatives of the four powers which participated in the decision of the Foreign Ministers' Conference of December 12, 1946, would only be a loss of time inasmuch as no decision could possibly be taken by the Security Council until agreement had been reached by the representatives of the four powers.

The representative of Australia stated, among other things, that it seemed clear that: (1) it was not necessary for the Permanent Statute to come into force before the appointment of the Governor; and (2) it was necessary for the Instrument for the Provisional Regime to come into force before the Governor was formally appointed. He went on to state that the Security Council was not concerned at the moment with the formal appointment of the Governor. All it was concerned with was making the selection and deciding who he should be so that immediately the Treaty entered into force, the formal appointment could be made. If the Council did not take this anticipatory action, the assumption of office by the Governor would be indefinitely delayed; and until he assumed office, the Free Territory would continue to be administered by the Allied Military Commands within their respective zones. It was essential, therefore, that the Security Council proceed at once to discuss possible candidates for the Governorship.

By a vote of 9 in favor, with 1 vote against (U.S.S.R.) and with France abstaining, the Security Council admitted the discussion of the appointment of a Governor of Trieste to its agenda, and decided, further, to hold a closed meeting while discussing possible candidates.

A private meeting of the Security Council was held on the afternoon of the same day. In a communique released by the Council after the meeting it was stated that the members of the Council exchanged their views and decided to meet on that matter in a few days. The President of the Council, who was authorized by the Council to speak with the representatives of the press after the meeting, stated that no new names of candidates were introduced at the private meeting.

10. INCIDENTS IN THE CORFU CHANNEL

On January 10, 1947, the Secretary-General received a communication from the Government of the United Kingdom requesting the Security Council to take up, under Article 35 (1) of the Charter, a dispute between Great Britain and Albania. The matter concerned the damaging by mines of the British destroyers *Volage* and *Saumarez* in the Corfu Channel, close to the Albanian shores, on October 22, 1946. As a result of explosions, 44 sailors were killed, 42 were injured, and the two ships were crippled, one becoming a total loss.

The United Kingdom in a communication to the Albanian Government had requested an apology and compensation for the loss of life and property involved. As the Albanian reply to the British communication was considered unsatisfactory by the United Kingdom, the case was submitted to the Security Council.

The Security Council on January 20, 1947, by a vote of 10 in favor and 1 abstention (the U.S.S.R.), admitted the dispute to its agenda.

The Albanian Government was advised on January 20, 1947, that the Security Council had decided to invite it to participate without vote in the proceedings on condition that it accept in this case all the obligations which a Member of the United Nations would have to assume in a similar case. A reply from Colonel General Enver Hoxha, President of the Council of Ministers of the People's Republic of Albania and Minister of Foreign Affairs of Albania, dated January 24, stated that the Albanian Government accepted the Security Council's decision.

On February 18 the representative of the United Kingdom presented the case for his Government in support of the charges against Albania. He sought to place responsibility for the incident on Albania, stating that the laying of a clandestine minefield in the Corfu Channel was a violation of the rules of conduct set out in the Hague Convention of 1907 and a crime against humanity.

The Albanian representative presented the case for his Government to the Security Council on February 19. He stated that his Government did not lay the mines and that it did not know who laid them. It did not know whether or not there were mines in those waters, and it was not responsible for the safety of navigation in its territorial waters or in the Strait.

On February 24 the Australian representative on the Security Council proposed the appointment of a small sub-committee to examine the material which had been presented to the Council regarding the incidents and to report to the Council on its findings. Such a sub-committee, composed of the representatives of Australia, Colombia and Poland, was appointed by the Security Council on February 27.

The Sub-Committee held ten meetings and submitted its report on March 15. A minority report by the representative of Poland was included as an appendix.

With regard to the damage and loss of life suffered by British ships the Sub-Committee reported that it had ascertained that no conflicting evidence existed. Concerning the existence of an unnotified minefield in the Corfu Channel on October 22, the report stated that no agreement could be reached as to whether the mines which damaged the British destroyers were part of the minefield which was located in sweeping operations which took place after the incident.

The Polish representative in his report expressed the opinion that the Sub-Committee's report did not represent a report "on the facts of the case" and therefore did not fulfil the task set by the Security Council.

The Security Council continued the discussion of the dispute, including the report of the Sub-Committee, at the 120th, 121st and 122nd meetings. On March 25 a United Kingdom proposal asking the Council to find that an unnotified minefield was laid in the Corfu Strait with the knowledge of the Albanian Government was defeated because of the adverse vote of the U.S.S.R., one of the five permanent members. The vote was as follows: In favor of the resolution—Australia, Belgium, Brazil, China, Colombia, France, United States; against the resolution—Poland and the U.S.S.R.; abstention—Syria. Being a party to the dispute, the United Kingdom did not vote.

The case was continued on the Council's agenda and on April 3 the representative of the United Kingdom moved to have the dispute referred to the International Court of Justice.

In presenting his resolution the United Kingdom representative argued that the fact that seven out of nine voting representatives supported the previous British resolution, showed that in the opinion of the majority the United Kingdom had established its case against Albania.

The representative of Australia stated that the issue concerned not only the United Kingdom and Albania; it went deeper than that. The first United Kingdom resolution had declared that "the laying of mines in peace time without notification is unjustified and an offence against humanity." When there had been a crime against humanity, the Security Council should pursue it or make a recommendation so that that crime would be punished.

The representative of the U.S.S.R. stated that it was not possible for the Council to come to a decision that a country had committed a crime or was at fault merely on the basis of suppositions such as those which had been presented before the Council. It would have been better, he said, for the Council to come to the conclusion that the question should be referred to the International Court of Justice at

the beginning of the discussion rather than at the end of it.

The representative of China observed that several delegations had referred to the fact that the case could have been taken to the International Court in the first place, but he reminded those delegations that, since Albania was not a member of the United Nations, it could not have been compelled to appear before the Court. However, since it had accepted the obligations of the Members of the United Nations when it accepted the Council's invitation to participate in the discussion, it was now, like any Member of the United Nations, obliged to comply with both the provisions of the Charter and the Statute of the International Court.

A vote was taken on April 9, 1947, on the United Kingdom proposal to recommend "that the United Kingdom and the Albanian Governments should immediately refer the dispute to the International Court of Justice in accordance with the provisions of the Statute of the Court."

The result of the voting was as follows: Affirmative—Australia, Belgium, Brazil, China, Colombia, France, Syria and the United States. Abstention—Poland and the U.S.S.R. Being a party to the dispute, the United Kingdom did not vote. The President of the Council announced that the resolution was carried.

On May 23, 1947, the Secretary-General received notification that the United Kingdom had filed with the International Court of Justice its applications against the Albanian People's Republic in the Corfu Channel Case.

11. Trusteeship Agreement for the former Japanese mandated islands

On February 17, 1947, the Secretary-General of the United Nations received from the United States representative on the Security Council a letter enclosing the text of a draft Trusteeship Agreement for the former Japanese mandated islands. The Secretary-General was requested to submit the draft Agreement to the Security Council for its approval, and he was further requested to place this matter on the agenda of the Security Council at an early date. The area included in the Agreement took in the Marshall, Mariana and Caroline Islands—a total of 98 islands with a population of some 48,000.

The draft Trusteeship Agreement differed from the eight United Nations Trusteeship Agreements already in effect by its designation of the former Japanese mandated islands as a strategic area. Article 82 of the Charter provides that there may be designated in any Trusteeship Agreement a strategic area or areas to include part or all of the Trust Territory. Under Article 83, all functions of the United Nations relating to such strategic areas, including the approval of the terms of the Trusteeship Agreements and of their alteration or amendment, are exercised by the Security Council. Subject to the provisions of the Trusteeship Agreements and without prejudice to security considerations, the Security Council is to avail itself of the assistance of the Trusteeship Council on political, economic, social and educational matters in the strategic areas.

The letter and the enclosed draft Trusteeship Agreement were placed on the agenda of the Security Council at its 113th meeting held on February 26, 1947.

In explaining the purpose of the draft Agreement, the United States representative to the Security Council reiterated the declaration made by President Truman on November 6, 1946, that "the United States is prepared to place under trusteeship, with the United States as the Administering Authority, the Japanese mandated islands and any Japanese islands for which it assumes responsibility as a result of the Second World War."

Final disposition of islands which were under Japanese sovereignty before the war must await the peace settlement with Japan, the United States representative went on to state. The draft Trusteeship Agreement submitted to the Security Council for its approval related only to the former Japanese mandated islands, which had never belonged to Japan but were part of the League of Nations mandates system.

The United States representative described the strategic value of the mandated islands to Japan in its campaign of aggression. The purpose of the United States, he maintained, was to defend the security of these islands in a manner that would contribute to the building up of genuine, effective and enforceable collective security for all Members of the United Nations.

He stated that in conformity with the provisions of the Charter for strategic areas, the Trust Territory would contain bases, and that the United States might from time to

time specify certain areas as closed for security reasons. The Council was assured that the United States would faithfully support the principle of effective supervision by the United Nations within the limits imposed by its obligation to administer that area in such a way as to preserve the security of the United States and to strengthen collective security under the United Nations. The United States representative concluded by stating that it was the profound belief of the Government of the United States and of the American people that the administration of those islands by the United States in accordance with the terms of the draft Agreement would contribute both to the maintenance of international peace and security and to the well-being and advancement of the inhabitants of the islands.

The representative of the U.S.S.R. considered that the question of the former Japanese mandated islands was within the competence of the Security Council, that the Council was empowered to take a decision upon it and that it was not required to observe any delay in such a decision. He stated that it was the opinion of the Soviet delegation that it would be right and proper to place the area of the former Japanese mandated islands under the trusteeship of the United States, as the Soviet Government considered that the United States forces played a decisive role in the victory over Japan.

The discussion of the matter was continued at the 116th meeting of the Council on March 7, 1947. At that meeting the representative of the United Kingdom stated that while his Government was entirely agreeable in principle to the United States Government's ultimately becoming the Administering Authority in respect of the mandated area, his Government had doubts, on a strictly legal basis, as to the propriety of the Security Council considering the draft Trusteeship Agreement for the mandated islands pending final disposal of the islands under the peace treaty with Japan. He continued that if, however, the majority of the members of the Council wished to proceed in the sense requested by the United States representative, he would not oppose the adoption of such a course.

The Australian representative stated that the decision made by the Security Council should be finally confirmed at the Peace Conference settling the Pacific war, and that States not members of the Security Council who were belligerents in that war should have an opportunity to discuss the terms of trusteeship.

At the 118th meeting of the Council on March 12, it was agreed to extend an invitation to the Governments of India and New Zealand, as well as to those members of the Far Eastern Commission[1] not already represented on the Security Council, to participate in the discussions of the United States Draft Trusteeship Agreement.

At the same meeting, the representative of Australia proposed to add a new article as Article 17) which read as follows:

> This Agreement is subject to confirmation in the interim or final treaty of peace between Japan and the Allied Powers, victorious in the war against Japan, it being understood that by such treaty Japan shall be required to surrender all its rights, if any, relating to the control and administration of the present territories, and such territories shall be formally detached from any form of control by Japan.

At the meeting of the Security Council on March 17, representatives of Canada, India, the Netherlands, New Zealand, and the Philippines—as Governments interested in the discussion of the draft Agreement—took their places at the Council table.

At that meeting, the President of the Council—the representative of Brazil—gave his opinion on the constitutional aspects of the Australian amendment. He thought it difficult to accept the idea that a decision by the Council on matters relating to trusteeship for strategic areas should require confirmation by any other international body, whether linked with the United Nations or not. It was his opinion that if the Council approved the Trusteeship Agreement, that decision was final so far as

[1] The Far Eastern Commission, with headquarters in Washington, D.C., was established by the Council of Foreign Ministers at Moscow on December 16 to 26, 1945, to replace the Far Eastern Advisory Commission (established in October 1945), but to be composed of the same members: Australia, Canada, China, France, Great Britain, India, Netherlands, New Zealand, the Philippines, the U.S.S.R. and the United States. The functions of the Commission, limited, *inter alia*, with regard to the conduct of military operations and territorial changes, are to formulate policies for the carrying out of the terms of the Japanese surrender, to review directives within its jurisdiction to and from the Supreme Commander of Japan, and to discuss such other matters as may be proposed by a majority of its members with China, Great Britain, the U.S.S.R. and the United States concurring.

the United Nations was concerned and could be revoked only by another decision of the Security Council itself. On the other hand, he stated, it seemed highly undesirable for the Council to give a directive, so to speak, to a conference not held under the auspices of the United Nations.

To avoid any possible misunderstanding as to the position of Australia, the first line of the Australian amendment was redrafted to read:

This agreement will enter into force on the date on which the interim or final treaty of peace between Japan and the Allied Powers, victorious in war against Japan, becomes binding on Japan.

The Australian representative submitted that nothing in the Charter precluded the inclusion in the terms of the Trusteeship Agreement of a provision that the Agreement should become effective on a date later than that on which the Security Council approved the Agreement. In fact, Article 16 of the Draft Agreement stated that "the present agreement shall come into force" when approved by the Security Council and "by the Government of the United States after due constitutional process."

He submitted that the amendment did not intend nor did it in fact impair or lessen the jurisdiction of the Council. It simply proposed to postpone the entry into force of an Agreement in order to recognize the relationship between the approval of the Agreement and the disposal of the Japanese mandated islands at the Peace Conference. He denied that the amendment attempted to lay down any directive as to how the other conference should proceed.

The representative of the United States challenged the legality of the Australian amendment. He stated that the United Nations had the sole, exclusive and supreme authority over trusteeship and that no other authority equalled it. It was, therefore, the first duty of the Security Council to protect and save the authority and effectiveness of the United Nations. Furthermore, he argued, the United Nations had no authority under the Charter to make the peace terms. It was not given any commitment with respect to the treaty of peace between Japan and the victorious Powers.

With respect to the position of Japan, the United States representative stated that by signing the act of surrender that country had forfeited any rights to the mandated islands. The document of surrender, signed individually or through General Douglas MacArthur, Supreme Commander of the Allied Powers, showed that Japan had there accepted the Potsdam Declaration, which stated:

The terms of the Cairo Declaration shall be carried out and Japanese sovereignty shall be limited to the Islands of Honshu, Hokkaido, Kyushu, Shikoku, and such minor islands as we determine.

Finally, he continued, the United States, if it should accept the trusteeship, would have to do so according to its constitutional forms. It would not be reasonable to ask the United States to take a trusteeship responsibility on an Agreement that contained a provision that would make the effectiveness of the Agreement contingent upon the signing of a peace treaty with Japan at some future date.

At the 123rd meeting of the Council on March 28, the representative of Australia stated that it was the intention of his Government to approve the proposed draft Agreement, but to postpone its operation until the successful belligerent nations had met formally together for the making of a peace settlement with Japan. In view of the fact that the Security Council agreed to Australia's suggestion that the nations which fought against Japan be admitted to the Council itself for the purpose of stating their views on the United States trusteeship proposal, Australia had decided not to press the proposal to amend the Draft Agreement by adding a new article. For the above reason, he stated, the Australian delegation would fully endorse and support the United States proposal.

The representatives of the other interested States—non-members of the Security Council—then expressed their viewpoints on the draft Trusteeship Agreement.

The Netherlands representative said that in respect to both the immediate future and long-term aspect of the great problem of avoiding war in the Pacific, his country unreservedly approved the United States proposal.

The representative of New Zealand stated that his Government had no thought of opposing or obstructing the substance of the proposal made by the Government of the United States, but it was his Government's view that no disposition of the mandated islands could be final until it was endorsed by the terms of the peace settlement.

The representatives of Canada, India and the Philippine Republic were in favor of

United States administration of the mandated islands.

At the 124th meeting on April 2, the Security Council voted on the draft Agreement article by article, and in that way disposed of the various amendments that had been offered.

The preamble and the majority of the articles as originally proposed by the United States were approved unanimously. There was extensive debate, however on some of the articles.[1]

In connection with Article 8, there was a United Kingdom proposal to delete from the end of paragraph 1 the words "except the Administering Authority." These words, stated the United Kingdom representative, gave a preferential position to the United States that did not seem to be in strict accordance with the Charter. He argued that according to the Charter there should be equal treatment in social, economic and commercial matters for all Members of the United Nations and their nationals in the strategic area as in any other territory under trusteeship.

The United States representative replied that the proposal made by his Government was for the designation of the former Japanese mandated islands as a strategic area. In such an area, the security objective must be an over-riding consideration. Such a provision in a strategic area was justified, in the view of his Government, by Article 76 (d) and Article 83 (2) of the Charter. Article 76 (d), he stated, provided for equal treatment of all Members of the United Nations and their nationals, "without prejudice to the attainment of the foregoing objectives," one of which was the furtherance of international peace and security. Article 83 (2) provided for the manner in which Article 76 should be carried out in a strategic area, by stating that the provisions of Article 76 should be applicable to the people of the territory, rather than to the people outside. He continued by stating that those islands, in the light of experience, were an economic liability and were not assets to the Administering Authority, and therefore did not present an opportunity for important economic development. The question would have to be determined by the other members of the Security Council, as the United States representative would not vote. On the question of whether the amendment should be taken or not, if the United States had a vote, it would vote "no," he continued, but the United States was not going to use that vote to exercise the veto. On such questions as this, he concluded, it was perfectly clear that the United States, where it might be obliged in view of its responsibilities to withdraw the tender of an Agreement, should certainly not exercise a veto in the Security Council.

When the vote was taken on Article 8, Poland, the United Kingdom and the U.S.S.R. voted in favor of the amendment; Australia, Belgium, Brazil, Colombia, France and Syria against it, and China and the United States abstained. The amendment therefore failed to pass. As there were no further amendments to Article 8, it was approved without further discussion.

There was a United Kingdom proposal to re-draft Article 13. The United Kingdom representative expressed the hope that some provision might be inserted for notifying the Security Council when areas were closed, if possible giving reasons.

To this the United States representative replied that his Government considered this article of such great importance that it could not accede to the suggested change. He asked, however, if the United Kingdom representative would be satisfied if the records should show that the United States contemplated that notification would be made to the Security Council whenever the proviso contained in Article 13 came into use. The act of specification was an act of notification, he added, and it was the purpose of the United States to keep the Security Council notified.

The United Kingdom representative expressed satisfaction at the declaration made by the United States representative and withdrew his amendment, whereupon the original article was approved.

Article 15 in its original draft form read:

The terms of the present agreement shall not be altered, amended or terminated without the consent of the administering authority.

The U.S.S.R. proposed that the article be re-drafted so as to read:

The terms of the present agreement may be altered and amended or the term of its validity discontinued by the decision of the Security Council.

The United States indicated willingness to accept the following wording:

[1] For text of Trusteeship Agreement see pp. 398 ff.

The terms of the present agreement shall not be altered, amended or terminated except by agreement of the Administering Authority and the Security Council.

The U.S.S.R. representative contended that the original text did not give full recognition to the rights and powers of the Council, and that the second United States draft diminished these rights and powers still further.

The United States representative replied that inasmuch as the United States was a party to the Agreement, it probably could not accept an amendment of the nature of that proposed by the U.S.S.R. representative, as the amendment would be in violation of the Charter. He went on to state that the whole theory of the trusteeship system was that there must be at least two parties to any Trusteeship Agreement, and it would be an astonishing interpretation of the Charter to assume that that party which, by the Charter, had only the function of approval should be given exclusively the function of determining the terms of the Agreement. For an amendment, he continued, determined the terms of an agreement, and certainly the power of termination, given over to the Security Council alone, was in violation of the spirit of the Charter and of the theory of agreement. He stated that that was an occasion when he could not vote, because he would have to vote against the amendment. Such an action would constitute a veto, and he was not going to exercise a veto. He concluded by stating that the position of the United States would be that of refraining from voting, and the whole matter might result in a withdrawal by the principal party to the performance of the trust, that was, the United States.

The President of the Council—the representative of China—suggested the following as an alternative for Article 15:

The terms of the present agreement shall not be altered or amended except in accordance with the provisions of the Charter.

The President's proposal was not accepted by the United States, and the President therefore did not press it. The Polish representative, however, submitted formally an amendment equivalent to the unsustained amendment of the President.

The U.S.S.R. amendment and the Polish amendment respectively were put to a vote and lost. The United States representative then stated that his revised draft had been offered only as a compromise and was therefore not pending in view of the decision on the other amendments. The original Article 15 was then approved with 8 favorable votes; Poland, Syria and the U.S.S.R. abstained.

The text of the Trusteeship Agreement as finally approved unanimously by the Security Council on April 2, 1947, was as follows:

Preamble

WHEREAS Article 75 of the Charter of the United Nations provides for the establishment of an International Trusteeship System for the administration and supervision of such territories as may be placed thereunder by subsequent agreements; and

WHEREAS under Article 77 of the said Charter the trusteeship system may be applied to territories now held under mandate: and

WHEREAS on 17 December 1920 the Council of the League of Nations confirmed a mandate for the former German islands north of the equator to Japan, to be administered in accordance with Article 22 of the Covenant of the League of Nations; and

WHEREAS Japan, as a result of the Second World War, has ceased to exercise any authority in these islands;

NOW, THEREFORE, the Security Council of the United Nations, having satisfied itself that the relevant articles of the Charter have been complied with, hereby resolves to approve the following terms of trusteeship for the Pacific Islands formerly under mandate to Japan.

Article 1

The Territory of the Pacific Islands, consisting of the islands formerly held by Japan under mandate in accordance with Article 22 of the Covenant of the League of Nations, is hereby designated as a strategic area and placed under the Trusteeship System established in the Charter of the United Nations. The Territory of the Pacific Islands is hereinafter referred to as the Trust Territory.

Article 2

The United States of America is designated as the administering authority of the Trust Territory.

Article 3

The administering authority shall have full powers of administration, legislation, and jurisdiction over the territory subject to the provisions of this agreement, and may apply to the Trust Territory, subject to any modifications which the administering authority may consider desirable, such of the laws of the United States as it may deem appropriate to local conditions and requirements.

Article 4

The administering authority, in discharging the obligations of trusteeship in the Trust Territory, shall act in accordance with the Charter of the United Nations, and the provisions of this agreement, and shall, as specified in Article 83 (2) of the Charter, apply the objectives of the International Trusteeship System, as set forth in Article 76 of the Charter, to the people of the trust territory.

Article 5

In discharging its obligations under Article 76 (a) and Article 84, of the Charter, the administering authority shall ensure that the Trust Territory shall play its part, in accordance with the Charter of the United Nations, in the maintenance of international peace and security. To this end the administering authority shall be entitled:

1. to establish naval, military and air bases and to erect fortifications in the Trust Territory;
2. to station and employ armed forces in the territory; and
3. to make use of volunteer forces, facilities and assistance from the Trust Territory in carrying out the obligations towards the Security Council undertaken in this regard by the administering authority, as well as for the local defense and the maintenance of law and order within the Trust Territory.

Article 6

In discharging its obligations under Article 76 (b) of the Charter, the Administering Authority shall:

1. foster the development of such political institutions as are suited to the Trust Territory and shall promote the development of the inhabitants of the Trust Territory toward self-government or independence as may be appropriate to the particular circumstances of the Trust Territory and its peoples and the freely expressed wishes of the peoples concerned; and to this end shall give to the inhabitants of the Trust Territory a progressively increasing share in the administrative services in the Territory; shall develop their participation in government; shall give due recognition to the customs of the inhabitants in providing a system of law for the Territory; and shall take other appropriate measures toward these ends;

2. promote the economic advancement and self-sufficiency of the inhabitants, and to this end shall regulate the use of natural resources; encourage the development of fisheries, agriculture, and industries; protect the inhabitants against the loss of their lands and resources; and improve the means of transportation and communication;

3. promote the social advancement of the inhabitants and to this end shall protect the rights and fundamental freedoms of all elements of the population without discrimination; protect the health of the inhabitants; control the traffic in arms and ammunition. opium and the other dangerous drugs, and alcohol and other spirituous beverages; and institute such other regulations as may be necessary to protect the inhabitants against social abuses; and

4. promote the educational advancement of the inhabitants, and to this end shall take steps toward the establishment of a general system of elementary education; facilitate the vocational and cultural advancement of the population; and shall encourage qualified students to pursue higher education, including training on the professional level.

Article 7

In discharging its obligations under Article 76 (c), of the Charter, the Administering Authority shall guarantee to the inhabitants of the Trust Territory freedom of conscience, and, subject only to the requirements of public order and security, freedom of speech, of the press, and of assembly; freedom of worship, and of religious teaching; and freedom of migration and movement.

Article 8

1. In discharging its obligations under Article 76 (d) of the Charter, as defined by Article 83 (2) of the Charter, the Administering Authority, subject to the requirements of security, and the obligation to promote the advancement of the inhabitants, shall accord to nationals of each Member of the United Nations and to companies and associations organized in conformity with the laws of such Member, treatment in the Trust Territory no less favourable than that accorded therein to nationals, companies and associations of any other United Nation except the administering authority.

2. The Administering Authority shall ensure equal treatment to the Members of the United Nations and their nationals in the administration of justice.

3. Nothing in this Article shall be so construed as to accord traffic rights to aircraft flying into and out of the Trust Territory. Such rights shall be subject to agreement between the administering authority and the state whose nationality such aircraft possesses.

4. The administering authority may negotiate and conclude commercial and other treaties and agreements with Members of the United Nations and other States, designed to attain for the inhabitants of the Trust Territory treatment of the Members of the United Nations and other States no less favorable than that granted by them to the nationals of

other States. The Security Council may recommend, or invite other organs of the United Nations to consider and recommend, what rights the inhabitants of the trust territory should acquire in consideration of the rights obtained by Members of the United Nations in the Trust Territory.

Article 9

The administering authority shall be entitled to constitute the Trust Territory into a customs, fiscal, or administrative union or federation with other territories under United States jurisdiction and to establish common services between such territories and the Trust Territory where such measures are not inconsistent with the basic objectives of the International Trusteeship System and with the terms of this agreement.

Article 10

The administering authority, acting under the provisions of Article 3 of this agreement, may accept membership in any regional advisory commission regional authority, or technical organization, or other voluntary association of States, may co-operate with specialized international bodies, public or private, and may engage in other forms of international co-operation.

Article 11

1. The Administering Authority shall take the necessary steps to provide the status of citizenship of the Trust Territory for the inhabitants of the Trust Territory.

2. The administering authority shall afford diplomatic and consular protection to inhabitants of the Trust Territory when outside the territorial limits of the Trust Territory or of the territory of the administering authority.

Article 12

The Administering Authority shall enact such legislation as may be necessary to place the provisions of this agreement in effect in the Trust Territory.

Article 13

The provisions of Articles 87 and 88 of the Charter shall be applicable to the Trust Territory, provided that the Administering Authority may determine the extent of their applicability to any areas which may from time to time be specified by it as closed for security reasons.

Article 14

The Administering Authority undertakes to apply in the Trust Territory the provisions of any international conventions and recommendations which may be appropriate to the particular circumstances of the Trust Territory and which would be conducive to the achievement of the basic objectives of Article 6 of this agreement.

Article 15

The terms of the present agreement shall not be altered, amended or terminated without the consent of the administering authority.

Article 16

The present agreement shall come into force when approved by the Security Council of the United Nations and by the Government of the United States after due constitutional process.

12. Special Agreements Under Article 43 of the Charter and the Organization of the United Nations Armed Forces

By a letter dated April 30, 1947, the Deputy Representative of the United States on the Security Council requested that the Secretary-General place the report of the Military Staff Committee[1] on the provisional agenda of the next meeting of the Security Council.

The item was placed on the agenda at the 138th meeting of the Council on June 3. In the general discussion that followed, the United States representative stated that one vital task remained undone in the organizational structure of the United Nations. That was to conclude and put into force the special agreements called for in Article 43 of the Charter which would enable the Security Council to fulfil its responsibilities as the enforcement agency of the United Nations. He stated that the concept of the nature and strength of the United Nations armed forces was based to a very considerable extent on the experience of the last war.

The representative of Belgium asked that note should be taken of Belgium's reservations regarding the proposals of the Military Staff Committee which tended to neglect threats to peace, breaches of the peace, and acts of aggression, when those were directly or indirectly the act of a Great Power.

At the 139th meeting on June 6 the representative of the U.S.S.R. stated that it followed from the report of the Military Staff Committee that that organ had not succeeded in solving the question as to what principle should govern the determination of contributions in armed forces to be made available to the Security Council by States. He went on to state that the U.S.S.R. insisted on the preservation of the equal position of all of the permanent members of the Security Council in the contribution of armed forces by them. That equal position would be secured, he con-

[1] See pp. 424 ff.

tinued, if all permanent members contributed armed forces on the principle of equality rather than on the principle of comparable contributions as proposed by other delegations. He argued that the principle of equality in the contribution of armed forces by the five permanent members of the Security Council was based on the provisions of the United Nations Charter, which laid the main responsibility for the maintenance of international peace on the permanent members of the Council. In addition to the serious divergence on the principle governing the determination of contributions in armed forces, the U.S.S.R. representative stated, a number of less serious divergences appeared in the report of the Military Staff Committee on the question of bases, on the location of armed forces, on the withdrawal of forces, on the logistical support of armed forces and on the question of air forces.

The representative of Australia stated that the Charter made it abundantly clear that the functions of the Military Staff Committee were limited to advising and assisting the Security Council, and that even in the case of strategic direction the ultimate responsibility and the ultimate decision rested with the Security Council as a whole, including of course the non-permanent members. The "most extraordinary doctrine" put before the Council by the representative of the U.S.S.R. placing the five powers in a special position in comparison with other Member States of the United Nations was not, he contended, in strict conformity with the Charter, but rather a direct contradiction of everything contained in it. He argued that the past practices of the Military Staff Committee in not making information available to the non-permanent members of the Council as to the matters under discussion made it impossible for the non-permanent members to discharge their obligations under the Charter. He asked that the latter should be associated with the Military Staff Committee during their term of office.

After the general discussion of the report of the Military Staff Committee had terminated, the Security Council at its 141st meeting on June 16 adopted a Syrian resolution calling for a consideration of the report, article by article, by the full Council. This resolution was adopted by 9 votes, with 2 abstentions (Poland and the U.S.S.R.).

The Security Council began its detailed discussion of the report of the Military Staff Committee at its 142nd meeting on June 18. At the suggestion of the President, the Council agreed to discuss the report chapter by chapter with a view to reaching agreement on all articles on which unanimity had been achieved in the Military Staff Committee. The articles of the report on which unanimity could not be achieved in the Military Staff Committee would be taken up by the Council subsequently.

Deferring the adoption of the whole of the report of the Military Staff Committee to a later date, the Security Council adopted, without changes, Articles 1, 2, 3 and 4 of the report.

Speaking on Article 5, the Australian representative stated that there was no substance to "moral weight" (used in the article) as a principle on which the size of the forces was to be determined. He desired, therefore, that the article be further reconsidered by the Military Staff Committee with a view to amending it. At a subsequent meeting of the Security Council (145th meeting), the Council, by a vote of 8 in favor, and with 3 abstentions (China, Poland and the U.S.S.R.), adopted the following text for Article 5:

> As the moral weight and the potential power behind any decision to employ the Armed Forces made available to the Security Council by Member Nations of the United Nations in enforcement action will be very great, this fact will directly influence the size of the Armed Forces required to be made available under the special agreements.

The representative of Belgium suggested an amendment to Article 6 for the purpose of bringing the terminology used in the report of the Military Staff Committee into harmony with that used in the Charter. Explaining his amendment, he stated that according to Article 43 of the Charter of the United Nations, it was the function of the Security Council to take the initiative in the negotiation of special agreements between itself and States Members. Under these agreements, the Members of the United Nations would be obliged to hold in reserve certain armed forces which they had undertaken to place in that manner at the disposal of the Security Council on its call; that was to say, upon a definite hypothesis. This hypothesis was realized when the Security Council made a call for the armed forces,

compulsorily held in reserve for the purpose under the terms of the special agreements, to be made available to it. The Security Council could make this call only in conformity with special agreements which had already been duly concluded.

He went on to state that the obligation to make armed forces available to the Security Council thus presupposed not only the conclusion of special agreements, but also a call from the Security Council. So long as the call had not been made, there was not, in the sense of the Charter, any armed force available to the Security Council, There were only armed forces obligatorily held in reserve in anticipation of a case, which might never arise, in which the Security Council would make a call to have those forces, effectively placed at its disposal, made available to it. This distinction was of practical importance, he said. He went on to say that before a call was made by the Security Council, the armed forces envisaged in the special agreements remained under the command of the States to which they belonged. They could pass under the authority of the Security Council only after the Council had requested that they be made available to it.

The Belgian amendment was put to a vote at the Council's 145th meeting and approved. The text of Article 6 as amended was as follows:

The Armed Forces specified in the special agreements and which are to be made available to the Security Council, on its call, by Members of the United Nations shall be limited to a strength sufficient to enable the Security Council to take prompt action in any part of the world for the maintenance or the restoration of international peace and security as envisaged in Article 42 of the Charter.

Article 9 was approved without change.

As a consequence of the amendment of Article 6, Article 10, with an amendment also proposed by the representative of Belgium, was approved by the Council. Its text was as follows:

In order to facilitate the early establishment of the Armed Forces which, in accordance with the special agreements, are to be made available to the Security Council, on its call, the permanent members of the Security Council shall contribute initially the major portion of these forces. As the contributions of other Members of the United Nations become available they shall be added to the forces already contributed.

Article 11 of the report of the Military Staff Committee was discussed by the Security Council at its 146th meeting on June 23. At that meeting the representative of Syria supported the principle of comparable contribution of the armed forces. The capability of a Member nation must serve as a basis for the measurement of the contribution of the armed forces, he said. He pointed out that if the principle of equality was accepted for the great powers, the same principle must be adopted for the small nations as well.

The representative of Australia stated that the proposition that all of the Members of the United Nations ought to make equal contributions seemed completely unsound. It was quite devoid of the reality of the international situation and the reality of what one would call the military situation of the Members of the United Nations at the present time. He argued that there should be a comparable contribution, not an equal one.

The representative of the U.S.S.R. argued that the principle of comparable contributions could not be approved, because such a solution would mean that some of the powerful and influential Member States of the United Nations would be placed in a privileged position with respect to the armed forces to be made available to the Security Council. He went on to state that since the armed forces to be made available to the Security Council should not be numerous there should be no difficulty on the part of the States Members in making their contributions on the principle of equal contributions.

The representative of the United Kingdom stated that on the strict interpretation of the principle of equality of contributions, the Security Council would have the weakest possible force at its disposal.

The United States representative stated that the spirit and purpose of the military clauses of the Charter were to put into the hands of the United Nations an effective force for quick and immediate use in case there was any real danger to peace. He argued that if from that overall force, as a practical result, there were to be excluded, through the principle of equality, all of the advantages of modern technological development in transport, weapons and other instruments which might be very quickly effective in stopping the attempted aggression, the force at the disposal of the United Nations might not even have the mobility to

accomplish its task, much less the means, the weapons and the numbers.

On the suggestion of the representative of the United Kingdom, the Security Council decided to request the Military Staff Committee:

(1) to prepare and submit to the Council, . . . on the basis of Articles 5 and 6 of its report, an estimate of the overall strength of the Armed Forces which should be made available to the Security Council, indicating the approximate strength and composition of the separate components, land, sea, and air;

(2) to indicate if possible . . . the proportion of this overall strength that in its opinion should be provided on the basis of equality by the five permanent members of the Security Council.

The Military Staff Committee discussed the questions and submitted to the Security Council on June 30 a report on the matter. Since the Military Staff Committee was unable to achieve a common view, and in view of the insufficient time available for the discussion, the report included the views of the various delegations of the Military Staff Committee on the subjects taken up. The text of the report follows:

REPORT FROM THE MILITARY STAFF COMMITTEE TO THE PRESIDENT OF THE SECURITY COUNCIL

1. Concerning question (1) of the letter from the President of the Security Council dated 26 June 1947, the following table shows the proposals made by the French, United Kingdom and United States delegations regarding the provisional estimate of overall strength and composition of the Armed Forces which should be made available to the Security Council. The Chinese delegation agreed with the United Kingdom proposal.

	FRANCE	*U.K.*[1]	*U.S.*
AIR FORCES			
Bombers	775	600	1250
Strategic	(225)		(Includes only
Medium	(150)		strategic and
Light	(400)		tactical bombers)
Fighters	300	400	2250 (Includes fighter bombers)
Reconnaissance	200	—	—
Miscellaneous		200	300
TOTAL	1275	1200	3800 (does not include air transport requirements)
GROUND FORCES			
Divisions	16	8-12	20
Armored	(3)		
Airborne	(3)		
Motorized or Mountain	(10)		
NAVAL FORCES			
Battleships	3	2	3
Carriers	6	4	6
Cruisers	9	6	15
Destroyers	18-24	24	84
Escort Vessels	30	48	—
Minesweepers	30	24	—
Submarines	12	12	90
Assault shipping and craft for number of divisions shown	1	Two-thirds (2 regimental combat teams or brigade groups)	6

NOTE: All proposals provide for appropriate naval auxiliaries without specifying exact numbers.

2. The opinions of the various delegations in the Military Staff Committee regarding the three estimates shown in paragraph 1 are as follows:

a. The Chinese delegation is in full agreement with the Provisional Estimate proposed by the United Kingdom delegation.

b. The French delegation adheres to its Provisional Estimate but points out that its estimate is in close agreement to that of the United Kingdom delegation.

c. The U.S.S.R. delegation was unable at the present time to present any Provisional Estimate for reasons stated below in its position (p. 405).

d. The United Kingdom delegation adheres to its Provisional Estimate shown in paragraph 1 above.

e. The United States delegation adheres to its Provisional Estimate shown in paragraph 1 above.

f. The Chinese, French, United Kingdom and United States delegations agree that the figures which they support are tentative and do not constitute a commitment of their respective Governments but are submitted in accordance with the expressed desire of the Security Council that an estimate be submitted to the Council by Monday 30 June 1947.

3. Concerning question (2) of your letter the opinions of the various delegations are as follows:

a. The Chinese delegation considers that practically no fraction of the overall

[1] The Chinese delegation supported the provisional estimate of the United Kingdom delegation.

strength can be supplied on a basis of equality by the five Permanent Members of the Security Council.

b. The French delegation considers that three-fourths of the initial overall strength should be provided jointly by the five Permanent Members of the Security Council, but considers it difficult to assess what percentage of that fraction should be provided on the basis of equality.

c. The U.S.S.R. delegation finds it possible and necessary to answer the second question of the Security Council. The U.S.S.R. delegation, on the basis of Article 10 and Article 11 (in the U.S.S.R. wording) of the General Principles, considers that the major portion of the Armed Forces should be contributed by the five Permanent Members of the Security Council on the principle of equality.

d. The United Kingdom delegation does not consider it possible for the Military Staff Committee to reply to question (2) until question (1) has been resolved and until a decision has been reached on the percentage of the overall strength to be furnished jointly by the five Permanent Members of the Security Council.

e. The United States delegation considers that no appreciable fraction of the overall strength could be supplied on a basis of equality by the five Permanent Members of the Security Council.

4. The positions of the various delegations with regard to both question (1) and question (2) are set forth in detail below.

POSITION OF THE CHINESE DELEGATION

Since certain factors are unknown, the Chinese delegation can only base its preliminary estimate of the overall strength on the following factors:

I. The requirements of the Security Council which fall into two parts:

(1) Early establishment of the United Nations Armed Forces.

(2) Possible military tasks consisting of:

(a) Independent strategic employment of air forces as envisaged in Article 45 of the Charter.

(b) Measures as mentioned in Article 42 of the Charter.

(c) Strategic consideration in the geographical distribution of the forces.

II. Capabilities of the Member Nations:

(1) Their present military strength (as far as is known to the Chinese delegation).

(2) Possible contributions by the five Permanent Members of the Security Council as estimated by the Chinese delegation.

Using the above factors as the basis of its calculation the Chinese delegation has arrived at figures in its own estimate somewhat close to those proposed by the United Kingdom delegation. Hence, in order to facilitate the draft of the report to the Security Council and to minimize the number of divergent views, the Chinese delegation is prepared to give its full support to the U.K. proposal. However, the Chinese delegation desires to make it clear that these are but figures of a provisional estimate of the overall strength of the Armed Forces made available to the Security Council by the Member Nations of the United Nations.

As regards question (2), the Chinese delegation considers that practically no fraction of the overall strength can be supplied on a basis of equality by the five Permanent Members of the Security Council.

POSITION OF THE FRENCH DELEGATION

The French delegation, in order to arrive at the estimate set out on Page 3[1], as a basis, specially took Articles 42 and 46 of the Charter which stipulate that forces capable of maintaining or restoring the peace should be made available to the Security Council. Article 45, which refers to air forces, was also taken into consideration.

Moreover, the French delegation was influenced by the same rules which guided it during the discussion of the General Principles. These ideas are set out clearly in the comments which appear with the General Principles. The French delegation, in addition, based its calculations on the following:

1. Unofficial information in its possession, on the military strength of Nations other than the five Permanent Members.

2. The present state of disarmament.

3. Factors of economic and military power which back up the forces made available to the Security Council.

4. Special measures proposed by the French delegation during the discussion on General Principles, i.e., the location and distribution of the Armed Forces made available to the Security Council, depending upon the various contingencies and plans set up by the Military Staff Committee.

Finally, in this estimate it was attempted to provide that forces made available to the Security Council would be sufficient to halt any conflict, though not too large to constitute too heavy a burden, especially for the Permanent Members who would, according to the French Plan, supply three quarters of these forces.

It suffices to compare these figures with those in effect during the landing operations in the last war to observe that they correspond to actual necessity.

[1] See p. 403 of this Yearbook.

After having seen the figures furnished by the United Kingdom delegation the French delegation stresses that the air forces in the two estimates are almost identical; it was deliberately proposed that the land forces should be of considerable importance because they would undoubtedly be partly contributed by the other Member Nations. As concerns the naval forces, the French delegation considers that they should be flexible and include sizeable air strength to enable them to operate in any part of the world. That is why the French delegation considered that it would be necessary to have the elements for the assembling of three "task forces" provided with a certain number of aircraft carriers.

Concerning the second question, the French delegation considered that the reply embodies three factors:

1. Estimate of the overall strength.
2. Estimate of the percentage of this strength to be provided by the five Permanent Members.
3. Estimate of the percentage which could be provided by the five Permanent Members on the principle of equality.

Considering that, at the present stage of work, only an approximation of the first factor and even remoter approximation of the second factor has been reached, the French delegation considered that it was not possible at the present stage of work to give a reply on the third factor. For this reason the French delegation replied to the second question as follows:

1. 75% of the total forces will be provided by the Permanent Members.
2. It is difficult to assess, at present, what proportion of that 75% could be provided on the principle of equality.

The French delegation stresses that these estimates are of an unofficial character and are in no way binding on its Government. They constitute a form of estimate as the result of discussions, and having only as object to give some information to the members of the Security Council.

POSITION OF THE U.S.S.R. DELEGATION

The U.S.S.R. delegation considers it impossible for the Military Staff Committee to present even a preliminary estimate of the overall strength of the Armed Forces to be made available to the Security Council until the Security Council has taken decisions on the General Principles for the organization of the Armed Forces.

The U.S.S.R. delegation also considers that before proceeding with the actual determination of the estimates of the overall strength of the Armed Forces the Military Staff Committee should agree upon what factors (conditions) should determine the strength and composition of the Armed Forces to be made available to the Security Council.

The preparation of any recommendation on the question of the overall strength required time in view of the complexity of this matter even if agreed Principles were to be had.

Concerning Question (2), the U.S.S.R. delegation on the basis of Article 10 and Article 11 (in the Soviet wording) of the General Principles, considers that the major portion of the Armed Forces should be contributed by the five Permanent Members of the Security Council on the principle of equality.

POSITION OF THE U.K. DELEGATION

With regard to question (1) of the letter of the President of the Security Council, the United Kingdom delegation submits a provisional estimate of the United Nations Forces as shown in the table in paragraph 1. The United Kingdom delegation wishes to make it clear that its estimate is strictly provisional and that it has not received approval of His Majesty's Government. The figures must therefore be viewed in this light. In making this estimate, the U.K. delegation has taken into account the relevant General Principles governing the Organization of the United Nations Forces contained in the Report of the Military Staff Committee.

The United Kingdom delegation does not consider it possible to answer question (2) of the President of the Security Council until question (1) has been resolved, and until a decision has been reached on the percentage of the overall strength to be furnished jointly by the Permanent Members of the Security Council. In the opinion of the U K. delegation, it is not necessary to explore the possible or probable individual contributions of the five Permanent Members to appreciate that the overall strength provisionally estimated by any one of the four delegations could not be made available to the Security Council if the five Permanent Members were required to make identical contributions.

POSITION OF THE U.S. DELEGATION

Concerning question (1), the estimate of overall strength submitted by the U.S. delegation is based on the following fundamentals:

a. That the overall strength of the Forces to be made available to the Security Council should enable the Security Council to constitute balanced, effective forces able to take prompt action in any part of the world for the maintenance of international peace and security, including urgent military measures envisaged in Article 45 of the Charter.

b. That the forces made available to the Security Council should be sufficient to enable the Security Council to carry out the tasks envisaged in Article 42 of the Charter.

In presenting its provisional estimate, the U.S. delegation emphasizes that it does not consider that any useful or authoritative estimate of the overall strength can be made

by the Military Staff Committee until the Security Council resolves the divergences in the General Principles. Moreover, the figures submitted by the U.S. Delegation are tentative, do not commit the U.S. Government in any way, nor prejudice the U.S. proposal of opposition to the principle of equality. The Members of the U.S. Delegation have submitted these figures because of the expressed desire of a majority of the Delegations to submit an estimate to the Security Council in conformity with the request of the President of the Security Council.

Concerning question (2), the U.S. Delegation considers that no appreciable fraction of the overall strength could be supplied on the basis of equality by the five Permanent Members of the Security Council.

When the report of the Military Staff Committee was discussed at the Council's 149th meeting on June 30, the representative of the U.S.S.R. stated that a series of proposals regarding the general principles governing the overall strength and the organization of the armed forces to be made available to the Security Council was still the subject of divergences among the members of the Council. For that reason, he argued, it was not possible to elaborate any estimates regarding the overall strength of the armed forces to be made the composition of armed forces. He went on to state that the delegations which submitted estimates submitted them not as having been approved by their governments, not as official estimates, but only as provisional, unofficial, tentative estimates. The Security Council was an official organ of the United Nations, he continued. How, therefore, he asked, could it study proposals which were submitted to it unofficially? He concluded by saying that he was not able to discuss the question of whether the proposals submitted by various delegations on the Military Staff Committee were right or not, nor was he able to discuss the question of whether or not they met the requirements of the Security Council or the requirements of the maintenance of international peace and security.

The representative of Poland stated that he was rather puzzled as to how, from the figures presented in the report of the Military Staff Committee, the conclusion could be drawn that the principle of equality in the provision of armed forces was impractical and inapplicable.

On the initiative of the representative of Australia, the Council decided to ask the Military Staff Committee the following two questions: 1) When they spoke about the overall strength, did they mean the contributions of the Permanent Members? 2) Did the Military Staff Committee mean the contributions by all the Members of the United Nations under the special agreements?

Discussion on Article 11 was to be continued by the Security Council.

Article 12 was approved without change.

Article 13, with an amendment by the representative of Belgium, was approved by the Council. Its text was as follows:

No Member of the United Nations shall be urged to increase the strength of its Armed Forces or to create a particular component thereof for the specific purpose of making a contribution to the Armed Forces which in accordance with the special agreements are to be made available to the Security Council, on its call, by Members of the United Nations.

Articles 14 and 15 were adopted without change.

Article 18 was discussed at the 145th meeting of the Security Council on June 24. The representative of Belgium submitted an amendment to the article which resulted in a lengthy debate. Several alternative amendments and sub-amendments were suggested and finally the representative of Belgium agreed to accept an amendment suggested by the representative of the United States and the representative of Poland. This amendment would leave the original text of Article 18 unchanged, except for adding at the end of the first line the words "as a result of its call," making the first line read: "The Armed Forces made available to the Security Council as a result of its call." As several members of the Council raised doubts as to the interpretation of Article 18, asking whether this article applied to the overall strength of the armed forces or only to a force made available to the Security Council on its call, the Council agreed to request the Military Staff Committee for an interpretation of Article 18.

The reply of the Military Staff Committee was discussed at the 149th meeting of the Council. The text of the reply was as follows:

In reply to your letter of June 24, 1947, I have the honor to inform you that at the

49th meeting of the Military Staff Committee on June 26, 1947, the Military Staff Committee unanimiusly agreed to the following interpretation of Article 18 of the report of the Military Staff Committee:

> Article 18 of the General Principles was intended to establish the principle that the Armed Forces specified in the special agreements may be called for in whole or in part only by decision of the Security Council for employment under Article 42 of the Charter. When so called for, they may be employed by the Security Council only for the period necessary for the fulfillment of the tasks envisaged in Article 42 of the Charter.
>
> Article 18 of the General Principles cannot be interpreted to impair the right of a Member Nation to use all or any part of its armed forces under Article 51 of the Charter, nor can Article 18 of the General Principles be interpreted to impair the exercise of exclusive command by a Member Nation over its armed forces which have been pledged to the Security Council in the special agreements but not yet called up for employment by the Scurity Council.

The representative of the United States then proposed that the original text of Article 18 be deleted and be replaced by part of the first paragraph of the reply from the Military Staff Committee. This proposal was put to a vote but failed to carry, and the President of the Council ruled that Article 18 in its original form would be maintained. After further discussion, it was decided that the explanation contained in the first paragraph of the reply of the Military Staff Committee should be added to the report with the understanding that the interpretation would be considered as the one accepted by the Security Council.

Article 19 was adopted without change.

Article 22 was amended by the representative of Belgium and adopted by the Security Council. Its text was as follows:

> The degree of readiness of the Armed Forces which are to be made available to the Security Council, on its call, by individual Member Nations of the United Nations is fixed by the Security Council, on the advice of the Military Staff Committee, as a result of the negotiations in concluding the Special Agreements with those Member Nations under Article 43 of the Charter.

Article 23 was subjected to a slight drafting amendment to read as follows:

> The degree of readiness of the Armed Forces should be maintained at a level which will enable these Forces to start in good time to fulfil the Security Council's measures envisaged in Article 42 of the Charter.

Article 24 was also subjected to a slight drafting amendment to read as follows:

> These Armed Forces shall be either maintained in readiness for combat or brought up to readiness for combat within the time-limits to be specified in the Special Agreements.

Articles 29, 30 and 35 were adopted without change.

Article 36 as amended by the representative of Belgium and adopted by the Security Council reads as follows:

> The Armed Forces specified in the special agreements shall remain under the exclusive command of the respective contributing States, except when operating under the Security Council, having been made available to it on its call.

Articles 37, 38, 39 and 40 were adopted by the Security Council without any changes.

The Security Council continued to be seized of the matter.[1]

13. Questions Not Placed on the Agenda

a. The Polish Army in Italy

By a letter dated February 15, 1946, addressed to the Secretary-General, the representative of the U.S.S.R. drew the attention of the members of the Security Council to the facts set forth in an enclosed memorandum of the Government of the Federated People's Republic of Yugoslavia on the question of the Polish *émigré* army in Italy. The letter stated that the Yugoslav Government regarded the events referred to in its memorandum as a possible future threat to peace, calm and order on the Yugoslav-Italian frontier and had requested the Government of the U.S.S.R. to bring the matter to the knowledge of the members of the Security Council.

The Yugoslav memorandum presented information on a continuing movement of units of the Polish Army in Italy, under the command of General Anders, towards the north and northeast so as to approach closer to the frontier of Yugoslavia. It was noted that the state of mind of these units was hostile to the Yugoslav Government, as evidenced by

[1] See Military Staff Committee, pp. 422 ff.

the aggressive and ostensibly threatening tone that this Army was recruiting troops from Yugoslav quisling groups and supporting these groups in Italy.

In a letter dated February 17, 1946, addressed to the Secretary-General, the Secretary of State for Foreign Affairs of the United Kingdom stated that the abovementioned letter of the Soviet Government had been the first communication received by his Government concerning movements of the Polish forces in Italy and that he felt the proper course of the Yugoslav Government should have been to bring the matter to his notice through diplomatic channels. The letter further stated that Polish troops in Italy were widely distributed and that those in the area mentioned in the Yugoslav memorandum were performing guard duties only; none were, or would be, employed east of the province of Udine, and, as their guard duties diminished, they would be moved south of the River Po and east of Bologna. It was noted that all recruiting had been forbidden for several months and that there was no information to confirm the statement that the Polish forces were in close touch with Yugoslav dissident elements.

This question was not placed on the Council's agenda.

b. Franco-Siamese Relations

In a memorandum submitted to the Secretary-General on May 31, 1946, the Siamese Chargé d'Affaires in Washington, D.C., stated that he was bringing incidents occurring on the Siam-Indo-China border to the knowledge of the United Nations, hoping to serve the general interests in making every effort for the maintenance of peaceful and friendly relations between the nations of the world. The memorandum noted the deterioration of relations between Siam and France since the termination of the war in the Pacific and the declaration by the French Government that it considered that a state of hostility existed between the two countries; as proof of a desire to maintain friendly relations with France, the Siamese Government had continued to welcome and aid French refugees, to allow French nationals complete freedom, and had opened negotiations with a view to bringing about a satisfactory solution to the question of territories retroceded to Siam in 1941.

In spite of these marks of good will, the memorandum continued, a tense situation had all along prevailed on the border area where the Mekong River separated the two countries. The memorandum cited incidents which had developed since the end of the last war, classified into the following five categories:

(1) arbitrary arrest of Siamese nationals;
(2) wanton fusillade;
(3) plunder and looting;
(4) violation of Siamese territory;
(5) arbitrary control of the Mekong River traffic, search of Siamese boats and confiscation of properties belonging to Siamese nationals.

It was stated that in a recent case the Siamese Government had considered it advisable to seek the good offices of the British and American Governments in persuading the French Government, and thereby the French authorities in Indo-China, to discontinue the use of force in a question which could be solved through normal and peaceful procedure; however, the French authorities in the border region continued to create trouble.

This question was not placed on the Council's agenda.[1]

Subsequently the Secretary-General received two letters dated November 28, 1946, from the French and Siamese Governments respectively, advising that the dispute between these two countries which was brought to the attention of the Security Council had been settled by negotiation and that the Siamese representative had been instructed by his Government to withdraw its complaint.

The letters were discussed at the 81st meeting of the Security Council on November 29, 1946. The President of the Council — the representative of the United States — speaking on behalf of all members of the Council, expressed deep satisfaction that the French and Siamese Governments had reached a settlement of their difficulties by means of negotiations directly between themselves in accordance with the spirit and principles of the Charter. He went on to state that since the original Siamese complaint had never been placed on the agenda of the Council, the Council could now consider the matter closed and that no further action by the Council was necessary.

[1] See pp. 418, 419.

c. Presence of Foreign Troops in Non-Enemy Countries

At the 57th meeting of the Security Council, on August 29, 1946, the representative of the U.S.S.R. presented a statement concerning the presence of Allied troops on the territory of States which were Members of the United Nations, or other States, not including former enemy countries. The representative of the U.S.S.R. stated that "the presence of Allied armies over a long period after the conclusion of the war, which is not called for by the necessities of war, cannot fail to provoke a wholly natural anxiety among the peoples of these countries in which until now these foreign armies are still situated. At the same time, world public opinion, which is interested in the speedy establishment of peace and the maintenance of universal security, is following with unconcealed anxiety the situation created in these countries." The representative of the U.S.S.R., therefore, requested that the Council should adopt a decision binding States Members of the United Nations to submit to the Security Council within a period of two weeks information on the following points:

(1) In what places in the territory of the United Nations or other States not including ex-enemy territories and in what numbers the armed forces of other United Nations were situated.

(2) At what places in the abovementioned territories air or sea bases were established and what was the size of the garrison of these bases belonging to the armed forces of other States Members of the United Nations.

The information to be provided under these two heads was to refer to the situation as it existed on August 1, 1946.

The question of admitting this statement to the agenda of the Security Council was discussed on September 23 and 24. After protracted discussion, during which the representatives of Australia, Brazil, China, Egypt, France, Mexico, the Netherlands, Poland, the United Kingdom and the United States each presented the views of their Governments, the Council decided not to include on the agenda the statement made by the representative of the U.S.S.R. on August 29. Poland and the U.S.S.R. voted affirmatively for the Soviet proposition; Egypt and France abstained; and Australia, Brazil, China, Mexico, the Netherlands, the United Kingdom and the United States voted against.

D. ORGANIZATIONAL MATTERS

1. Election of Officers of the United Nations

a. Nomination of the Secretary-General

At its fourth meeting (private) on January 30, 1946, pursuant to Article 97 of the Charter, the Security Council decided to recommend to the General Assembly that Trygve Lie be appointed Secretary-General of the United Nations.

At its 20th plenary meeting on February 1 the General Assembly, upon this recommendation, appointed Mr. Lie as Secretary-General.

b. Election of Members of the International Court of Justice

In accordance with the Statute of the International Court of Justice, the Council, at its ninth meeting on February 6, 1946, and the General Assembly, at the 23rd, 24th and 25th plenary meetings on February 6, 1946, elected the following members of the International Court of Justice:

For a nine-year term:

Dr. Alejandro Alvarez (Chile)
Dr. José Philadelpho de Barros Azevado (Brazil)
Professor Jules Basdevant (France)
Dr. José Gustavo Guerrero (El Salvador)
Sir Arnold Duncan McNair (United Kingdom)

For a six-year term:

Dr. Isidro Fabela Alfaro (Mexico)
Green H. Hackworth (United States)
Dr. Helge Klaestad (Norway)
Professor Sergei Borisovich Krylov (U.S.S.R.)
Dr. Charles de Visscher (Belgium)

For a three-year term:

Dr. Abdel Hamid Badawi Pasha (Egypt)
Dr. Hsu Mo (China)
John E. Read (Canada)
Dr. Bogdan Winiarski (Poland)
Dr. Milovan Zoricic (Yugoslavia)

2. Procedural Matters

a. Committee of Experts

At its first meeting held in London on January 17, 1946, the Security Council appointed a Committee of Experts, to be composed of a representative of each of the eleven members of the Council, for the purpose of revising the Provisional Rules of Procedure, which the Council had adopted upon recommendation of the Preparatory Commission.

b. Rules of Procedure of the Security Council

As instructed by the Council at its first, sixth and 23rd meetings, the Committee of Experts drafted Provisional Rules of Procedure and recommendations concerning communications from private individuals and non-governmental bodies. After minor amendments the Council adopted these Provisional Rules of Procedure and recommendations at the 31st meeting and agreed that the Committee of Experts should formulate additional provisional rules for submission to the Council.

Additional Provisional Rules of Procedure drafted by the Committee of Experts were adopted by the Council at its 41st, 42nd, 44th and 48th meetings. At the 138th meeting the Council adopted a rule on the election of Members of the International Court of Justice.[1]

c. Letter Addressed by the Secretary-General to the President of the Security Council regarding the Iranian Case.

The Committee of Experts had been requested by the Security Council at its 33rd meeting on April 16, 1946, to study the letter addressed by the Secretary-General to the President of the Council regarding the question of the retention of the Iranian case on the agenda of the Security Council. The Committee examined this question but was unable to formulate a common opinion; the report which it submitted to the Council at its 36th meeting on April 23, 1946, summarized the arguments advanced during the discussion in the Committee.

d. Rules of Procedure of the Atomic Energy Commission.

At its fourth meeting on July 3, 1946, the Atomic Energy Commission adopted Provisional Rules of Procedure submitted by the Committee on Rules of Procedure of the Atomic Energy Commission. By a letter of July 5, 1946, the Chairman of the Atomic Energy Commission[2] in accordance with the ional Rules of Procedure to the Security Council for approval. The Security Council at its 50th meeting on July 10, 1946, approved the Provisional Rules of Procedure of the Atomic Energy Commission[2] in accordance with the resolution of January 24, 1946, of the General Assembly.

e. Draft Statute and Draft Rules of Procedure of the Military Staff Committee

At the 23rd meeting of the Security Council it was agreed to postpone consideration of the Report of the Military Staff Committee concerning its Statute and Rules of Procedure. The Committee of Experts was instructed to examine the Report. It was agreed that, pending the approval of the Report by the Council, the Military Staff Committee was authorized to carry out its business along the lines suggested in its Report.

At the 25th meeting consideration of the Report was further postponed pending examination by the Committee of Experts. Up to June 30, 1947, the Committee was still examining the Report.

f. Definition of Conditions under which the International Court of Justice shall be open to States not Parties to the Statute

By a letter dated May 1, 1946, addressed to the Secretary-General of the United Nations, the President of the International Court of Justice brought to the attention of the Security Council Article 35, Paragraph 2, of the Statute of the International Court of Justice, which specifies that the conditions under which the Court shall be open to States not parties to the Statute shall be laid down by the Security Council. He requested that

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[1] Text of Provisional Rules of Procedure is to be found in Annex VI.

[2] The text of the Provisional Rules of Procedure of the Atomic Energy Commission is reproduced in Annex VII.

the Court be informed of any decisions the Council saw fit to take in this matter. At its 50th meeting the Council referred this letter, together with a memorandum of the Secretary-General in regard to it, to the Committee of Experts and instructed the Committee to prepare a draft resolution for the Council.

At its 76th meeting on October 15, 1946, the Security Council considered the report submitted by the Committee of Experts at the end of September. The draft resolution submitted by the Committee of Experts provided:

(1) The International Court of Justice shall be open to a State which is not a party to the Statute of the International Court of Justice, upon the following condition, namely: that such State shall previously have deposited with the Registrar of the Court a declaration by which it accepts the jurisdiction of the Court, in accordance with the Charter of the United Nations and with the terms and subject to the conditions of the Statute and Rules of the Court, and undertakes to comply in good faith with the decision or decisions of the Court and to accept all the obligations of a Member of the United Nations under Article 94 of the Charter.

(2) Such declaration may be either particular or general. A particular declaration is one accepting the jurisdiction of the Court in respect only of a particular dispute or disputes which have already arisen. A general declaration is one accepting the jurisdiction generally in respect of all disputes or of a particular class or classes of disputes which have already arisen or which may arise in the future.

The representative of the Netherlands, who was then Chairman of the Committee of Experts, explained that the principles underlying the draft resolution were:

(1) to give the freest possible access to the Court to States not parties to the Statute.

(2) Not to put any new obligations on the parties to the Statute. The parties to the Statute would have the advantage of bringing before their own Court any State non-party willing to appear, but under no condition would the parties to the Statute be forced to appear before the Court against their own will and consent.

The text of the resolution was adopted unanimously.

The representatives of Poland then submitted the following resolution:

In accordance with the spirit of the resolutions adopted by the General Assembly in London on 9 February and 10 February 1946, the above resolution does not apply to States whose regimes have been installed with the help of armed forces of countries which have fought against the United Nations so long as these regimes are in power.

After lengthy discussion of the merits of the Polish proposal, particularly in relation to the Franco regime in Spain, the Security Council by a vote of 7 to 4 rejected the resolution. France, Mexico, Poland and the U.S.S.R. voted in favor of the proposal; Australia, Brazil, China, Egypt, the Netherlands, the United Kingdom and the United States voted in the negative.

g. Conditions on which Switzerland may become a Party to the Statute of the International Court of Justice

Max Petitpierre, Chief of the Swiss Federal Political Department, in a letter forwarded to the Secretary-General of the United Nations on October 26, 1946, by F. Gygax, Swiss Consul-General in New York, expressed the desire of the Swiss Federal Council to ascertain the conditions on which Switzerland could, in pursuance of Article 93, Paragraph 2, of the Charter, become a party to the Statute of the International Court of Justice.

Article 93, paragraph 2, of the Charter provides that a State which is not a member of the United Nations may become a party to the Statute of the Court on conditions to be determined in each case by the General Assembly upon the recommendation of the Security Council.

The letter from the Swiss Federal Political Department was placed on the agenda of the Security Council at its 78th meeting on October 30, 1946. At that meeting the Council decided to turn the matter over to its Committee of Experts for consideration as soon as possible and to report back to the Security Council.

The report and recommendation of the Council's Committee of Experts were considered and adopted by the Security Council at its 80th meeting, held on November 15, 1946. The recommendation was as follows:

The Security Council recommends that the General Assembly, in accordance with Article 93 (2) of the Charter, determine the conditions on which Switzerland may become a party to the Statute of the International Court of Justice, as follows:

Switzerland will become a party to the Statute on the date of the deposit with the Secretary-General of the United Nations of an instrument, signed on behalf of the Government of Switzerland and ratified as may be required by Swiss constitutional law, containing:

(a) Acceptance of the provisions of the Statute of the International Court of Justice;
(b) acceptance of all obligations of a Member of the United Nations under Article 94 of the Charter; and
(c) an undertaking to contribute to the expenses of the Court such equitable amount as the General Assembly shall assess from time to time after consultation with the Swiss Government.

The report, containing the recommendation, was forwarded to the President of the General Assembly. The Assembly on December 11, 1946, adopted the recommendation.

h. Application of Articles 11 and 12 of the Statute of the International Court of Justice

At the ninth meeting held on February 6, 1946, it had been agreed, on the motion of the representative of the United Kingdom, that the Council should propose to the Assembly that both the Assembly and the Council as separate bodies, or the Assembly alone, should ask the International Court of Justice for an advisory opinion on the interpretation of the word "meeting" as used in Articles 11 and 12 of the Statute of the International Court of Justice. The question had arisen in connection with the election of judges for the International Court of Justice.

Acting Secretary-General A.D.K. Owen in a letter dated January 28, 1947, transmitted to the President of the Security Council for consideration the resolution of the General Assembly of November 19, 1946, on the rules of procedure with respect to the election of members of the Court.

The resolution and the letter were brought to the attention of the Security Council at its 97th meeting on January 3, 1947, and were placed on the agenda of the Security Council at its 138th meeting on June 4, 1947. The United States representative submitted the following draft resolution to the Council:

THE SECURITY COUNCIL

HAVING CONSIDERED the Resolution of the General Assembly of 19 November 1946, adopted provisionally and subject to the concurrence of the Security Council the following Rule of Procedure:

RULE 99A

Any meeting of the General Assembly held in pursuance of the Statute of the International Court of Justice for the purpose of the election of members of the Court shall continue until as many candidates as are required for all the seats to be filled have obtained in one or more ballots an absolute majority of votes.

RESOLVES:

1. To concur in the Rule of Procedure quoted above; and
2. To adopt the following Rule of Procedure:

CHAPTER 11

Relations with Other United Nations Organs

RULE 61

Any meeting of the Security Council held in pursuance of the Statute of the International Court of Justice for the purpose of the election of members of the Court shall continue until as many candidates as are required for all the seats to be filled have obtained in one or more ballots an absolute majority of votes.

TRANSMITS:

this Resolution to the General Assembly for its information.

The President of the Council stated that the Council could either examine the draft resolution immediately or it could transmit it to the Council's Committee of Experts for study and recommendation. He believed that the second alternative would be more in conformity with the tradition of the Council.

The representative of the U.S.S.R. suggested that if a single member of the Council felt that the matter should be referred to the Committee of Experts, then it should be so ordered; otherwise the Council could proceed to deal immediately with the matter.

The Council decided unanimously to examine the draft resolution immediately.

The representative of Australia stated that for lack of a rule such as the one now proposed, there had been in the past hopeless confusion between the Security Council and the General Assembly. It had happened, he contended, that the President of the Security Council gave one ruling and the President of the General Assembly gave another ruling. Adoption of the draft resolution would obviate the difficulty.

The draft resolution was then put to a vote and adopted unanimously by the Council.

3. Admission of New Members to the United Nations

a. Rules of Procedure

At the 41st and 42nd meetings of the Security Council on May 16 and 17, 1946, the Committee of Experts recommended the following rules of procedure concerning the admission of new Members:

Rule 55

Any State which desires to become a Member of the United Nations shall submit an application to the Secretary-General. This application shall be accompanied by a declaration of its readiness to accept the obligations contained in the Charter.

Rule 56

The Secretary-General shall immediately place the application for membership before the representatives on the Security Council. Unless the Security Council decides otherwise, the application shall be referred by the President to a committee of the Security Council upon which each member of the Security Council shall be represented. The committee shall examine any application referred to it and report its conclusions thereon to the Council not less than thirty-five days in advance of a regular session of the General Assembly, or, if a special session of the General Assembly is called, not less than fourteen days in advance of such session.

Rule 57

The Security Council shall decide whether in its judgment the applicant is a peace-loving State and is able and willing to carry out the obligations contained in the Charter, and accordingly whether to recommend the applicant State for membership.

In order to assure the consideration of its recommendation at the next session of the General Assembly following the receipt of the application, the Security Council shall make its recommendations not less than twenty-five days in advance of a regular session of the General Assembly, nor less than four days in advance of a special session.

In special circumstances, the Security Council may decide to make a recommendation to the General Assembly concerning an application for membership subsequent to the expiration of the time limits set forth in the preceeding paragraph.

The representative of Australia opposed the adoption of these rules and reserved the decision of the Australian Government on this matter. He argued that membership in the United Nations involved obligations far wider than the obligations in respect to security, and fitness for membership must be judged in regard to the total obligations under the Charter; that the Security Council's recommendation could only concern matters relating to security; and that, in general, the initiative for the admission of new Members rested with the General Assembly. The representative of Australia suggested, as a possible procedure for the organization as a whole, that applications for membership should be first placed before the General Assembly, which would decide whether or not to transmit them to the Security Council; the Security Council would make its report to the General Assembly and the General Assembly would then take the final decision. He therefore proposed the following resolution:

That the consolidation of Chapter X of the proposed rules of procedure be deferred; that the President of the Security Council be asked to discuss with the President of the General Assembly the best method of consultation between the appropriate representatives of the General Assembly and the Security Council with a view to bringing about the adoption by both the General Assembly and the Security Council, early in September 1946, of rules appropriate to each organ regarding the admission of new Members.

The representative of the United Kingdom stated that although the Assembly granted admission to a new Member, the recommendation of the Security Council was required; its responsibility was, therefore, not limited, nor should its recommendation concern only matters in relation to security. He supported, therefore, the adoption of the rules recommended by the Committee of Experts.

The representative of China stated that Rule 106 of the General Assembly made it evident that the Assembly interpreted Article 4 of the Charter in the sense that the decision of the General Assembly regarding the admission of a proposed Member, while not prejudiced on the merits of the case by the recommendation of the Security Council, was nevertheless subsequent to such a recommendation being made by the Council.

The representative of Mexico stated that Article 4 (2) of the Charter made the power of the General Assembly to decide on the question of admission of new Members dependent upon the recommendation of the Security Council. He did not think that the

text submitted by the Committee of Experts involved an encroachment by the Security Council on the powers of the General Assembly, whose important part in the United Nations organization the Government of Mexico was ever anxious to protect and even increase.

The representative of the U.S.S.R. supported the recommendation of the Committee of Experts. He stressed the words "upon the recommendation of the Security Council" in Article 4 (2), and drew the conclusion that the General Assembly could not take a decision without the recommendation of the Security Council.

The resolution proposed by the representative of Australia received one vote and was rejected. The rules proposed by the Committee of Experts were then adopted by ten votes.

b. Resolutions of May 17 and July 24, 1946

At the 42nd meeting of the Security Council on May 17, 1946 the following resolution, submitted by the representative of the United States, was adopted:

THE SECURITY COUNCIL,

Taking into account the fact that, under Article 4 of the Charter, membership in the United Nations is open to all peace-loving states which accept the obligations contained in the Charter, and, in the judgment of the Organization, are able and willing to carry out these obligations; and

Taking into account the fact that the General Assembly, which acts to admit applicant States to membership on the recommendation of the Security Council, will meet for the second part of its first session on 3 September 1946;

RESOLVES THAT:

1. Applications for membership which have been or may be received by the Secretary-General shall be considered by the Security Council at a meeting or meetings to be held in August 1946 for this specific purpose.

2. Applications for membership which have been or may be received by the Secretary-General before 15 July 1946 shall be referred to a committee composed of a representative of each of the members of the Security Council for examination and report to the Council not later than 1 August 1946.

As a result of the postponement of the second part of the first session of the General Assembly, which had been scheduled to convene on September 3, 1946, the Security Council, at the 51st meeting on July 24, 1946, resolved to modify the dates mentioned in the above resolution by as many days later as the interval between September 3, 1946, and the day on which the General Assembly would actually be convened.

c. Applications for Membership

The applications for membership received by the Secretary-General were as follows:

(a) People's Republic of Albania, January 25, 1946.
(b) Mongolian People's Republic, June 24, 1946.
(c) Afghanistan, July 2, 1946.
(d) The Hashemite Kingdom of Trans-Jordan, July 8, 1946.
(e) Ireland, August 2, 1946.
(f) Portugal, August 2, 1946.
(g) Republic of Iceland, August 2, 1946.
(h) Siam, August 5, 1946.
(i) Sweden, August 9, 1946.
(j) Hungary, April 22, 1947.
(k) Italy, May 7, 1947

The applications were referred to the Committee on the Admission of New Members, which consisted of one representative from each member of the Security Council. The Committee was convened on July 31, 1946, and submitted its first report on the first nine applications to the Security Council. The Security Council considered the report of the Committee on August 28 and 29, 1946.

During the general discussion of the Committee's report the representative of the United States proposed that the Security Council recommend to the General Assembly the admission of all applicants "to accelerate advancement of the universality of membership." This proposal was supported by the Secretary-General, who pointed out that the founding Members of the United Nations and all of the great powers had agreed on numerous occasions that the United Nations must be as universal as possible. The representatives of Brazil, Egypt and Mexico supported the United States proposal.

The representative of the U.S.S.R. stated that the Council should not simply apply a general standard to a block of countries, but must study each application separately in the light of the circumstances and the facts relevant to each case. In this contention he was supported by the representative of Australia. As a result of the opposition which the United

States proposal encountered, the representative of the United States agreed to withdraw his proposal without a vote.

The Council then decided to discuss the applications one by one in chronological order and to defer voting on each application until the discussion of all applications had been completed.

(1). Application of the People's Republic of Albania

By a letter of January 25, 1946, addressed to the Executive Secretary of the United Nations, the Vice-Premier of Yugoslavia requested that the Security Council recommend to the General Assembly the admission of the People's Republic of Albania. The letter enclosed a telegram from the President of the People's Republic of Albania, addressed to the President and Vice-Presidents of the General Assembly, renewing the application made to the President of the Preparatory Commission on December 19, 1945, for the admission of Albania as a Member of the United Nations. In the telegram the President called attention to the immense sacrifice made by the Albanian people during the long and arduous struggle against the Axis powers, and he declared on behalf of his Government that his country was prepared to assume all the obligations arising from the Charter of the United Nations.

At the Council's third meeting on January 28, 1946, it was agreed without objection that this application be placed on the agenda.

By a letter dated February 9, 1946, addressed to the Secretary-General, the Yugoslav Deputy Minister for Foreign Affairs requested that his delegation be allowed to be heard at the meeting of the Security Council at which the Albanian application would be examined.

By letter dated February 12, 1946, addressed to the President of the Security Council, the Greek Minister for Foreign Affairs stated that in view of the fact that Albania had joined the Axis Powers by sending fifteen battalions against Greece in 1941, the Greek Government felt that the admission of Albania should be postponed until the next session of the Assembly, in the hope that meanwhile normal relations would be established between the two countries. He further stated that the admission of Albania especially affected the interests of Greece and asked the Security Council to invite Greece to participate, in accordance with Article 31 of the Charter, in the discussions of the Security Council regarding this matter.

At the Council's eighteenth meeting on February 13, 1946, it was agreed to receive the letter from the Greek Foreign Minister, but the question of consideration of the letter was deferred. At the same meeting, the following resolution submitted by the representative of the United States was adopted by seven votes:

> I move that this item be kept on our agenda, but disposition be deferred pending further study until the Security Council convenes at the temporary headquarters.

The Albanian application was the subject of lengthy discussion in the Committee on the Admission of New Members. The representative of the U.S.S.R. stated that in his opinion the Albanian people and the present Republican Government could not be blamed for the declaration of war on Greece in 1940, which was made by the Italian Government and the quisling government of Albania. He stressed the contribution of the Albanian underground movement to the Allied war effort and expressed his belief that Albania possessed all the capacities of a stable, independent and democratic State and was able and willing to carry out the obligations of the Charter. The representatives of the United Kingdom and the United States pointed to the fact that their Governments did not maintain diplomatic relations with the Government of Albania and expressed doubt as to whether the Albanian Government was peace-loving and able and willing to carry out the obligations of the Charter of the United Nations.

On August 5, 1946, the representative of Greece to the United Nations sent to the Acting Secretary-General a memorandum regarding the admission of Albania. This memorandum reproached the Albanians with having joined forces with the Italians and having fought with fanaticism with them against Greece. It called attention to the unsettled border situation between Greece and Albania and declared the Greek Government's opposition to the admission of Albania to membership in the United Nations pending a settlement between the two countries. A second memorandum was submitted by the Greek representative on August 15, 1946.

The representative of Yugoslavia to the United Nations sent a memorandum, dated August 10, 1946, to the Acting Secretary-General, urging that Albania was worthy to become a Member of the United Nations.

The Committee on the Admission of New Members decided to present a questionnaire to the Albanian representative in New York to obtain additional information on various points as requested by several of the representatives. The list of questions was submitted to the representative of Albania on August 9, 1946. A reply was received under date of August 14, 1946.

On August 20, 1946, the Albanian representative sent a memorandum to the Chairman of the Committee on the Admission of New Members in reply to the Greek memorandum of August 5, 1946.

When the application for membership of the People's Republic of Albania came before the Security Council for discussion, the arguments presented in the Committee on the Admission of New Members were reiterated by the representatives of the respective Governments. A proposal by the representative of the United States to postpone consideration of the application of the Republic of Albania until a later date was not adopted.

(2). Application of the Mongolian People's Republic

By a telegram dated June 24, 1946, addressed to the Secretary-General, the Prime Minister and Foreign Minister of the Mongolian People's Republic requested the admission of the Mongolian People's Republic as a Member of the United Nations. He drew attention to the fact that the people of the Mongolian People's Republic took part on the side of the United Nations in the struggle against the fascist States. They had declared war against Japan on August 10, 1945, and had taken part in military operations against that country. In the name of the Mongolian People's Republic, the Prime Minister and Foreign Minister declared that his country was prepared to undertake all the obligations arising out of the United Nations Charter and to observe all provisions of the Charter.

The Representative of China proposed to the Committee on the Admission of New Members that consideration of the application of the Mongolian People's Republic be postponed for a year, as the Mongolian People's Republic had exchanged diplomatic representatives with the U.S.S.R. only.

The representative of the U.S.S.R., in supporting the application of the Mongolian People's Republic, stressed the contribution of the Mongolian Republic "in the common struggle of the democracies against fascist aggressors and the Axis powers." The representatives of Australia, Egypt, the Netherlands, the United Kingdom and the United States stated that the available information was not sufficient to show whether the Mongolian People's Republic was capable of fulfilling the obligations of the United Nations Charter.

On July 31, 1946, the Secretary-General, upon the Committee's request, sent a telegram to the Government of the Mongolian People's Republic asking it to appoint a representative, available in New York, to whom a request for information could be addressed. As no reply to this telegram was received, the Committee, on August 12, 1946, telegraphed a list of questions to the Government of the Mongolian People's Republic to obtain additional information as requested by several delegates. On August 16, 1946, the Committee decided to approach the Government of the U.S.S.R. to inquire of the Mongolian People's Republic whether it had received the two telegrams.

A reply to the questionnaire was received on August 28, 1946. The representative of China declared that his Government found the replies of the Mongolian People's Republic satisfactory and was now prepared to support the application of the Mongolian People's Republic for membership in the United Nations. Other representatives, however, maintained their original objections. A proposal by the representative of the United States that the Security Council postpone voting on the application of the Mongolian People's Republic was withdrawn in view of the adverse decision of the Security Council on a like resolution in regard to the admission of Albania.

(3). Application of Afghanistan

By telegram dated July 2, 1946, addressed to the Secretary-General, the Prime Minister of Afghanistan transmitted the application for the admission of Afghanistan to membership in the United Nations. He stated that Afghanistan had long shown itself to be a peace-loving State constantly devoted to the

ideals of international co-operation, and declared that his country was prepared to accept the obligations contained in the Charter.

The application of Afghanistan was supported by all of the members of the Committee on the Admission of New Members. No opposition to Afghanistan's application was voiced at the meetings of the Security Council on August 28 and 29, 1946.

(4). Application of the Hashemite Kingdom of Trans-Jordan

By letter dated June 26, 1946 addressed to the Secretary-General, the Minister for Foreign Affairs of the Hashemite Kingdom of Trans-Jordan requested, on behalf of his Government, admission to membership in the United Nations, and stated that, being a peace-loving nation, his country was prepared to undertake the obligations embodied in the Charter of the United Nations.

In the Committee on the Admission of New Members, the representatives of the United Kingdom and Egypt supported the application of Trans-Jordan for membership in the United Nations. The Egyptian representative, however, pointed out that the treaty between Trans-Jordan and Great Britain, concluded on March 22, 1946, contained an agreement concerning the stationing of British forces in Trans-Jordan. Such a provision, he stated, could be considered contrary to the principle of sovereign equality of all United Nations Members provided for in Article 2 (1) of the Charter. The United Nations, at a later date, should examine the relationship of the provisions of the treaty of March 22, 1946, to the Charter of the United Nations.

The representative of the U.S.S.R. stated that he could not support the application of Trans-Jordan, as the U.S.S.R. did not maintain diplomatic relations with Trans-Jordan. The representative of Poland questioned whether Trans-Jordan had *de jure* and *de facto* attained independence. He stated that he did not consider the way in which the British mandate was terminated to be in conformity with the procedure adopted by the Council of the League of Nations in regard to other mandates; nor had the requirements of the United Nations Charter been met when the mandate was terminated. The representative of Poland suggested that the application of Trans-Jordan be postponed for one year.

The Committee on the Admission of New Members decided to prepare a questionnaire based on the statement by the Polish delegate, to be sent to the representative of Trans-Jordan in New York. The questionnaire was despatched to the representative of Trans-Jordan on August 15, 1946. A reply was received on August 20, 1946.

When the application of Trans-Jordan was discussed by the Security Council, the representative of the U.S.S.R. stated that his Government could not consider that a country which had no diplomatic relations with the U.S.S.R. satisfied the requirements imposed by the Charter of the United Nations upon a State applying for membership in the United Nations. This statement was criticized by the representatives of Australia, Brazil, Egypt, France, the United Kingdom and the United States as raising a condition of membership not contained in Article 4 of the United Nations Charter, which article alone should govern the admission of new Members. The representative of France pointed to the fact that the U.S.S.R. had supported the application of the Mongolian People's Republic, although that country maintained diplomatic relations with only two other States Members of the United Nations.

(5). Application of Ireland

By a telegram dated August 3, 1946, the Minister for External Affairs of Ireland applied for the admission of Ireland to membership in the United Nations. He declared that Ireland was prepared to accept the obligations contained in the United Nations Charter.

The representative of the U.S.S.R. opposed the application of Ireland on the ground that the U.S.S.R. did not maintain diplomatic relations with Ireland. No other member of the Security Council opposed the application.

(6). Application of Portugal

By a telegram dated August 2, 1946, the Portuguese Ambassador in Washington informed the Acting Secretary-General "that the Portuguese Government, having decided to participate in the United Nations and agreeing to carry out the obligations imposed by their Charter, have instructed me to submit Portugal's application for membership, under the provisions of Chapter II, Article 4, of the Charter." The representative of Australia expressed doubt whether Portugal's application

contained categorical and formal acceptance of the obligations under the Charter. The Committee on the Admission of New Members therefore decided to authorize the Secretariat to approach the Ambassador of Portugal with a request for a clearer acceptance of the obligations. By a letter of August 15, 1946, the Ambassador of Portugal confirmed that Portugal accepted fully all obligations under the Charter, and that the original application was intended to have that meaning.

Brazil, China, France, Mexico, the Netherlands, the United Kingdom and the United States supported Portugal's application for membership in the United Nations. The representative of the United Kingdom, as well as the representatives of the United States, France, China, Brazil and the Netherlands stressed the help Portugal had given to the United Nations during the war by permitting the use of the Azores to British and American air forces and by assisting refugees from France and other European countries under fascist control. The representative of the United States stated that at the Potsdam Conference the U.S.S.R., the United Kingdom and the United States had agreed to support the applications for membership from those States which had remained neutral during the war and which fulfilled the qualifications set forth in Article 4 of the Charter.

The representative of Poland expressed doubts concerning the admission of Portugal in view of its close relations with Spain and the former German Government. Furthermore, he considered Portugal's "ideology" close to that of fascism, which the United Nations fought for more than five years.

The representative of the U.S.S.R. declared that he could not support the application of Portugal because there were no diplomatic relations between the U.S.S.R. and Portugal.

(7). Application of Iceland

By a letter dated August 2, 1946, the Minister of Iceland in Washington informed the Secretary-General that the Icelandic Parliament had on July 25, 1946, passed a resolution authorizing the Icelandic Government to apply for membership in the United Nations. In submitting Iceland's application, the Minister of Iceland declared his country's willingness to assume the obligations embodied in the Charter of the United Nations.

No member of the Security Council voiced any objections to the admission of Iceland to membership in the United Nations.

(8). Application of Siam

By a letter dated May 20, 1946, addressed to the Secretary-General, the Siamese Minister for Foreign Affairs expressed the earnest desire of his country and people to join the United Nations. He called attention to the fact that Siam was an original and faithful member of, and fervent believer in, the former League of Nations and that during the Japanese occupation an attempt was made to form a Siamese Government-in-Exile with the ultimate aim of participating in the United Nations. He declared that Siam and the Siamese people were ready to assume their full responsibility in carrying out the obligations as set forth in the Charter of the United Nations.

In a letter of July 9, 1946, to the Siamese representative in New York the Acting Secretary-General inquired whether the Siamese Government desired that the letter of May 20 be submitted to the Membership Committee of the Security Council. The Siamese representative requested in a reply of July 11 that the letter of May 20 be not submitted to the Membership Committee until he had received further instructions from Bangkok.

By a letter dated August 3, 1946, the Siamese *Chargé d'Affaires* in Washington transmitted a formal request from the Siamese Minister of Foreign Affairs for the admission of Siam to membership in the United Nations. The message from the Siamese Government restated "the earnest desire of Siam to join the other democracies in the task of upholding the lofty ideals which have inspired the founders of the United Nations."

In the Committee on the Admission of New Members, France expressed opposition to the admission of Siam on the ground that Siam in 1941, by a treaty signed in Tokyo, obtained cession of territories which had belonged to French Indo-China. Until current negotiations between France and Siam for the restitution of these territories were completed, France would continue to consider herself, *de facto*, in a state of war with Siam.

In a letter of August 19, 1946, the Siamese representative in New York confirmed the

French representative's statement that discussions concerning the French-Siamese territorial dispute were under way, and expressed confidence that an agreement would be reached at an early date.

The French representative subsequently announced to the Committee on the Admission of New Members that negotiations between Siamese and French representatives scheduled to take place in Washington had not materialized as a result of serious incidents which had occurred on August 7, 1946, in the territory of Cambodia, which was under French sovereignty.

By a letter of August 24, the Siamese representative pointed to the fact that Siam, in principle, had agreed to a French proposal to submit the border dispute to the International Court of Justice. Siam previously had called the attention of the Security Council to the French-Siamese dispute and had expressed its willingness to accept the rules of the Charter of the United Nations concerning the pacific settlement of disputes. In view of this evidence of Siam's determination to settle its differences with France by peaceful means, the Siamese representative hoped that Siam's application would be considered favorably.

The representative of the U.S.S.R. stated that he could not support Siam's application as the U.S.S.R. did not maintain diplomatic relations with Siam.

By a letter dated August 28, 1946, addressed to the Secretary-General the representative of Siam in the matter of Siam's application to the United Nations requested that consideration by the Security Council be adjourned until a settlement of the territorial dispute between Siam and France had been settled. For this reason, Siam's application was not voted on when the Council considered the first report of its Committee on the Admission of New Members.

On November 29, 1946, the representative of Siam — Prince Wan Waithayakon — addressed a further letter to the Secretary-General. He stated that a settlement of the territorial dispute with France had been effected and he therefore requested that consideration by the Security Council of Siam's application be proceeded with in due course.

The Security Council placed the application of Siam on the agenda of its 83rd meeting on December 12, 1946. The representative of China at that meeting proposed the following resolution:

> The Security Council, having taken note of the unanimous approval by its members of the application of Siam for Membership in the United Nations, recommends to the General Assembly that it admit Siam to Membership in the United Nations.

The resolution was accepted unanimously by the Council and forwarded immediately to the General Assembly.

(9) Application of Sweden

By a telegram of August 9, 1946, the Minister of Foreign Affairs of Sweden, on behalf of the Swedish Government acting with the consent of the Riksdag, submitted his country's application for membership in the United Nations and declared that Sweden was ready to accept the obligations contained in the Charter of the United Nations.

No member of the Security Council voiced any objections to the admission of Sweden to membership in the United Nations.

d. Voting on Individual Applications

After the Security Council had discussed all eight applications for membership in the United Nations, the representative of Mexico recalled the United States proposal for the admission of all eight applicants. He stated that no objection to the admission of any one of the applicant States had been raised which could be considered insurmountable. He proposed, therefore, the adoption of a resolution embodying the admission of all applicant States. As the representatives of the U.S.S.R., the United Kingdom and Australia stated that they could not support the Mexican proposal, the representative of Mexico withdrew his resolution.

The Security Council voted separately on each application for membership in the United Nations. The representative of Australia abstained from voting on any of the applications, because of the view taken by the Australian Government that the procedure adopted by the Security Council in regard to the admission of new Members was incorrect and that applications should be dealt with in the first instance by the General Assembly. The representative of Australia stated that his

abstention was made for reasons relating to procedure and not for reasons relating to the merits of any application. The Australian Government would be prepared at a proper time to support the applications of Ireland, Sweden, Trans-Jordan, Afghanistan and Iceland. This statement, however, should not be taken as an indication that at the proper time Australia would not support the application of any or all of the other applicant states.

By ten affirmative votes, with the representative of Australia abstaining, the Security Council decided to recommend the following three States to the General Assembly for membership in the United Nations:

Afghanistan
The Republic of Iceland
Sweden

The result of the voting on the other five States, whose applications were not carried, were as follows:

People's Republic of Albania

Affirmative: Brazil, France, Mexico, Poland, U.S.S.R.
Negative: Netherlands, United Kingdom, United States
Abstaining: Australia, China, Egypt

Mongolian People's Republic

Affirmative: Brazil, China, France, Mexico, Poland, U.S.S.R.
Negative: Netherlands, United Kingdom, United States
Abstaining: Australia, Egypt

Hashemite Kingdom of Trans-Jordan

Affirmative: Brazil, China, Egypt, France, Mexico, Netherlands, United Kingdom, United States
Negative: Poland, U.S.S.R.
Abstaining: Australia

Ireland

Affirmative: Brazil, China, Egypt, France, Mexico, Netherlands, Poland, United Kingdom, United States
Negative: U S.S.R.
Abstaining: Australia

Portugal

Affirmative: Brazil, China, Egypt, France, Mexico, Netherlands, United Kingdom, United States
Negative: Poland, U.S.S.R.
Abstaining: Australia

e. Recommendations of the Security Council to the General Assembly

At its 57th meeting, on August 29, 1946, the Security Council unanimously decided (the representative of Australia abstaining) to recommend to the General Assembly, the admission of Afghanistan, the Republic of Iceland and Sweden to membership in the United Nations. The text of the resolution read as follows:

THE SECURITY COUNCIL,

Having received and considered the report submitted by the Committee on the Admission of New Members regarding application for membership in the United Nations presented by the People's Republic of Albania, the Mongolian People's Republic, Afghanistan, the Hashemite Kingdom of Trans-Jordan, Ireland, Portugal, the Republic of Iceland, Siam, Sweden;

Having considered in the course of its debates each of the above-mentioned applications; and

Having taken due notice of the statements of opinions of the members of the Security Council in regard to those applications;

RECOMMENDS

To the General Assembly that it admit to membership in the United Nations the following applicants;

Afghanistan, Republic of Iceland, and Sweden.

The resolution was transmitted by the President of the Security Council, by a telegram dated August 30, 1946, to the President of the General Assembly of the United Nations.

f. Application of Hungary

Aldar Szegedy Maszak, Minister of Hungary to the United States, addressed a letter, dated April 22, 1947, to the Secretary-General concerning the application of Hungary for admission to membership in the United Nations. The Minister declared Hungary's readiness to accept the obligations contained in the Charter. He drew attention to the fact that the treaty of peace with Hungary had already been signed at Paris on February 12, 1947, and that, therefore, the limitations imposed on his country's sovereignty by the Armistice Agreement were of a temporary character and would lose their effect on the coming into force of the peace treaty.

Hungary's application for membership in the United Nations was admitted to the agenda of the Security Council's 132nd meeting, held on April 30, 1947. Before asking members of the Council to make observations, the President—the representative of China—stated that the matter had been considered

by the Legal Department of the Secretariat, who saw no objection to placing this application on the agenda of the Security Council.

The representative of Australia considered the application to be premature and out of order. He argued that the Security Council had limited jurisdiction, jurisdiction specifically laid down and defined in the Charter mainly for the maintenance of peace and security; the question of the admission of a new Member did not affect only the Security Council, because the General Assembly itself had to decide whether in its judgment the State could comply with all the obligations of membership. Some of the obligations were of an economic and social character. He contended that the Council had no right to arrogate to itself the right to decide all those questions and recommend accordingly.

He went on to state that the Peace Treaty for Hungary would come into effect on the ratification of three of the permanent members of the Security Council (the U.S.S.R., the United Kingdom and the United States), and only one State had up to then ratified the Treaty (the United Kingdom). Hungary was therefore still bound by the terms of the Armistice, which imposed limitations on its sovereignty. Consequently, he argued, the application was from a State which was not a sovereign body, and the whole principle of the United Nations was the sovereign equality of all the Members. He moved that the Security Council defer the application of Hungary for consideration at a more appropriate time.

The President of the Council emphasized that in regard to the admission of new Members, the Charter required the General Assembly to reach a decision only "upon the recommendation of the Security Council." If the Security Council did not make such recommendation as provided by the Charter, it would not be fulfilling its functions.

The Australian resolution was put to a vote and lost. A Syrian resolution, amended by the representative of the U.S.S.R., was then voted upon and approved by the Council by 10 votes in favor and 1 against (Australia). The resolution provided that the application of Hungary should be referred to the Council's Membership Committee for study and a report at the appropriate time.

g. Application of Italy

Count Carlo Sforza, Minister of Foreign Affairs of Italy, in a letter dated May 7, 1947, addressed to the Secretary-General applied for Italy's admission to membership in the United Nations. The Minister stated that the Italian Government fully accepted the principles laid down in the United Nations Charter and was willing to assume the obligations deriving from membership. He went on to state that "the Italian Government is confident that the United Nations will appreciate the willing contribution which will be made to its activities by Italy—who by her sacrifices has already given proof of her will to co-operate in the common cause, in particular by her contribution to the United Nations in the war during two years of co-belligerency."

The Security Council first discussed the application at its 136th meeting on May 22, 1947. The Australian representative, for reasons similar to those he gave previously in connection with the application of Hungary for admission into the United Nations felt that the application was out of order and that it should not be received nor entertained by the Council.

At its 137th meeting on May 22, 1947, the Security Council adopted a Chinese proposal by ten votes, Australia abstaining, which referred Italy's application to the Council's Membership Committee for study and report.

h. Sub-Committee of the Security Council on Rules Concerning the Admission of New Members

By a letter dated November 25, 1946, the Secretary-General requested the President of the Security Council to bring to the attention of the Council the resolution of the General Assembly requesting the Security Council to appoint a committee to confer with a committee on procedures of the General Assembly with a view to preparing rules governing the admission of new Members which would be acceptable both to the General Assembly and to the Security Council.

At the 81st meeting on November 29, 1946, the Council instructed the Committee of Experts to name a small committee from its own number to meet with the committee which would be appointed by the Assembly, and to report any proposals back to the Council for further instructions.

At the 83rd meeting on December 12, the President of the Security Council announced that the Chairman of the Committee of Experts had informed him that a Sub-Committee had been appointed, consisting of the representative of China as Chairman, and the representatives of Brazil and Poland. The President went on to state that the President of the General Assembly would be informed that this Sub-Committee was ready to meet with a committee of the Assembly.

The terms of reference of the Council's Sub-Committtee as decided by the Security Council on November 29 were "to listen to the proposals which the Committee appointed by the Assembly may have to make, and to report those proposals back to the Council for further instructions."

The General Assembly Committee on Procedure for the Admission of New Members held its first meeting at Lake Success on May 26, 1947. The Committee decided to invite representatives of Brazil, China and Poland, the three countries designated by the Security Council, to attend its meetings.

The General Assembly and the Security Council Committees held a series of four conferences between May 28 and June 12, 1947. The General Assembly Committee then drafted its proposals and transmitted them to the Security Council Committee with an explanatory letter dated June 30, 1947.

E. THE MILITARY STAFF COMMITTEE

Article 47 of the United Nations Charter provides for the establishment of a Military Staff Committee to advise and assist the Security Council on all questions relating to the Council's military requirements for the maintenance of international peace and security, the employment and command of forces placed at its disposal, the regulation of armaments, and possible disarmament.

To enable it to discharge its responsibility for maintaining international peace and security, the Security Council is vested with powers not only for the peaceful settlement of international disputes but for taking enforcement measures to deal with threats to the peace, breaches of peace and acts of aggression. These enforcement measures may include the taking of action by air, sea or land forces in order to maintain or restore international peace and security. Military demonstrations, blockade and other operations by air, sea or land forces of Member States are also within the scope of these powers of the Security Council.

In order to enable the Security Council to take such action Member States have undertaken under Article 43 of the Charter to make available to the Security Council, on its call, armed forces, assistance and facilities.

These forces are to be placed at the disposal of the Security Council on terms to be laid down in agreements to be negotiated between the Council and Member States or groups of States. The agreements will determine the numbers and types of forces, their degree of readiness and general location, and the nature of the facilities and assistance to be provided.

Further, Article 45 of the Charter provides that in order to enable the Security Council to take urgent military measures, Members are to hold immediately available national air force contingents for combined international enforcement action.

It was in order to equip the Security Council with the most authoritative military advice and assistance for exercising these powers that the Charter created the Military Staff Committee.

The Military Staff Committee is composed of the Chiefs of Staffs or their representatives of China, France, the United Kingdom, the United States and the U.S.S.R. — the five permanent members of the Security Council. The Committee can invite any other Member country to be associated with it whenever it considers that the efficient discharge of its duties renders such participation desirable.

In general, the Committee is to assist the Security Council on all questions relating to the Council's military requirements, the employment and command of forces placed at the Council's disposal, the regulation of armaments and possible disarmament. The Committee is responsible under the Security Council for the strategic direction of the armed forces to be placed at the disposal of the Council. It is also to assist the Security Council in determining the strength and readiness of air force contingents which Members are

to hold inmediately available and the plans for their combined action.

At the second meeting of the Security Council of January 25, 1946, the Council decided to request the permanent members of the Security Council to direct their Chiefs of Staff to meet, or to appoint representatives who were to meet for the purpose of constituting the Military Staff Committee and drawing up proposals for its organization.

In response to this directive the representatives of the Chiefs of Staff of Armed Forces of China, France, the United Kingdom, the United States and the U.S.S.R. assembled in London on February 3, 1946, and the Military Staff Committee was established. The Committee adjourned on February 14, pending the move of the Security Council to New York, met again in New York on March 25 and has been functioning continuously since then.

The Security Council at its 23rd meeting on February 16, 1946, directed the Military Staff Committee, as its first task, to examine from the military point of view the provisions of Article 43 of the Charter, i.e., the provisions relating to Member States making armed forces, assistance and facilities available to the Council.

The Military Staff Committee decided that as a first step towards the accomplishment of its task it should formulate recommendations to the Security Council as to the basic principles which should govern the organization of the United Nations forces, further action to be postponed until its report to the Security Council had been approved. Accordingly, it formed a Sub-Committee to formulate recommendations.

The Sub-Committee first met on March 28, 1946. Views submitted by the delegations of China, France, the United Kingdom, the United States and the U.S.S.R. were studied.

The Military Staff Committee formed a second Sub-Committee for the purpose of preparing a standard form of agreement between the Security Council and the Member nations of the United Nations concerning the provision of armed forces.

The General Assembly in its resolution on disarmament of December 14, 1946, had recommended that the Security Council accelerate as much as possible the placing at its disposal of the armed forces mentioned in Article 43 of the Charter. On February 13, 1947, the Security Council requested the Military Staff Committee, as a first step towards the implementation of Article 43, to submit to the Council not later than April 30, 1947, its recommendations with regard to the basic principles which should govern the organization of the United Nations armed forces. In accordance with this directive the Military Staff Committe prepared its report and submitted it on April 30 to the Security Council for consideration.

The report included both recommendations agreed upon by all of the delegations represented on the Military Staff Committee and the proposals of individual delegations on which unanimous decision was not achieved in the Committee. The question of financial expenditures which might arise in connection with the fulfiilment by countries—Members of the United Nations—of measures envisaged in Article 42 of the Charter, was not reflected in the recommendations prepared.

The report set forth the recommendations in the form of 41 articles and was divided into ten chapters. Chapter I, containing two articles, dealt with the purpose of armed forces made available to the Security Council of Member nations of the United Nations; Chapter II, containing 2 articles, dealt with the composition of armed forces; Chapter III, containing 4 articles, dealt with the overall strength of armed forces; Chapter IV, containing nine articles, dealt with the contribution of armed forces by Member Nations; Chapter V, containing four articles, dealt with the employment of armed forces; Chapter VI, containing four articles, dealt with the degree of readiness of armed forces; Chapter VII, containing three articles, dealt with the provision of assistance and facilities, including rights of passage, for armed forces; Chapter VIII, containing three articles, dealt with the logistical support of armed forces; Chapter IX, containing four articles, dealt with the general location of armed forces; Chapter X, containing six articles, dealt with the strategic direction and command of armed forces.

Appended to the report were two annexes. Annex "A" discussed the positions of the delegations of the Military Staff Committee on the articles of the general principles governing the organization of armed forces on which the Military Staff Committee did not reach unanimity. Annex "B" contained general comments by the French delegation.

Among the sixteen articles on which unanimity was not reached Articles 26 and 32 contained three alternative proposals; the remaining 14 articles each contained two alternative proposals. The text of the report follows.

GENERAL PRINCIPLES GOVERNING THE ORGANIZATION OF THE ARMED FORCES MADE AVAILABLE TO THE SECURITY COUNCIL BY MEMBER NATIONS OF THE UNITED NATIONS

REPORT BY THE MILITARY STAFF COMMITTEE

CHAPTER I
Purpose Of Armed Forces

Article 1

Armed Forces made available to the Security Council by Member Nations of the United Nations are intended for the maintenance of the restoration of international peace and security in cases:

a. of existence of any threat to international peace;
b. of any breach of international peace and security;
c. of any act of aggression,

when measures undertaken by the Security Council in accordance with Article 41 of the United Nations Charter would be inadequate or have proved to be inadequate and when the threat to international peace and security is such that it necessitates the employment of these armed forces.

Article 2

These Armed Forces may not be employed for purposes inconsistent with the purposes, principles and spirit of the United Nations Charter as defined in its Preamble and Chapter I.

CHAPTER II
Composition of Armed Forces

Article 3

Armed Forces made available to the Security Council by Member Nations of the United Nations in accordance with Article 43 of the Charter shall be composed of units (formations) of national armed forces, land, sea and air which are normally maintained as components of armed forces of Member Nations of the United Nations.

Article 4

These Armed Forces shall be made available to the Security Council from the best trained and equipped units (formations) of Member Nations of the United Nations.

CHAPTER III
Overall Strength of Armed Forces

Article 5

The moral weight and the potential power behind any decision to employ the Armed Forces made available to the Security Council by Member Nations of the United Nations in enforcement action will be very great, and this fact will directly influence the size of the Armed Forces required.

Article 6

The Armed Forces made available to the Security Council by Member Nations of the United Nations shall be limited to a strength sufficient to enable the Security Council to take prompt action in any part of the world for the maintenance or the restoration of international peace and security as envisaged in Article 42 of the Charter.

Article 7

Accepted by the Chinese, French, U.K. and U.S. Delegations:

An estimate of the overall strength of the Armed Forces and the strength of the Services, land, sea and air, constituting those forces will be made by the Security Council with the assistance of the Military Staff Committee, and used as a basis for negotiating the Special Agreements referred to in Article 43 of the Charter. The final decision regarding the overall strength required will be made by the Security Council as a result of these negotiations.

[The U.S.S.R. Delegation accepts Article 7 conditionally. The final acceptance of Article 7 by the U.S.S.R. Delegation will depend on the acceptance by the other Delegations of the Principle of Equality regarding strength and composition of Armed Forces contributed by the five Permanent Members of the Security Council, as stated in the proposal by the U.S.S.R. Delegation for Article 11.]

Article 8

Accepted by the Chinese, French, U.K. and U.S. Delegations:

In order to adapt the overall strength of the Armed Forces to international conditions, this overall strength and the strength of the Services constituting these Forces, may be changed on the initiative of the Security Council by additional agreements between the Security Council and the Member Nations of the United Nations.

[The U.S.S.R. Delegation accepts Article 8 conditionally. The final acceptance of Article 8 by the U.S.S.R. Delegation will depend on the acceptance by other Delegations of the Principle of Equality regarding strength and composition of Armed Forces contributed by the five Permanent Members of the Security

Council, as stated in the proposal by the U.S.S.R. Delegation for Article 11.]

CHAPTER IV

Contribution of Armed Forces by Member Nations

Article 9

All Member Nations shall have the opportunity as well as the obligation to place armed forces, facilities and other assistance at the disposal of the Security Council on its call and in accordance with their capabilities and the requirements of the Security Council.

Article 10

In order to facilitate the early establishment of the Armed Forces made available to the Security Council, the Permanent Members of the Security Council shall contribute initially the major portion of these Forces. As the contributions of other Nations of the United Nations become available they shall be added to the forces already contributed.

Article 11

Accepted by the Chinese, French, U.K. and U.S. Delegations:

Each of the five Permanent Members of the Security Council will make a comparable initial overall contribution to the Armed Forces made available to the Security Council by Member Nations of the United Nations. In view of the differences in size and composition of national forces of each Permanent Member and in order to further the ability of the Security Council to constitute balanced and effective combat forces for operations, these contributions may differ widely as to the strength of the separate components, land, sea and air.

Accepted by the U.S.S.R. Delegation:

Permanent Members of the Security Council shall make available armed forces (land, sea and air) on the Principle of Equality regarding the overall strength and the composition of these forces. In individual instances, deviations from this principle are permitted by special decisions of the Security Council, if such a desire is expressed by a Permanent Member of the Security Council.

Article 12

The size and composition of contributions of individual Member Nations will be determined on the initiative of the Security Council, and on the advice of the Military Staff Committee, in the process of negotiations with each Member Nation in accordance with Article 43 of the Charter.

Article 13

No Member Nation of the United Nations shall be urged to increase the strength of its armed forces or to create a particular component thereof for the specific purpose of making a contribution to the Armed Forces made available to the Security Council by Member Nations of the United Nations.

Article 14

Contributions by Member Nations of the United Nations, other than the Permanent Members of the Security Council, may not necessarily be represented by armed forces. Such other Member Nations which may be unable to furnish armed forces may fulfil their obligation to the United Nations by furnishing facilities and other assistance in accordance with agreements reached with the Security Council.

Article 15

Proposals for changes in the size or composition of contributions of a Member Nation or a group of Nations may be initiated by the Security Council or by the Member Nation or group of Nations. Any change in contributions will be effected by additional agreements between the Security Council and the respective Member Nation or group of Nations.

Article 16

Accepted by the Chinese, French, U.K. and U.S. Delegations:

The strength and composition of national air force contributions made available to the Security Council shall be determined as set forth in Article 12 above taking into account the obligations arising from Article 45 of the Charter.

Accepted by the U.S.S.R. Delegation:

The strength and composition of national air force contingents made available to the Security Council by Member Nations for action envisaged in Article 45 of the Charter are determined by the Security Council, with the assistance of the Military Staff Committee, within the limits of a Special agreement or Agreements referred to in Article 43 of the Charter.

Article 17

Accepted by the Chinese and French Delegations:

In case of self-defense (Article 51 of the Charter) and of national emergencies, Member Nations will have the right to make use of Armed Forces, which they have made available to the Security Council in conformity with the terms of special agreements. They undertake, however, to assume anew all of their obligations within the shortest possible space of time.

[Not accepted by the U.S.S.R., U.K. and U.S. Delegations.]

CHAPTER V

Employment of Armed Forces

Article 18

The Armed Forces made available to the Security Council by Member Nations of the

United Nations will be employed, in whole or in part, only by the decision of the Security Council and only for the period necessary for the fulfilment of the tasks envisaged in Article 42 of the Charter.

Article 19

In view of the military advantages which would accrue, the employment of the Armed Forces under Article 42 of the Charter should, whenever possible, be initiated in time to forestall or to suppress promptly a breach of the peace or an act of aggression.

Article 20

Accepted by the Chinese, French, U.K. and U.S. Delegations:

After the Armed Forces, including line of communication forces, made available to the Security Council have carried out the tasks with which they have been entrusted by the Security Council under Article 42 of the Charter, they shall be withdrawn as soon as possible to the general locations governed by the Special Agreement or Agreements provided for by Article 43 of the Charter. The time for the beginning and completion of the withdrawal shall be fixed by the Security Council.

Accepted by the U.S.S.R. Delegation:

The Armed Forces will be withdrawn to their own territories and territorial waters within a time-limit of thirty to ninety days after they have fulfilled the measures envisaged in Article 42 of the Charter, unless otherwise decided by the Security Council. This time-limit should be provided for in Agreements concluded under Article 43 of the Charter.

Article 21

Accepted by the U.S.S.R. delegation:

If for any reasons these Armed Forces remain in territories or territorial waters granted for the use of such forces, under agreements between the Security Council and other Member nations of the United Nations for the passage, stationing or action of these forces, they should be withdrawn to their own territories or territorial waters not later than thirty days after the expiration of the period indicated in Article 20[1] unless otherwise decided by the Security Council. This time-limit should be provided for in Agreements concluded under Article 43 of the Charter.

[Not accepted by the Chinese, French, U.K. and U. S. Delegations.] Accepted by the U.S.S.R. Delegation.

CHAPTER VI

Degree of Readiness of Armed Forces

Article 22

The degree of readiness of the Armed Forces made available by individual Member Nations of the United Nations is fixed by the Security Council, on the advice of the Military Staff Committee, as a result of the negotiations in concluding the Special Agreements with those Member Nations under Article 43 of the Charter.

Article 23

The degree of readiness of the Armed Forces should be maintained at a level which will enable these Forces to start in good time with the fulfillment of the Security Council measures envisaged in Article 42 of the Charter.

Article 24

These Armed Forces should be either maintained in readiness for combat or brought up to readiness for combat within the time-limits to be specified in the Special Agreements.

Article 25

Accepted by the Chinese, French, U.K. and U.S. Delegations:

The degree of readiness of national air force contingents should be maintained at a level which will enable the United Nations to take urgent military measures in accordance with the provisions of Article 45 of the Charter.

Accepted by the U.S.S.R. Delegation:

The degree of readiness of national air force contingents made available to the Security Council by Member Nations for action envisaged in Article 45 of the Charter are determined by the Security Council, with the assistance of the Military Staff Committee, within the limits of a Special Agreement or Agreements referred to in Article 43 of the Charter.

CHAPTER VII

Provision of Assistance and Facilities, Including Rights of Passage, For Armed Forces

Article 26

Accepted by the Chinese, U.K. and U.S. Delegations:

The Special Agreements between the Security Council and Member Nations under Article 43 of the Charter shall include the following:

a. A general guarantee of rights of passage and of the use of such of the Member Nation's available bases as are required by Armed Forces operating under the Security Council;

b. Specific provisions covering details of bases and other assistance and facilities, including rights of passage, which Member Nations agree to make available to the Security Council on its call. Such specific provisions may be contained in the original agreement or in subsequent agreements under Article 43 of the Charter to be concluded at the appropriate time.

Accepted by the French Delegation:

Special Agreements envisaged in Article 43 of the Charter will indicate bases, assistance

[1] See proposal by the U.S.S.R. Delegation.

and facilities, including the right of passage, which the Member Nations will put at the disposal of the Security Council on its call.

In case of necessity, Member Nations undertake, on call of the Security Council and through additional Special Agreements, to make available to it, other bases, assistance and facilities which would have proved necessary to the operations undertaken.

Specific Agreements, concluded at the appropriate time, between the Security Council and the Member Nation concerned, will indicate the duration and the other conditions involved in the exercise of rights thus extended to the Armed Forces operating under the direction of the Security Council.

Accepted by the U.S.S.R. Delegation:

Special Agreements envisaged in Article 43 of the Charter will indicate assistance and facilities, including the rights of passage, which the Member Nations will make available to the Security Council on its call and in accordance with specific agreements concluded between the Security Council and the Member Nations concerned.

Specific Agreements, concluded at the appropriate time between the Security Council and the Member Nation concerned, will indicate the duration and the other conditions involved in the exercise of rights thus extended to the Armed Forces operating under the direction of the Security Council.

Article 27

Accepted by the Chinese, French, U.K. and U.S. Delegations:

A Member Nation will retain its national sovereignty, and its control and command, over bases and other facilities placed at the disposal of the Security Council.

[Not accepted by the U.S.S.R. Delegation.]

Article 28

Accepted by the Chinese, French, U.K. and U.S. Delegations:

If additional contributions from Permanent Members of the Security Council are requested when enforcement action under Chapter VII of the Charter is under consideration, those contributions should also be of comparable size taking into account the value of assistance and facilities as well as armed forces which any of the above Member Nations may provide.

[Not accepted by the U.S.S.R. Delegation.]

CHAPTER VIII

Logistical Support of Armed Forces

Article 29

Member Nations of the United Nations which, in accordance with Special Agreements, have placed armed forces at the disposal of the Security Council on its call for the carrying out of measures envisaged in Article 42 of the Charter, will provide their respective forces with all necessary replacements in personnel and equipment and with all necessary supplies and transport.

Article 30

Each Member Nation will at all times maintain a specified level of reserves to replace initial personnel, transport, equipment, spare parts, ammunition and all other forms of supply for the forces which it has agreed to place at the disposal of the Security Council on its call. This reserve level will be prescribed in the Special Agreements under Article 43 of the Charter.

Article 31

Accepted by the Chinese, U.K. and U.S. Delegations:

Member Nations, in the event of inability to discharge to the full extent their responsibilities under Article 29 above, may invoke the aid of the Security Council, which, on the advice of the Military Staff Committee, will negotiate with other appropriate Member Nations for the provision such assistance as it deems necessary. The agreement of Member Nations concerned must be obtained by the Security Council before the deficiencies in the contribution of one Member Nation can be made up by transfers from the contribution of another Member Nation.

Accepted by the French and U.S.S.R. Delegations:

Deviations from the principle stated in Article 29 above shall be permitted in individual instances at the request of a Member Nation, by special decisions of the Security Council on the advice of the Military Staff Committee, if this Member Nation desires to have supplies and transport made available to it for the proper provision of the Armed Forces placed by this Member Nation at the disposal of the Security Council.

CHAPTER IX

General Location of Armed Forces

Article 32

Accepted by the Chinese, U.K. and U.S. Delegations:

Armed Forces made available to the Security Council by Member Nations when not employed by the Security Council will, within the terms of Special Agreements referred to in Article 43 of the Charter, be based at the discretion of Member Nations in any territories or waters to which they have legal right of access.

Accepted by the French Delegation:

When they are not employed by the Security Council, the Armed Forces which the Member Nation undertakes to make available to the Security Council, on its call, are stationed in the general locations governed by the Special Agreement or Agreements concluded between the Security Council and the Member Nation under Article 43 of the Charter:

(1) either within the national borders of the Member Nation or the territories or waters under its jurisdiction;

(2) or within the territory or waters of ex-enemy nations under Article 107 of the Charter or under the terms of the Peace Treaties;

(3) or within the territory or waters of other Nations where Armed Forces have access under international agreements registered with the United Nations Secretariat and published by it in accordance with Article 102 of the Charter;

(4) or in certain strategic areas specified by the Security Council and which have been the subject of specific agreements between the Security Council and the Member Nation under Articles 82 and 83 of the Charter.

Accepted by the U.S.S.R. Delegation:

Armed Forces made available to the Security Council by Member Nations of the United Nations shall be garrisoned within the frontiers of the contributing Member Nations' own territories or territorial waters, except in cases envisaged in Article 107 of the Charter.

Article 33

Accepted by the Chinese, French, U.K. and U.S. Delegations:

The locations of these Armed Forces should be so distributed geographically as to enable the Security Council to take prompt action in any part of the world for the maintenance or restoration of international peace and security.

[Not accepted by the U.S.S.R. Delegation.]

Article 34

Accepted by the Chinese, French, U.K. and U.S. Delegations:

Any displacement of forces likely to modify their availability as governed by the Special Agreement or Agreements shall be brought to the notice of the Security Council.

[Not accepted by the U.S.S.R. Delegation.]

Article 35

The Armed Forces made available to the Security Council by Member Nations of the United Nations, on its call, for the fulfillment of measures envisaged in Article 42 of the Charter will be based, during the carrying out of these measures, in areas designated by the Security Council.

CHAPTER X

Strategic Direction and Command of Armed Forces

Article 36

The Armed Forces which Member Nations of the United Nations agree to make available to the Security Council shall be under the exclusive command of the respective contributing Nations, except when operating under the Security Council.

Article 37

When these forces are called upon for the fulfilment of measures envisaged in Article 42 of the Charter, they shall come under the control of the Security Council.

Note: The word "control" is translated into French as "autorite" and into Russian as "подчинение."

Article 38

During the period these armed forces are employed by the Security Council, the Military Staff Committee shall be responsible, under the Security Council, for their strategic direction. The time and place at which the Military Staff Committee will assume or relinquish strategic direction will be designated by the Security Council.

Article 39

The command of national contingents will be exercised by Commanders appointed by the respective Member Nations. These contingents will retain their national character and will be subject at all times to the discipline and regulations in force in their own national armed forces.

Article 40

The Commanders of national contingents will be entitled to communicate directly with the authorities of their own country on all matters.

Article 41

Accepted by the Chinese, U.S.S.R. and U.S. Delegations:

An overall Commander or overall Commanders of Armed Forces made available to the Security Council may be appointed by the latter, on the advice of the Military Staff Committee, for the period of employment of these forces by the Security Council.

Accepted by the French and the U.K. Delegations:

A supreme Commander or supreme Commanders of Armed Forces made available to the Security Council may be appointed by the latter, on the advice of the Military Staff Committee, for the period of employment of these forces by the Security Council.

Commanders-in-Chief of land, sea or air forces acting under the supreme Commander or Commanders mentioned above may be appointed by the Security Council on the advice of the Military Staff Committee.

ANNEX "A"

POSITIONS OF THE DELEGATIONS OF THE MILITARY STAFF COMMITTEE ON THE ARTICLES OF THE GENERAL PRINCIPLES GOVERNING THE ORGANIZATION OF ARMED FORCES ON WHICH THE MILITARY STAFF COMMITTEE HAS NOT REACHED UNANIMITY

CHAPTER III

Overall Strength of the Armed Forces

Article 7

Position of the Chinese Delegation

The Chinese Delegation accepts the Article because it considers that in determining the

overall strength of the Armed Forces made available to the Security Council, both the requirements of the Security Council and the conditions of Member Nations concerned should be taken into account.

Regarding the principle of equality as proposed by the U.S.S.R. Delegation, see the Chinese position on Article 11.

Position of the French Delegation

See French position on Article 11 below.

Position of the U.S.S.R. Delegation

The U.S.S.R. Delegation conditionally accepts Article 7. The final acceptance of Article 7 by the U.S.S.R. Delegation will depend on the acceptance by the other Delegations of the principle of equality regarding the strength and composition of Armed Forces made available by the five Permanent Members of the Security Council as stated in the U.S.S.R. proposal on Article 11.

Position of the U.K. Delegation

The arguments of the U.K. Delegation against the principle of equality are contained in full in the U.K. position for Article 11.

Position of the U.S. Delegation

See the U.S. position on Article 11 below.

Article 8

Position of the Chinese Delegation

The Chinese Delegation considers that since the Security Council has been entrusted, under Article 24 of the Charter, with the responsibility for the maintenance of international peace, it is only logical that the Security Council should be given the authority to initiate proposals to change the overall strength of the Armed Forces in accordance with the prevailing international situation. Hence, this text is acceptable to the Chinese Delegation.

Regarding the principle of equality as proposed by the U.S.S.R. Delegation, see the Chinese position on Article 11.

Position of the French Delegation

See French position on Article 11 below.

Position of the U.S.S.R. Delegation

The U.S.S.R. Delegation conditionally accepts Article 8. The final acceptance of Article 8 by the Soviet Delegation will depend on the acceptance by the other Delegations of the principle of equality regarding the strength and composition of Armed Forces made available by the five Permanent Members of the Security Council as it stated in the U.S.S.R. proposal on Article 11.

Position of the U.K. Delegation

The arguments of the U.K. Delegation against the principle of equality are contained in full in the U.K. position for Article 11.

Position of the U.S. Delegation

See the U.S. position on Article 11 below.

CHAPTER IV

Contribution of Armed Forces By Member Nations

Article 11

Position of the Chinese Delegation

The Chinese Delegation feels that the spirit of the Charter emphasizes throughout above all else the importance of maintenance or restoration of international peace. It is with such an object in view that the Armed Forces are going to be organized. Hence, it seems to the Chinese Delegation that how these Armed Forces are organized matters less than the fact that the United Nations do have an effective police force that would be powerful enough to guard the peace.

The Chinese Delegation is by no means unaware of the fact that the Permanent Members of the Security Council in a sense share equal responsibility in maintaining international peace and security, and does not deny that it would be an ideal to make the contributions of the Permanent Members absolutely equal down to the smallest detail. On the other hand, however, the Military Staff Committee should not blind itself to the realities of the present situation. The military conditions of the Permanent Members differ widely from one another and the strengths of their three different Services, land, sea and air, are not of the same level. Hence, it seems to the Chinese Delegation that it would be highly inadvisable to allow scrupulous regard to an ideal impractical at least at the present stage to prejudice the efficiency and effectiveness of the international force, thereby weakening the guardian of universal peace.

For the above reasons, the Chinese Delegation prefers the text accepted by the four Delegations.

Position of the French Delegation

The French Delegation considers that contributions from Members of United Nations should be determined on the basis of the following principles:—

A. With regard to the comparison between the contributions by each of the five Permanent Members, the French Delegation is in favour of equality of responsibility as well as equality of sacrifice and equality of rights among the five Permanent Members of the Security Council, but considers that it would be utopian to insist that each of them provide contributions equal in quantity and in quality.

That is why the French Delegation proposes that the Armed Forces envisaged in the initial Special Agreements should be provided on the principle of equivalent contributions by the five Permanent Members of the Security Council. On this assumption, the French Delegation waives the obligation that the five Permanent Members

should provide forces of identical composition with regard to land, sea and air components, and insists solely on a comparable overall strength of the contingents.

The French Delegation foresees, should the occasion arise to appreciably increase the overall strength of the United Nations Armed Forces, the provision by the five Permanent Members, to the extent of their capacity, of additional equivalent contributions, taking into account bases, assistance and facilities.

B. With regard to the comparison of contributions by Permanent Members and by other Member Nations of United Nations, the French Delegation considers that, in spirit, the Charter entrusts the five Permanent Members with the major portion of responsibilities. The proof of this can be found in two of its main provisions:

i. *Article 27* of the Charter requires the concurring votes of the five Permanent Members to adopt any decision by the Security Council on any question other than a matter of procedure.

The greater the responsibility, the greater should be the liabilities.

ii. *Article 106* of the Charter entrusts the five Permanent Members with the responsibility of maintaining international peace and security, pending the coming into force of Special Agreements referred to in Article 43 of the Charter.

As long as the Charter remains in force, without amendments, this main responsibility of the five Permanent Members will be the decisive factor of the system.

Moreover, the French Delegation considers that, in practice, the vast superiority of the Permanent Members, viewed from every angle (population, economic and financial strength, area of territories, geographical distribution of these territories), is such that the greater part of the Armed Forces of United Nations will always be provided by the five Permanent Members.

Position of the U.S.S.R. Delegation

The principle of equality in the contribution of armed forces by the five Permanent Members of the Security Council proposed by the U.S.S.R. Delegation is based on the provisions of the United Nations Charter which lay the main responsibility for the maintenance of international peace and security on those States and that corresponds to their equal status in the Security Council.

The overall size of the armed forces made available to the Security Council will not be too large. Therefore the five States can make armed forces available on the principle of equality, that is they can contribute armed forces, land, sea and air, which would be equal in strength and composition. The principle of equality does not permit advantages in the position of any Permanent Member of the Security Council in the contribution of armed forces by that Member.

The principle of "comparable contributions" proposed by the other Delegations permits a situation when certain of the five States may, for instance, contribute the major portion of the Armed Forces chiefly in air forces, others chiefly in sea forces, and a third group chiefly in land forces, and so on. That would lead to advantages in the positions of certain States in the contribution of armed forces by these States and therefore would be in contradiction with the equal status of these States as Permanent Members of the Security Council.

Position of the U.K. Delegation

The U.K. Delegation considers that the existing variation in the size and composition of the three Services amongst the five Permanent Members of the Security Council must be a major consideration in determining their contributions to the United Nations Forces. It seems essential to maintain as far as possible equality of sacrifice amongst the five Permanent Members and at the same time ensure that the Security Council is provided with armed forces, from which it can select a balanced force for a specific operation.

In the opinion of the U.K. Delegation, a rigid rule of equality would not in practice be capable of implementation and in fact the proposal of the U.S.S.R. Delegation has had to recognize the need for deviations from such a principle. Furthermore by accepting deviations from this principle, an equality of sacrifice amongst the five Permanent Members would not necessarily be maintained. On the other hand, the U.K. Delegation considers that the principle of comparable overall contributions is the only realistic one, and that given goodwill, common sense and military knowledge it could be implemented among the Five Permanent Members of the Security Council without particular advantage to any specific Member. Thus the U.K. Delegation is firmly convinced that the principle of comparable overall contributions is the only practical one.

Position of the U.S. Delegation

The U.S. Delegation believes that the fundamental and dominant aim of the General Principles is the establishment and organization of effective United Nations Armed Forces. The contributions of all Member Nations will and should, in large measure, be based upon the capability and willingness of the Member Nations and the requirements of the Security Council. Every Member Nation should have the right to offer as its own contribution such forces as it considers reasonable and proper. Each Permanent Member should have the right to contribute armed forces equal to those contributed by any other Permanent Member, but these contributions should not be limited or restricted by this right. The Security Council will, of course, determine the acceptability of contributions offered. It is desirable that these forces should result from contributions of the Permanent

Members which are comparable or not greatly disproportionate in overall strength. However, no principle governing national contributions should jeopardize the all-important goal of effective United Nations Armed Forces.

The U.S.S.R. "Principle of Equality" is inconsistent with the goal of effective United Nations Armed Forces and with Article 9, and is, therefore, unacceptable to the United States. This principle has been interpreted by the U.S.S.R. Delegation to mean that each of the five Permanent Members of the Security Council must make available identical forces. The military power of each of the five Permanent Members does not rest on equal military forces or on equal services, land, sea and air, and probably never will. Hence, the Permanent Members should not be expected to provide equal forces. Under the "Principle of Equality" as defined by the U.S.S.R. Delegation, every component and every element of every component, contributed by the Permanent Members would be limited so that it must be equal in strength and composition to the weakest corresponding component or element provided by any Permanent Member.

It is recognized that the Soviet proposal provides that deviations from the "Principle of Equality" may be made by special decision of the Security Council. However, the U.S. Delegation believes that, if the goal of effective forces is to become a reality, the deviations would of necessity become the rule.

In the discussions leading to the formulation of this Article, there arose the question as to whether or not the Permanent Members of the Security Council should contribute, for all time, the major portion of the Armed Forces made available to the Security Council. Certain Delegations indicated the belief that the major portion of these Armed Forces should always be provided by the Permanent Members of the Security Council. Whereas this concept is no longer implicit in the proposals for this Article, the U.S. Delegation nevertheless desires to state its position on this principle.

The U.S. Delegation agrees that the Permanent Members of the Security Council should contribute initially the major portion of the Armed Forces in order to facilitate the early establishment of these forces as indicated in Article 10. It may be that the contributions of the other nations will never overtake those of the five Permanent Members. However, the U.S. Delegation cannot agree that this condition necessarily will govern for all time. It may be that the collective capabilities of the members of the United Nations, other than the Permanent Members of the Security Council, might at some time in the future exceed the capabilities of the five Permanent Members of the Security Council, in which case the U.S. Delegation conceives of no reasons why the contributions of those other Members of the United Nations should not exceed those of the Permanent Members of the Security Council.

Therefore, in recognition of the national interests of all Members of the United Nations, the U.S. Delegation is opposed to expressing as a permanent principle that the five Permanent Members would, for all time, contribute the major portion of the Armed Forces.

Article 16

Position of the Chinese Delegation

In view of the fact that the Air Force is essential to prompt military action, the Chinese Delegation believes that in determining the strength of national air force contributions of the Member Nations, the obligations arising out of Article 45 of the Charter should be taken into consideration. Hence, it prefers the text agreed upon by the four Delegations.

Position of the French Delegation

The French Delegation considers that the responsibilities under Article 45 of the Charter should be taken into consideration at the time when the Special Agreements envisaged in Article 43 of the Charter will be negotiated. The French Delegation considers that the national contingents referred to in Article 45 of the Charter represent only a portion of the air forces made available to the Security Council, in fulfilling the terms of the Special Agreements to which reference is made above.

Position of the U.S.S.R. Delegation

The General Principles for the Organization of the Armed Forces should refer to all the principal Services, land, sea, and air, and should be based on the provisions of Article 43 of the Charter.

The examination of Article 45 of the Charter can take place only after the completion of the study of Article 43 of the Charter and the conclusion of Special Agreements. After the conclusion of such Agreements, the Security Council, with the assistance of the Military Staff Committee, shall determine, under Article 45 of the Charter, what portion of the overall number of national air force contingents made available to the Security Council under the Agreements should be held immediately available for the taking of urgent military measures in case of necessity.

The proposals of the other Delegations stated in Article 16 of the General Principles on the furnishing of national air force contributions concern Article 45 of the Charter, and therefore, for reasons stated above, these proposals cannot be justified.

Position of the U.K. Delegation

The U.K. Delegation does not agree with the U.S.S.R. Delegation that the provisions of Article 45 of the Charter should not be reflected in the General Principles, since in the opinion of the U.K. Delegation these provisions must be taken into consideration at the time when the Special Agreements envisaged in Article 43 of the Charter are negotiated.

Article 45 of the Charter deals with the strength and composition and the state of

readiness of national air force contingents. In the opinion of the U.K. Delegation, any reference to these factors should be made separately under the appropriate Chapters of the General Principles.

The U.K. Delegation considers the implementation of Article 45 of the Charter would be carried out by the following processes:

a. In determining the strength and composition of the total national air force contributions, the obligations arising from Article 45 of the Charter would be taken into account.

b. The air force contingents for action envisaged in Article 45 of the Charter would be selected from amongst the national air force contributions made under Article 43 of the Charter.

c. The Security Council, advised by the Military Staff Committee, would request Member Nations to maintain at a high degree of readiness the air force contingents selected for this purpose.

The U.K. Delegation considers that the proposal of the U.S.S.R. Delegation, being phrased in the exact wording of Article 45 of the Charter, does not give the full military interpretation of this Article.

Position of the U.S. Delegation

The U.S. Delegation interprets Article 45 of the Charter as making available to the Security Council specific contingents of national air force contributions for the special purpose of providing the United Nations with a means of taking urgent military measures. It will be necessary to establish these particular contingents as a part of the overall national air force contributions. This requirement will be a major consideration in determining the strength and composition of the national air force contributions. The U.S. Delegation considers it most appropriate to include, in the Chapter concerned with the principles governing national contributions under Article 43 of the Charter, an article which will ensure recognition of these obligations arising from Article 45 of the Charter.

The U.S.S.R. proposal in this Article deals only with the strength and composition of the specific air force contingents envisaged in Article 45 of the Charter. Whereas this limited consideration will be highly important at the time of the actual establishment of these contingents, it is not considered appropriate in the Chapter dealing with overall national contributions of armed forces.

Article 17

Position of the Chinese Delegation

The Chinese Delegation upholds this Article because of the following considerations:

1. It cannot be disputed that a Member Nation, when the existence of its legitimate government is threatened, should have the right to use for self-defense its armed forces made available to the Security Council.
2. Some internal distrubances might develop into world conflagrations. For example, an illegal act of force to overthrow a legitimate government might, if not checked immediately, endanger international peace and security. The use by a Member Nation of its armed forces made available to the Security Council in cases like these would be no more than an action designed to nip in the bud a disturbance of international peace, and as such is in perfect consonance with the purpose of the Armed Forces.
3. If in case of national emergency Member Nations are allowed to make use of the Armed Forces which they have made available to the Security Council, the total strength of the armed forces normally maintained in peacetime by some Member Nations may be somewhat reduced, and such possible reduction would be more in conformity with the universally desired ideal of world disarmament.
4. In addition to the cases mentioned above, the Chinese Delegation shares the view of the French Delegation that national emergency likewise covers cases of catastrophes such as floods, fires or others that call for immediate succor from the Armed Forces nearby.

Position of the French Delegation

The French Delegation considers that it would be impossible to employ large bodies of forces, required for operations, without a fairly accurate knowledge on the part of the organ responsible for strategic direction, of either the location of units constituting these forces and their state of readiness, or the date on which they would be moved in combat readiness to a pre-determined location.

Armed Forces to be made available to the Security Council must, obviously, not deviate from this elementary strategic rule. We would be completely defenceless if Member Nations did not conform to this rule and if they contemplated the use, as they saw fit, of the forces they had ear-marked to be made available, on call, to the Security Council, until the day when these forces had been placed at the disposal of the Security Council. The French Delegation considers, therefore, that any move of these forces likely to modify their general location or the time limit of their intervention as stipulated by the Special Agreements, should be submitted for the approval of the Security Council. This represents, obviously, a certain surrender of sovereignty with which the French Government is ready to agree, if other Governments act likewise, in order to give to the desired system of security its full measure of effectiveness.

But the above cited provisions should acquire a measure of flexibility in certain cases of emergency when there would be insufficient

time for the Security Council to give its consent. These are:—

a. The case of self-defence, adequately covered by Article 51 of the Charter which consequently deserves, like all others, to be included in the body of our document insofar as its military implementation is concerned.
b. The case of national emergency by which is understood:

1. Serious natural cataclysms such as floods, fires, or extraordinary atmospheric occurrences, which might compel a Member Nation for a while to immediately make use of the Armed Forces nearest to the cataclysm, it being impossible to give the Security Council any advance notice. Those are all exceptional cases, but which should be envisaged.

2. National emergency likewise covers the case when the Government of a Member Nation, that is by definition, a democratic and legitimate government, whose legal powers and responsibilities to its people or its peoples are derived from its national constitution, would be threatened by a faction which would attempt to seize power by illegal means. It seems impossible not to recognize that this government has the same absolute right of self-defense against an armed aggression from within as that which is granted to it by Article 51 of the Charter against an armed aggression coming from without, and consequently, to employ all the necessary means, and, possibly, the Armed Forces which it intends to make available to the United Nations.

To deny this right would be contrary to all the provisions of Public Law in force in civilized nations. To deny such a possibility would be contrary to actual facts; to fail to envisage frankly the bearing it has on the employment of the Armed Forces to be made available to the Security Council would be not to fulfill adequately our duty to the Security Council.

Position of the U.S.S.R. Delegation

There is no necessity to include Article 17 in the General Principles since Article 51 of the Charter adequately protects the rights of Member Nations of the United Nations to use their armed forces for self defense in case of an armed attack.

The United Nations Charter does not give any statement on the cases of "emergencies" as set out in the proposal of the Chinese and French Delegations. The introduction of the idea of "an emergency" might give rise to such an interpretation of Article 51 of the Charter which might differ from its actual meaning.

The U.S.S.R. Delegation considers that the idea reflected in Article 51 of the Charter does not need any additional interpretation.

Position of the U.K. Delegation

The U.K. Delegation maintains that, in case of self-defense, the position of Member Nations is adequately safeguarded under Article 51 of the Charter. It is unable to agree to the inclusion of this Article in the General Principles for the following reasons:—

(a) The United Nations Charter makes no specific provision for the release of a Member Nation from its obligations under the Charter in the event of a National Emergency.

(b) It is impossible to define precisely the term "National Emergency"; its inclusion might therefore leave a loophole for Member Nations to evade their responsibilities.

The U.K. Delegation believes that if in the event of an emergency, not strictly within the terms of Article 51 of the Charter, a Member Nation was obliged to commit forces which it had earmarked for the Security Council, that Member Nation should have no difficulty in justifying its action.

Position of the U.S. Delegation

The U.S. Delegation believes that cases of self-defense are adequately covered by Article 51 of the Charter. The term "national emergencies" is indefinite and is difficult to define. This Article, if adopted, presumably would permit a Member Nation in many cases not envisaged in the Charter to withhold armed forces it has agreed to make available to the Security Council on call. In fact the proposed Article would permit unilateral abrogation of an agreement by a Member Nation, since the other party to the treaty, the Security Council, would not have to be consulted. The U.S. Delegation considers that the Security Council and other Member Nations will recognize cases in which a Member Nation might be required to utilize all of its armed forces, including those made available to the Security Council, for the purpose of individual or collective self-defense if an armed attack from any source occurred against a Member Nation. The same would apply if extraordinary and temporary conditions within the domestic jurisdiction of the Member Nation required a nation to make use temporarily of its entire armed forces.

Therefore, the U.S. Delegation cannot agree to the inclusion of this Article in the General Principles.

CHAPTER V
Employment of Armed Forces

Article 20

Position of the Chinese Delegation

The Chinese Delegation cannot accept the U.S.S.R. texts for Articles 20 and 21 because of the following considerations:—

(1) After the Armed Forces have accomplished their task, they should be withdrawn to the "general location" which will be

defined in the special agreements provided for in Article 43 of the Charter.

(2) The time-limit for the withdrawal of the Armed Forces after operation cannot be predetermined. It should be determined by the Security Council according to the prevailing situation at the time.

Hence, the Chinese Delegation accepts the text as agreed upon by the four Delegations since the term "General Location" is consistent with Article 43 of the Charter and the time for withdrawal is left to the Security Council to decide.

Position of the French Delegation

The French Delegation considers that the best way to define the locations to which Armed Forces would be withdrawn would be by referring to the wording used in Paragraph 2 of Article 43 of the Charter. The troops shall be withdrawn to the "general locations" which will be defined in the Special Agreements provided for in Article 43 of the Charter.

Such a wording presents the advantage of avoiding any confusion and any differences of interpretation since this "general location" will be accurately defined in the Special Agreements.

The French Delegation, whilst agreeing on the advantage that would accrue from the stating of a precise time-limit for the withdrawal of the Forces, is of the opinion, however, that it is practically impossible to determine such a time-limit in advance, either now or at the time of the conclusion of the Special Agreements, in view of the lack of knowledge of the conditions that would prevail at the conclusion of a determined operation.

The French Delegation considers, under these circumstances, that it would be sufficient to state that the Armed Forces should be withdrawn as soon as possible after the fulfillment of their task. The Member Nations would undertake to comply with the time-limits which would be fixed by the Security Council.

Position of the U.S.S.R. Delegation

The proposal of the U.S.S.R. Delegation with regard to the question of the withdrawal of Armed Forces of Member Nations after the fulfillment of measures undertaken under Article 42 of the Charter provides for concrete time-limits within which these Armed Forces should be withdrawn so that these forces would again be at the disposal of their Member Nations.

Indications in Special Agreements concluded in accordance with Article 43 of the Charter concerning the time-limits for the withdrawal of Armed Forces would serve as a guarantee to Member Nations that Armed Forces which they have made available would not be kept for a longer time than is required by the necessity for their employment by the Security Council.

Position of the U.K. Delegation

The U.K. Delegation considers that in the principle of withdrawal the following two facts should be established:—

(a) that the Armed Forces after they have accomplished their task must be withdrawn to their general locations as governed by Special Agreements;

(b) that the Security Council should determine the time-limit for their withdrawal.

The U. K. Delegation cannot accept the U.S.S.R. text because it considers that it establishes too rigidly the places to which Armed Forces may be withdrawn, and goes beyond the principles which the U.K. Delegation is prepared to accept under Chapter IX—General Location of Armed Forces.

With regard to the time-limit for withdrawal, the U.K. Delegation considers that it is impracticable now or even when Special Agreements are being drawn up to indicate the precise period in which Armed Forces must be withdrawn. It is essential to leave the determination of this time-limit to the Security Council, whose decisions will be taken according to the prevailing circumstances.

Position of the U.S. Delegation

The U. S. Delegation believes that Armed Forces should be withdrawn to the places specified in the Special Agreements, which places may well be other than a Nation's own national territories if the stationing of the Armed Forces in other areas is specified in the Special Agreements. If it is stated that the Armed Forces must return to the general location governed by the Special Agreement or Agreements under Article 43 of the Charter, these areas certainly will be satisfactory to the Security Council and to the Member Nations concerned.

This Article is in conformity with the principles of the United Nations as the wording is derived from the Charter. It is impossible, either now or at the time the Special Agreements are being negotiated, to set a time-limit for the withdrawal of Armed Forces, as this will depend on the prevailing situation in each case, which cannot be foreseen. The decision regarding the time-limit is a prerogative of the Security Council. The U.S. Delegation feels that the Military Staff Committee should not adopt any principle which might tend to place a restriction on this authority of the Security Council.

Article 21

Position of the Chinese Delegation

See the Chinese position on Article 20.

Position of the French Delegation

See the French position on Article 20 above.

Position of the U.S.S.R. Delegation

The principle set out in the proposal by the U.S.S.R. Delegation establishing the time-limit for the withdrawal of Armed Forces

from the territories or territorial waters of Member Nations will serve as a guarantee for these Member Nations that Armed Forces of other Member Nations will be withdrawn from their territories and territorial waters within the established time-limit and that these forces would not be held for a longer time than is required by the necessity for the fulfillment of their tasks under Article 42 of the Charter.

The reduction of these time-limits would mean the elimination of extra difficulties for countries—Members of the United Nations in connection with the stationing of Armed Forces of other Member Nations in their territories beyond the required period.

Position of the U.K. Delegation

The U.K. Delegation cannot accept the U.S.S.R. text for this Article for the same reasons that it cannot accept the U.S.S.R. text for Article 20. The U.K. Delegation also considers the U.S.S.R. Article 21 is not necessary for the following reasons:—

(a) A guarantee for the withdrawal of Armed Forces within a time to be decided by the Security Council has already been given in Article 20 accepted by the U.K. Delegation.

(b) It is artificial and redundant to make a rigid distinction between the withdrawal from the territory of the aggressor nation or nations on the one hand and on the other hand from territory or territories in which facilities for the United Nations Armed Forces have been offered by Member Nations.

(c) The whole process of withdrawal will be watched by the Security Council with the advice of the Military Staff Committee to ensure that it takes place as speedily as possible.

Position of the U.S. Delegation

The U.S. Delegation feels that the provisions of this Article are already cared for in Article 20, which is agreed to by four Delegations. The wording of Article 20 does not specify the territory from which the Armed Forces will withdraw but the wording includes not only the territory of a State which has violated the peace but also the territories of other Member Nations in which the Armed Forces may have been stationed for the purpose of carrying out their task.

CHAPTER VI

Degree of Readiness of Armed Forces

Article 25

Position of the Chinese Delegation

The Chinese Delegation is of the opinion that in view of the characteristics of the air arm, the principle of the Degree of Readiness would be incomplete without mention of the air force which is particularly dealt with by Article 45 of the Charter.

Hence, the Chinese Delegation believes that the part of the said Article in connection with the degree of readiness of the air force contingents should be given a separate Article, dealing with urgent military measures.

The Chinese Delegation prefers this to the U.S.S.R. text as its wording emphasizes the fact that the degree of readiness of these contingents should be such as to be able to cope with urgent military measures, and therefore it is more in conformity with the idea of immediate availability that is contained in Article 45 of the Charter.

Position of the French Delegation

The French Delegation, during the discussion on Article 16, indicated its position with regard to strength and composition of air force contributions by Member Nations. The French Delegation considers that the degree of readiness of that portion of the air forces intended to carry out the measures envisaged in Article 45 of the Charter must be determined taking into account the obligations arising from this Article.

Position of the U.S.S.R. Delegation

The General Principles for the Organization of the Armed Forces should refer to all the principal Services, land, sea, and air, and should be based on the provisions of Article 43 of the Charter.

The examination of Article 45 can take place only after the completion of the study of Article 43 and the conclusion of Special Agreements. After the conclusion of such Agreements, the Security Council, with the assistance of the Military Staff Committee, shall determine, under Article 45, what portion of the overall number of national air force contingents made available to the Security Council under the Agreements should be held immediately available for the taking of urgent military measures in case of necessity.

The proposals of the other Delegations stated in Article 16 of the General Principles on the furnishing of national air force contributions concern Article 45 of the Charter, and therefore, for reasons stated above, these proposals cannot be justified.

Position of the U.K. Delegation

For the reasons given in the position of the U.K. Delegation on Article 16, the U.K. Delegation considers that special reference should be made in Chapter VI to the degree of readiness of national air force contingents in accordance with the provisions of Article 45 of the Charter.

Position of the U.S. Delegation

As previously stated under Article 16, the U.S. Delegation interprets Article 45 of the Charter as an agreement on the part of the Member Nations to hold immediately available to the Security Council specific contingents of their national air force contributions

in order to enable the United Nations to take urgent military measures. Implicit in this Article of the Charter is the immediate availability of these particular contingents, as distinguished from the state of readiness which would govern the remainder of the national air force contributions. The U.S. Delegation considers it essential that a clear distinction be made as to the special degree of readiness required of the air force contingents provided by Article 45 of the Charter. The U.S. Delegation considers that this distinction is appropriately made in the Chapter dealing with the state of readiness of armed forces.

The proposal by the U.S.S.R. Delegation in this Article fails to distinguish clearly the special state of readiness required of the air force contingents under Article 45 of the Charter. Neither does the U.S.S.R. proposal properly recognize the immediate availability of these contingents as essential in meeting the urgency of the military measures envisaged in Article 45 of the Charter.

CHAPTER VII

Provision of Assistance and Facilities, Including Rights of Passage, For Armed Forces

Article 26

Position of the Chinese Delegation

The Chinese Delegation believes that bases should be mentioned in the General Principles for two reasons:

(1) The term "bases" is implied in the meaning of the term "assistance and facilities" in Article 43 of the Charter, according to the interpretation of the Chinese Delegation.

(2) Land, sea and air bases are essential in modern operations.

Further, the Chinese Delegation accepts this text because it embodies the following points :

(1) It gives a general guarantee to furnish available bases and rights of passage, thereby operating as a legal basis on which relevant special agreements in accordance with Article 43 of the Charter are made.

(2) It has more flexibility because it covers both cases in which Member Nations would like to *list* bases in the original agreement and in which they would not.

(3) It provides for requirements of changing world conditions in accordance with which subsequent agreements dealing with all details of bases and other assistance and facilities, including rights of passage, may be more appropriately entered into.

Position of the French Delegation

The French Delegation considers that bases are a vitally important factor in the employment of armed forces. It therefore feels that it is impossible to omit mention of this question in the General Principles.

With regard to the substance of Article 26, the French Delegation considers that:—

1. The Special Agreements should list the bases placed at the disposal of the Security Council by Member Nations.

The Charter does not impose the obligation on Member Nations to place at the disposal of the Security Council their total resources and, particularly, all of their bases. Article 43 of the Charter stipulates that Member Nations of the United Nations undertake to make available to the Security Council, in accordance with a special agreement or special agreements, armed forces, assistance and facilities *required* for the maintenance of international peace and security.

Member Nations should, obviously, have an exact knowledge of bases which they should maintain in a state of preparedness, in order not to dissipate their efforts. If the bases were not listed in the special agreements, it would be essential to conclude specific agreements at the time of an emergency and the negotiation of such agreements would entail a loss of time which would be to the aggressor's advantage.

However, in the event that the above-mentioned bases, assistance and facilities will prove insufficient for the conduct of operations in a given zone, a guarantee will be given to the Security Council that it will be able to obtain such bases, assistance and facilities which it finds indispensable, in additional special agreements to be concluded with the Member Nations.

The French proposal is consistent with the spirit of Chapter II (Composition of the Armed Forces). All Delegations have, indeed, considered at the time of the consideration of this Chapter, that the overall strength of the United Nations Armed Forces should be limited to a size necessary to carry out successfully measures ordered by the Security Council. Obviously, such a consideration applies to bases and facilities as well as to Armed Forces themselves.

2. The special agreements should not contain detailed provisions with regard to assistance and facilities granted by the Member Nations. The provisions concerning the duration and other conditions in the exercise of rights thus granted to Armed Forces operating under the direction of the Security Council should be included in specific agreements concluded at the appropriate time.

Position of the U.S.S.R. Delegation

Article 43 of the Charter obliges Member Nations to make available Armed Forces, assistance and facilities including rights of passage to the Security Council, but this Article does not contain provisions obliging Member Nations to make bases available. The U.S.S.R. Delegation considers that the question of the provision of bases by Member

Nations of the United Nations is not connected with the General Principles.

Position of the U.K. Delegation

In the opinion of the U.K. Delegation, this Article should include:—

(a) a general guarantee to furnish available bases and rights of passage, and

(b) a provision that details regarding bases and other assistance and facilities, including rights of passage, should be included either in the original agreement or in subsequent agreements to be concluded at the appropriate time.

The U.K. Delegation cannot accept the view of the U.S.S.R. Delegation that the question of provision of bases should not be included in General Principles because bases are not mentioned specifically in Article 43 of the Charter. In the opinion of the U.K. Delegation, the ability of the United Nations Forces to use bases of Member Nations under agreed conditions is one of the essential facilities referred to in Article 43 of the Charter "as necessary for the maintenance of international peace and security", since the United Nations Force would be incapable of effective action unless assured of such facilities.

The U.K. Delegation also cannot accept the proposal of the French Delegation because it envisages an obligation to indicate, in the original agreements, assistance, facilities including right of passage and bases.

Since the assessment of the full requirements of the United Nations Force can only be studied in detail in the light of a specific situation, the U.K. Delegation considers that the original agreements under Article 43 of the Charter should contain a general guarantee with regard to rights of passage and bases but that specific details and conditions of provision could be left to subsequent agreements made at the appropriate time.

Position of the U.S. Delegation

The initial special agreements between the Security Council and Member Nations, under Article 43 of the Charter, should include general guarantees providing for rights of passage and for the use of available bases required by the United Nations Armed Forces. This is necessary in order that the Security Council may have the freedom of action in planning for the employment of Armed Forces resulting from assurance as to the availability of existing bases. The guarantee in sub-paragraph *a* of Article 26, refers only to available bases and does not require a nation to produce any facility which it does not normally have. Any such additional facilities would be covered in sub-paragraph *b* regarding specific provisions.

Details regarding the providing of assistance, facilities and rights of passage, including lists of specific bases, may be specified either in the original agreements or in subsequent agreements, concluded at the appropriate time. Such subsequent agreements may be necessary from time to time as world conditions change. The U.S. Delegation emphasizes the fact that all such agreements, including the subsequent agreements, will be made under Article 43 of the Charter. The Security Council must be assured of the use of available bases of Member Nations by a general guarantee in the initial agreements.

The U.S. Delegation not only considers that bases are included in the term "assistance and facilities" but also considers that bases constitute the major element of this term. Minor elements would be such as communications facilities, weather services, and the like. Therefore, the U.S. Delegation believes that this major element should be clearly and specifically stated in the principle governing assistance and facilities.

Article 27

Position of the Chinese Delegation

The Chinese Delegation believes that it is necessary to have an article dealing with the sovereignty of bases and other facilities that are made available to the Security Council. This article accepted by the Chinese Delegation recognizes the right of a Member Nation to retain its sovereignty, command and control over bases and other facilities that it has placed at the disposal of the Security Council.

Position of the French Delegation

The French Delegation considers that it is necessary to introduce this Article in the document on General Principles because it considers that the preservation of national sovereignty is indispensable if it is desired that Member Nations agree to place bases and other facilities at the disposal of the Security Council.

Position of the U.S.S.R. Delegation

The U.S.S.R. Delegation cannot agree to accept Article 27 for the reasons set out in its position on Article 26.

Position of the U.K. Delegation

The U.K. Delegation supports this Article because it considers it necessary to safeguard the overall rights of sovereignty and control of a Member Nation when it places bases and other facilities at the disposal of the Security Council.

Position of the U.S. Delegation

The U.S. Delegation considers that it is important that each Member Nation is assured that it retains its sovereignty, control, and command over bases and other facilities placed at the disposal of the Security Council and that it is essential that this Article be included in the General Principles.

Article 28

Position of the Chinese Delegation

In view of the fact that facilities and

assistance play an important part in operations, their value should be taken into account by the Security Council, on the advice of the Military Staff Committee when additional contributions from the Permanent Members of the Security Council are requested in connection with an enforcement action under Chapter VII of the Charter.

Position of the French Delegation

The French Delegation had already taken a position by accepting Article 8 (Chapter III, Overall Strength of Armed Forces) on the possibility of a considerable increase of the initial contributions provided by Member Nations, should the situation demand it.

It is obvious that the principle of equivalent contributions of Armed Forces might be applied when a comparatively small force is concerned. But the vastly different resources of the five Permanent Members of the Security Council do not allow them to adhere to the same principle, should the extent of these contributions be very appreciably increased.

For this reason, the French Delegation considers that the equivalence of possible additional contributions among the Permanent Members of the Security Council could only be arrived at taking into account together armed forces, bases, assistance and facilities.

Position of the U.S.S.R. Delegation

The U.S.S.R. Delegation cannot accept Article 28 since it does not take into account the Principle of Equality in the Contribution of Armed Forces by the Permanent Members of the Security Council as set out in its proposal for Article II of the General Principles.

Position of the U.K. Delegation

The U.K. Delegation has recommended in Article 26 that a Member Nation should give a general guarantee to provide available bases as required by the Security Council but realises that it is not practicable to estimate the value of bases and other facilities when assessing the initial contributions of the Five Permanent Members of the Security Council. The U.K. Delegation however considers that their value should be taken into account if and when additional contributions are requested by the Security Council when a specific operation is under consideration, in order to apportion the burden amongst the Five Permanent Members of the Security Council as equitably as possible.

Position of the U.S. Delegation

The U.S. Delegation is in agreement with the principle that assistance and facilities should be taken into account when assessing the contributions of all Member Nations. However, the U.S. Delegation is not aware of a practical method of accomplishing this until such time as the actual need for specific assistance and facilities would arise when enforcement action is either under consideration or taken by the Security Council. The Article to which the U.S. Delegation has agreed states this principle adequately.

CHAPTER VIII
Logistical Support of Armed Forces

Article 31

Position of the Chinese Delegation

The Chinese Delegation feels that Article 49 of the Charter emphasizes the importance of mutual assistance by Member Nations in the execution of measures designed for the purpose of maintaining universal peace. It seems to the Chinese Delegation that in view of the destructiveness of modern warfare, it is more than probable that some Member Nations may be incapacitated in continuing to supply their troops adequately in operations. When such exigencies occur it is only reasonable that both the Security Council and other Member Nations should do all in their power to succor such unfortunate fellow members in the interest of international peace. It is with such an object in view that this Article is framed. Moreover, the Chinese Delegation believes that the Article ought to be so worded as to give a more definite method of procedure in rendering such mutual assistance.

Hence, the Chinese Delegation accepts the text as agreed upon by the three Delegations.

Position of the French Delegation

The French Delegation considers that the rules set out in Articles 29 and 30 should be rendered more flexible by introducing a paragraph providing for the inability of a Member Nation to fulfill its obligations.

The French Delegation considers it unreasonable to extend this assistance to the defaulting Nation by also providing it with reserves of personnel. Numerous disadvantages would follow and in particular the loss of the national character of contingents made available to the Security Council by Member Nations.

For these reasons the French Delegation prefers the statement of a broad principle, which would leave the Security Council, after it had been notified by a Member Nation, the full initiative of solving on the advice of the Military Staff Committee any special problems which might arise by the default of a Member Nation.

The text favored by the French Delegation appears to express in a satisfactory manner the role of the Security Council in such a case.

Position of the U.S.S.R. Delegation

Article 13 of the General Principles states that no Member Nation of the United Nations shall be urged to increase its armed forces for the specific purpose of placing a contribution at the disposal of the Security Council. The Security Council shall also not demand

of a Member Nation to make armed forces available of a size which that Member Nation would not be in a position to furnish. Therefore, it is inadvisable to mention beforehand in the General Principles the "inability" of a Member Nation to provide the armed forces which that Member Nation has made available with everything necessary.

The proposal of the U.S.S.R. Delegation makes it possible in individual instances for a Member Nation to request the Security Council for assistance regarding the provision of that Member Nation with supplies and transport of which he is deficient. Such assistance may be rendered by special decision of the Security Council if that Member Nation expresses such a desire.

Position of the U.K. Delegation

All Delegations recognize the possibility that any Member Nation may, for reasons beyond its control, require assistance in order to maintain the effectiveness of its contributions to the United Nations Armed Forces. It is logical therefore, that principles should be established to cover such circumstances.

The U.K. Delegation considers that on receipt of a request for assistance by a Member Nation, the Security Council, with the advice of the Military Staff Committee, would decide whether the application was justifiable and, if so, to what extent assistance should be provided. Following a decision to assist the applicant, the Security Council, being itself unable to provide material assistance, would normally help the Member Nation by acting as initiator and intermediary in negotiations with other Member Nations, or, in certain circumstances, by concluding agreements with appropriate Member Nations.

At the same time the U.K. Delegation also recognizes that the integrity of a Member Nation's contribution should not be disturbed without the free consent of the Member Nation.

The U.K. Delegation considers that the Article accepted by the Chinese and U.S. Delegations incorporates all the above principles, whereas the Article accepted by the French and U.S.S.R. Delegations does not indicate the responsibilities of the Security Council following a decision to provide such assistance as it has deemed necessary.

Position of the U.S. Delegation

The U.S. Delegation believes that cases of a Member Nation's inability to discharge its responsibilities under Article 29 must be provided for. It might be, for example, that during the time a Member Nation has armed forces operating under the Security Council, that Nation may be over-run by hostile forces or may suffer severe damage to its industries. Such a condition might make it impossible for that Nation to continue to furnish supplies to its contingents in the United Nations Armed Forces. The Article agreed to by the U.S. Delegation is intended to provide for such a condition.

The U.S. Delegation particularly stresses the importance of the second sentence of the Article agreed to by the Chinese, U.K. and U.S. Delegations. This sentence serves to protect the tactical integrity of units of armed forces made available to the Security Council. There must be assurance that such units will not be unbalanced by any transfer from the contributions of one Member Nation to make up deficiencies in the contributions of another Member Nation without the agreement of the Member Nations concerned.

The proposal of the U.S.S.R. Delegation provides for deviations from Article 29 by special decisions of the Security Council, but does not provide for the agreement of the Member Nation furnishing the assistance, and is therefore unacceptable to the U.S. Delegation.

CHAPTER IX

General Location of Armed Forces

Article 32

Position of the Chinese Delegation

The Chinese Delegation considers that the object of the Armed Forces made available to the Security Council is to maintain or restore international peace. This fact should be kept constantly in mind when the "general location" of such Forces is considered. Generally speaking, therefore, these Forces should be so located that prompt action could be taken by the Security Council in the interest of peace. It follows that the Security Council will have a wider choice of locations for these Armed Forces to achieve this purpose if Member Nations are allowed to base their Armed Forces made available to the Security Council in places where they have legal right of access. Hence, the U.S.S.R. proposal is unacceptable as its interpretation of the term "general location" is too restrictive, and, therefore, prejudiced to the effective functioning of the Armed Forces. Further, it is the belief of the Chinese Delegation that the phrase "any territories or waters to which they have legal right of access" in the text is more all-embracing and already inclusive of the list of possible locations as suggested by the French Delegation.

Finally, since the Military Staff Committee has agreed that Armed Forces made available to the Security Council are from the units which form an integral part of the armed forces of Member Nations (Article 3, General Principles) and are under the "exclusive command" of the contributing Nations when not employed by the Security Council (Article 36, General Principles), and since Article 51 of the Charter recognizes the "inherent right" of self-defence in case of an armed attack, it seems logical to the Chinese Delegation that Member Nations should have the

right to exercise "discretion", within the terms of Special Agreements under Article 43 of the Charter, in the choice of locations for these Forces.

For the above reasons, the Chinese Delegation accepts the texts for Articles 32 and 33.

Position of the French Delegation

The French Delegation cannot accept either the U.S.S.R. proposal or the proposal supported by the U.S., U.K. and Chinese Delegations.

In the opinion of the French Delegation, the U.S.S.R. proposal is much too restrictive. It takes into consideration the legal and geographical point of view of the U.S.S.R. only, which is territorially and constitutionally united, and the provision of Article 107 of the Charter only, relative to the occupation of ex-enemy territories, to the exclusion of other Articles of the Charter dealing with similar measures, such as Articles 102, 82 or 83. It does not in any way take into consideration the entirely different geographic and legal factors of other federations as, for example, the French Union, in which are associated under various juridical acts—Metropolitan France, its Departments and territories overseas, its associated territories and States geographically spread out throughout the world. In limiting their stationing only in their national territories, the U.S.S.R. proposal also does not take into account the absolute necessity for the strategic world distribution of Armed Forces to be made available to the United Nations, if it is desired that their intervention be speedy and consequently effective.

In the opinion of the French Delegation, the proposal supported by the U.S., U.K. and Chinese Delegations is not sufficiently explicit. The expression "right of legal access" might lead both to misunderstanding and to possible suspicion. This could have been the case before the existence of the United Nations Charter, which deals, in Articles 82-83, 102 and 107, with the legal conditions of occupation of territories outside national boundaries. It appears to the French Delegation not only appropriate but indispensable to refer to them.

Position of the U.S.S.R. Delegation

Proposals of other Delegations on the general location set out in Articles 32 and 33 of the General Principles permit the stationing of armed forces of Member Nations which they make available to the Security Council in any territories or waters to which they have the "legal right" of access. Such a principle of location of Armed Forces made available to the Security Council cannot be justified by the interests of maintenance of peace and development of friendly relations among countries. Moreover, experience has shown that the presence of foreign troops on territories of other Member Nations without sufficient grounds does not facilitate the strengthening of international peace and the development of good neighborly relations among states. On the contrary, it gives rise to a feeling of anxiety among Member Nations for their national independence. It is for these reasons that the proposal by the U.S.S.R. Delegation in Article 32 provides for the garrisoning of Armed Forces only in their own territories or territorial waters.

Regarding the stationing of Armed Forces of Member Nations during the fulfillment of measures under Article 42 of the Charter, it will be carried out under the direction of the Security Council and that is spoken of in Article 35 of the General Principles.

Position of the U.K. Delegation

The U.K. Delegation considers that, provided a Member Nation's Armed Forces, when not employed by the Security Council are located or based in the territories or waters to which the Member Nation has legal right of access, there can be no valid objection on the part of any other Member Nation. The U.K. Delegation therefore cannot accept the rigid interpretation contained in the Soviet proposal.

The U.K. Delegation also objects to the French proposal since it attempts to define in detail the "legal right of access", which is not the task of the Military Staff Committee.

Position of the U.S. Delegation

The U.S. Delegation believes that it is essential to the effectiveness of the Armed Forces that they may be based wherever the Member Nation has the legal right of access. The General Principles governing the location of the Armed Forces should be broad and general. The U.S. Delegation does not agree that a special list of authorized locations should be included. Such a list of locations might form part of the Special Agreements under Article 43 of the Charter, but would be out of place in the General Principles, consequently, the U.S. Delegation does not agree with the French Article.

The U.S.S.R. Article restricts the locations where a nation can station its armed forces in time of peace. The U.S. Delegation cannot agree to the incorporation in the General Principles of any restriction upon the legal right which a nation may have to base forces in areas other than its own national territories and consequently cannot accept the U.S.S.R. proposal.

Article 33

Position of the Chinese Delegation

See Chinese position on Article 32.

Position of the French Delegation

The French Delegation considers that an appropriate geographical distribution of

Armed Forces made available to the Security Council will enable the latter to undertake prompt action in any part of the world. Such a provision will undoubtedly increase the efficiency of the United Nations Armed Forces.

Position of the U.S.S.R. Delegation

Proposals of other Delegations on the general location set out in Articles 32 and 33 of the General Principles permit the stationing of armed forces of Member Nations which they make available to the Security Council in any territories or waters to which they have the "legal right" of access. Such a principle of location of Armed Forces made available to the Security Council cannot be justified by the interests of maintenance of peace and development of friendly relations among countries. Moreover, experience has shown that the presence of foreign troops on the territories of other Member Nations without sufficient grounds does not facilitate the strengthening of international peace and the development of good neighborly relations among states. On the contrary, it gives rise to a feeling of anxiety among Member Nations for their national independence. It is for these reasons that the proposal by the U.S.S.R. Delegation in Article 32 provides for the garrisoning of Armed Forces only in their own territories or territorial waters.

Regarding the stationing of Armed Forces of Member Nations during the fulfillment of measures under Article 42 of the Charter, it will be carried out under the direction of the Security Council and that is spoken of in Article 35 of the General Principles.

Position of the U.K. Delegation

The U.K. Delegation has accepted this paragraph since it will provide useful guidance to the Security Council and the Military Staff Committee when assessing the overall strength of the armed forces and when drawing up the Special Agreements under Article 43 of the Charter.

Position of the U.S. Delegation

The U.S. Delegation believes that it is necessary that the locations of the United Nations Armed Forces should be so distributed geographically that the Security Council can take prompt action in any part of the world. All Delegations have approved a wording similar to this Article in Article 6 relating to Overall Strength. Both factors of Strength and Location are equally important in enabling the Security Council to initiate action promptly, and therefore the U.S. Delegation considers the inclusion of this Article essential.

Article 34

Position of the Chinese Delegation

The object of the Article on "General Location" is to enable the Security Council to know when and where the Armed Forces are available so that plans of operations could be accordingly made when action is considered desirable. It follows, therefore, that any displacement of these Forces that modifies their availability as specified by Special Agreements under Article 43 of the Charter should be brought to the notice of the Security Council. For the above reasons, the Chinese Delegation accepts this text.

Position of the French Delegation

The French Delegation had specified the reasons for the inclusion of such a special Article dealing with movements of Forces, likely to change their delay in intervention, when stating its position with regard to Article 17 above.

Position of the U.S.S.R. Delegation

The proposal of the other Delegations provides that Member Nations which have made their Armed Forces available to the Security Council should inform the Security Council of any displacement of these forces which might change their availability.

The proposal of the U.S.S.R. Delegation on Article 32 permits the stationing of Armed Forces made available by Member Nations only within the limits of their own territories or territorial waters with the exception of cases envisaged in Article 107 of the Charter. Within those territories Armed Forces of Member Nations have the full right to change the areas of their garrisoning at the discretion of the Member Nations without informing the Security Council of such changes.

Position of the U.K. Delegation

The availability of contributions of Member Nations includes two elements, namely, the time taken to mobilize and the time taken to concentrate in a given area. The U.K. Delegation considers that a Member Nation will undertake to produce its contributions, when called for by the Security Council within a given time. The U.K. Delegation recognizes that a Member Nation will from time to time wish to make changes in location of its forces made available to the Security Council. When such changes affect the time taken to concentrate, the U.K. Delegation considers that the Member Nation should be under an obligation to inform the Security Council immediately.

Although it may be held that such an obligation would exist under the Special Agreements, Article 34 emphasizes this requirement and the U.K. Delegation therefore favors inclusion of this Article.

Position of the U.S. Delegation

The U.S. Delegation is of the opinion that customary international procedure requires a nation which is a party to a treaty or agreement to notify promptly other signatories to the instrument when that nation is unable

to comply fully with the terms of the treaty or agreement. For this reason the U.S. Delegation does not consider that Article 34 is essential.

However, since several Delegations have expressed the view that this Article is needed to insure that the Security Council will be informed of any change in the availability of a Member Nation's contribution of Armed Forces, the U.S. Delegation has no objection to the inclusion of Article 34 in the General Principles.

CHAPTER X

Strategic Direction and Command of Armed Forces

Article 41

Position of the Chinese Delegation

The Chinese Delegation considers either the word "supreme" or the word "overall" acceptable. Further, it is the opinion of the Chinese Delegation that while it is desirable to have an Article dealing in a general way with the supreme command of the Armed Forces, it is premature to lay down the chain of command in detail. The text agreed to by the Chinese Delegation is adequate enough as a statement of a general principle since it covers the cases of Overall Commanders of different theatres of operations.

Position of the French Delegation

The French Delegation considers that the experience gained in the last war with regard to the organization of *Command,* should not be ignored in the General Principles governing the organization of the Armed Forces.

Actually, the problems which confronted the Allied Governments at that time are of a similar character to those which will have to be solved by the United Nations in the near future. It would therefore appear profitable to bring to the attention of the Security Council the advisability of adopting a procedure which, from the point of view of the French Delegation, has given proof of its value.

The French Delegation likewise considers it essential that it be clearly stated in the text of the Article that Commands will be delegated by the *Security Council* on the advice of the Military Staff Committee. Indeed, only an international authority, with the advice of a technical body, has both governmental and military knowledge as well as the impartiality required to make such decisions.

It seems impossible to the French Delegation to uphold in the face of public opinion a procedure which would invest the Supreme Commander of an operational theatre, whatever may be his authority and capabilities, with the authority of personally nominating the Commander-in-Chief of the land, sea and air forces which will come under his command. It would be difficult to reconcile such an eventuality with the international character which should be retained, from the French point of view, both by the Armed Forces made available to the Security Council as well as to the Command of these Forces.

Position of the U.S.S.R. Delegation

In the view of the U.S.S.R. Delegation at the present stage of the study of Article 43 of the Charter from the military point of view, it is sufficient to provide for in the General Principles that the Security Council on the advice of the Military Staff Committee may appoint an overall Commander or overall Commanders of Armed Forces made available to the Security Council. A detailed study of the questions of Organization of Command can take place at a later stage.

Position of the U.K. Delegation

The U.K. Delegation considers that provision should be made for the appointment by the Security Council of a Supreme Commander of Armed Forces made available to the Security Council or Supreme Commanders should there be more than one theatre of operations.

In addition, the U.K. Delegation considers that circumstances may also require the appointment of Commanders-in-Chief of Land, Sea or Air Forces acting under the Supreme Commander or Commanders and that the provisions of Article 41 should make this possibility clear.

The fact that Article 41 provides for these Commanders does not make their actual appointment mandatory, neither does it anticipate the ultimate structure of command which may be set up to meet a particular situation. The U.K. Delegation, however, considers it essential to state in the General Principles that the Security Council has the power to appoint Supreme Commanders or Commanders-in-Chief without prejudice to the provisions of Article 47 of the Charter.

Position of the U.S. Delegation

The U.S. Delegation believes that the designation of the Commanders for a specific operation under the Security Council cannot be subject to rigidly established criteria. It is sound from the military point of view, and in accordance with the provisions of the Charter, that the Security Council, with the assistance of the Military Staff Committee, should be empowered to appoint the Overall Commander for such an operation. However, additional fixed rules concerning the actual number of component Commanders to be appointed by the Security Council might be detrimental to the formation of an efficient Command echelon.

The operation in hand might be one which did not employ all the components of forces, land, sea, and air, made available to the Security Council or simultaneous operations in

different regions might present altogether different command situations. It might be desirable at the time to follow the procedure as set out in the wording accepted by the French and U.K. Delegations or it might be more desirable for a component Commander to be designated by the Overall Commander. It is impractical to prejudge all situations which might arise, and to formulate exact and inflexible rules for their solution.

For these reasons, the U.S. Delegation believes that the method of designation of Commanders of mixed contingents of forces made available to the Security Council, other than the overall Commander, must be resolved when the occasion arises. Therefore, the U.S. Delegation adheres to the wording of this Article accepted by the Chinese, U.S.S.R. and U.S. Delegations.

With regard to the minor divergence in wording between the respective first paragraphs of this Article, the U.S. Delegation is agreeable to the use of either wording, "overall commander(s)" or "supreme commander(s)."

ANNEX "B"

General Comments by the French Delegation

The French Military Delegation considers that the Principles of Organization of the Armed Forces to be made available to the United Nations have been formulated in the spirit of the Charter of the United Nations in that, in the opinion of the French Military Delegation, they imply unanimity among the five Permanent Members of the Security Council regarding the employment of these Forces. Although the security system which will emerge from those Principles may be strictly limited in its objective and in its means, the French Military Delegation considers that it is not without a positive value for the collective security, because conflicts would thus be confined to their original source and consequently their expansion prevented.

The French Military Delegation considers that some of the Principles of Organization tend to limit the strength of the Armed Forces made available to the Security Council. The French Military Delegation deliberately approved these Principles, thus anticipating in particular the results which would follow with regard to disarmament, and which would endow the Armed Forces made available to the Security Council with a relatively more important position in the entire existing modern armed forces.

It was also considered that "the moral weight and the potential power behind any decision to employ the Armed Forces made available to the Security Council by Member Nations of the United Nations in enforcement action will be very great and this fact will directly influence the size of the Armed Forces required."

In the course of its work the Military Staff Committee did not consider it appropriate to tackle certain problems of a politico-military character, the solutions of which are, however, considered as indispensable by the French Military Delegation. Indeed, on their solution rests all hope of the effectiveness of Armed Forces to be raised by implementing the General Principles which are the subject of this Report. It follows that the two major problems of determining the aggressor and the setting in motion of measures, taken in pursuance of Articles 41 and 42 of the Charter, must, in the opinion of the French Military Delegation, be solved before any action by the Armed Forces made available to the Security Council can be contemplated.

From a purely military viewpoint, the factor of speed in the setting in motion of these measures is *imperative* for the success of the action undertaken. The chances of successful intervention will be relatively all the greater in that the comparable strength of the Forces weighs more heavily in favor of the United Nations. Therefore, the French Military Delegation considers that it is of paramount importance that action by the Security Council should be swift and energetic, and with this object in view:

1. The determination of the aggressor must be decided as soon as possible.

2. Economic and political actions envisaged in Articles 40 and 41 of the Charter must be so combined as to prepare and support the military intervention which might ensue.

3. The plans drawn up by the Security Council for the employment of the Armed Forces must provide for the immediate enforcement of measures envisaged in Article 42 of the Charter and may thus prevent any aggression.

In the opinion of the French Military Delegation only under these conditions will it be possible for the Security Council to take really effective measures which will enable it to maintain or restore international peace and security.

Furthermore, the French Military Delegation notes that one of the important problems which the Military Staff Committee did not consider came within its province is the financial problem raised as to the manner of settling the expenses devolving on Member Nations in carrying out the directives of the Security Council. The solution of this problem by the Security Council will undoubtedly have a bearing on the importance of the contribution which each Nation will agree to provide to the Security Council.

The solutions of the problems aforementioned, should, from the viewpoint of the French Military Delegation, be undertaken immediately in order that the negotiation of Special Agreements envisaged in Article 43 of the Charter be commenced.

F. THE ATOMIC ENERGY COMMISSION

Mr. Harry S. Truman, President of the United States; Mr. C. R. Attlee, Prime Minister of the United Kingdom; and Mr. W. L. Mackenzie King, Prime Minister of Canada, met in Washington, D.C., in November 1945 "to consider the possibility of international action: (a) To prevent the use of atomic energy for destructive purposes, and (b) to promote the use of recent and future advances in scientific knowledge, particularly in the utilization of atomic energy, for peaceful and humanitarian ends."[1]

On November 15, 1945, the three heads of Governments issued a declaration which stated, among other things, that "in order to attain the most effective means of entirely eliminating the use of atomic energy for destructive purposes and promoting its widest use for industrial and humanitarian purposes, we are of the opinion that at the earliest practicable date a Commission should be set up under the United Nations Organization to prepare recommendations for submission to the Organization."[2]

Discussion of this problem took place at the meeting of the Foreign Ministers of the U.S.S.R., the United Kingdom and the United States held in Moscow in December 1945. On December 27 the three Foreign Ministers issued a communique which stated, *inter alia*, that "the Ministers of Foreign Affairs of the U.S.S.R., the United States, and the United Kingdom have agreed to recommend, for the consideration of the General Assembly of the United Nations, the establishment by the United Nations of a commission to consider problems arising from the discovery of atomic energy and related matters."[3] The Foreign Ministers agreed to invite the other permanent members of the Security Council—France and China—together with Canada, to join with them in assuming the initiative in sponsoring a resolution, drafted in Moscow, relating to the establishment of a commission for the control and use of atomic energy.

Pursuant to the agreement reached in December 1945 at the Moscow Conference, and to subsequent negotiations, the British Government, acting on behalf of the five permanent members of the Security Council and Canada, on January 4, 1946, proposed that the resolution drafted at Moscow relating to the establishment of a commission for the control and use of atomic energy be added to the agenda of the General Assembly at the first part of the first session, scheduled to take place in London.

The General Assembly referred the establishment of the proposed commission to its First Committee (Political and Security), which considered the proposed resolution at its second and third meetings on January 21 and 22, 1946. At the end of the meeting of January 21, the resolution was approved without change by 46 votes to 0, with 1 abstention. After a further brief debate on the following day, the First Committee on January 23 approved unanimously the report of the Rapporteur on the establishment of the commission.

On January 24 the report and resolution authorizing the Commission on Atomic Energy were approved in the General Assembly with no dissenting votes. According to the resolution, the Commission was to be composed of one representative from each of the States represented on the Security Council, and Canada when that State was not a member of the Security Council.

The Commission was required to inquire with the utmost despatch into all phases of the problems, and to submit its reports and recommendations to the Security Council. In the appropriate cases, the Security Council was required to transmit these reports to the General Assembly and to the Members of the United Nations as well as to the Economic and Social Council and other organs wihin the framework of the United Nations.

The resolution set forth the terms of reference of the Commission as being to make specific proposals:

(a) for extending between all nations the exchange of basic scientific information for peaceful ends;

(b) for control of atomic energy to the extent necessary to ensure its use only for peaceful purposes;

(c) for the elimination from national armaments of atomic weapons and of all other major weapons adaptable to mass destruction;

(d) for effective safeguards by way of inspection and other means to protect complying States against the hazards of violations and evasions.

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[1] Department of State Bulletin (United States), Vol. XIII, #334, November 18, 1945. p. 781

[2] Ibid, p. 782

[3] Ibid, Vol. XIII, #340, December 30, 1945. p. 1032

By May 28, 1946, all States entitled to representation on the Commission had appointed their representatives. The Secretary-General convened the first meeting of the Commission on June 14, 1946. A Committee on Rules of Procedure was appointed at the first meeting. The draft Rules submitted by it were approved by the Commission on July 3 and by the Security Council on July 10; they were officially adopted by the Commission at its fifth meeting on July 18.

At the first meeting of the Atomic Energy Commission, the representative of the United States presented a plan for the creation of an International Atomic Development Authority entrusted with all phases of the development and use of atomic energy. Under this plan the Authority would conduct continuous surveys of world supplies of uranium and thorium, and would bring the raw materials under its control. It would possess the exclusive right to conduct research in the field of atomic explosives, and all other research would be open only to nations under license of the Authority, which would provide them with denatured materials. Dangerous activities of the Authority and its stockpiles would be decentralized and strategically distributed. All nations would grant the freedom of inspection deemed necessary by the Authority. The representative of the United States stressed the importance of immediate punishment for infringements of the rights of the Authority. He urged that "there must be no veto to protect those who violate their solemn agreements not to develop or use atomic energy for destructive purposes."

At the second meeting of the Commission on June 19, 1946, the representative of the U.S.S.R. suggested that the first measure to be adopted should be the conclusion of an international agreement to prohibit the production and use of atomic energy weapons. Within three months from the entry into force of the agreement, he urged, all atomic weapons should be destroyed. Violation of the agreement should be severely punished under the domestic legislation of the contracting parties. The agreement should be of indefinite duration, coming in force after approval by the Security Council and ratification by the Council's permanent members. All States, whether or not Members of the United Nations, should be obliged to fulfil all provisions of the agreement.

After various delegations had expressed their views on the two proposals, it was decided to establish a Working Committee to consider the proposals made and to establish, if necessary, sub-committees.

The Working Committee set up: (1) Sub-Committee 1 to study all proposals put forward by the delegations to the Commission and to prepare the framework of a working plan by presenting to the Working Committee a list of headings or topics to be considered; (2) Committee 2 to examine questions associated with the control of atomic energy activities and to make specific recommendations for such control; (3) a Legal Advisory Committee to examine the legal aspects of atomic energy control; (4) a Scientific and Technical Committee to advise on the scientific aspects of the problem.

Sub-Committee 1 held three informal meetings from July 1 to 11, and presented a report to the Working Committee on the results of its discussions. Committee 2 continued the work begun in the Working Committee and Sub-Committee 1 and examined at length the proposals made. At its fourth meeting on July 31, it decided that before proceeding with further discussions it was advisable to clarify the scientific and technical facts underlying control of atomic energy. It therefore requested the Scientific and Technical Committee to prepare a report on the question of whether effective control of atomic energy was possible, together with an indication of the method by which that Committee considered that effective control could be achieved. On August 2, Committee 2 deferred further meetings until it had received the report of the Scientific and Technical Committee.

After eight weeks of intensive study, the Scientific and Technical Committee, on September 26, 1946, unanimously adopted a report for submission to Committee 2. The report stated that the Committee did not find a basis in the available scientific facts for supposing that effective control of atomic energy was not technologically possible. Whether or not it was politically feasible was for the Atomic Energy Commission to decide.

At its sixth meeting on October 2, Committee 2 considered the Report of the Scientific and Technical Committee and decided to continue its discussions on the basis of the report. At its seventh meeting on October 8,

Committee 2 unanimously decided to examine and report on the safeguards required at each stage in the production and use of atomic energy for peaceful purposes to prevent the possibility of misuse. In accordance with this decision, a program of work was outlined by the Secretariat and adopted by Committee 2 at an informal meeting on October 14. Under this outline, Committee discussions on safeguards to prevent diversions of materials were to follow a seven-step plan: uranium and thorium mines, concentration plants, refineries, chemical and metallurgical plants primary reactors and associated chemical separation plants, isotope separation plants and secondary reactors.

On October 15, at an informal meeting of Committee 2, the representative of the U.S.S.R. proposed that atomic energy control should begin at the most basic stage—unmined mineral resources—and he called for a world-wide report on uranium deposits. From that date informal conversations were held about twice weekly to discuss in detail the types of necessary safeguards and to hear statements by experts. The discussions resulted in a draft report, completed on December 13, dealing with safeguards against diversions and clandestine activities.

In the meantime the Legal Advisory Committee held three meetings on June 18 and 30 and August 2. With the assistance of the Secretariat, it drew up a provisional list of topics under these headings: (1) drafting, including ultimately the preparation of a draft treaty or treaties; (2) the study of specific legal questions arising in the course of the work of the Commission and its committees; (3) the study of the relationship between the system of measures of control recommended by Committee 2 and the United Nations. This was submitted to the Working Committee, with a request for a guidance on the next stage of the Committee's work so that it might be co-ordinated with the work of other committees. The Working Committee considered the matter on August 9, and decided that it was not necessary for the Legal Advisory Committee to make recommendations on topics on the provisional list until further advised by the Working Committee.

At its sixth meeting on November 13, 1946, the Atomic Energy Commission decided by 10 affirmative votes, with 2 abstentions, to submit to the Security Council before December 31, 1946, a report on its work, its findings and recommendations. Committee 2 was requested to draft the report.

While this report was being prepared, the second part of the first session of the General Assembly was considering various proposals concerning the regulation and reduction of armaments, including atomic weapons. At the Atomic Energy Commission's seventh meeting on December 5, the Chairman of the Commission stated that he had thought it advisable to ask the First Committee to try not to encroach on the work of the Atomic Energy Commission, and not to prejudice the future course or outcome of that work. The Chairman's action was generally approved by the members of the Commission.

At the same meeting the United States representative offered a resolution on the principles to be included in the findings and recommendations of the report of the Commission to the Security Council. These proposals, based, as were the first United States proposals, on the prospective establishment of an International Atomic Development Authority, were discussed at the eighth and ninth meetings of the Commission on December 17 and 20 respectively.

Meanwhile, the General Assembly on December 14, 1946, approved unanimously a resolution on the principles governing the general regulation and reduction of armaments, which, among other things, urged the expeditious fulfilment by the Atomic Energy Commission of its terms of reference. It also recommended that the Security Council expedite consideration of the reports made to it by the Atomic Energy Commission, that it facilitate the work of the Commission and that the Security Council expedite consideration of a draft convention or conventions for the creation of an international system of control and inspection, these conventions to include the prohibition of atomic and all other major weapons adaptable now and in the future to mass destruction and the control of atomic energy to the extent necessary to ensure its use only for peaceful purposes.

On December 20 the United States draft resolution was modified by a Canadian amendment, slightly revised at the suggestion of the Mexican representative. According to the Canadian amendment, the Commission resolved that, for drafting purposes, the principles

on which the United States resolution was based should be incorporated by the Working Committee in the report and should not necessarily follow the exact text of the United States resolution, in order to conform the wording to the relevant parts of the text of the General Assembly resolution of December 14 on the principles governing the general regulation and reduction of armaments. According to the amendment proposed by the Mexican representative, it was stated in the resolution that these proposals had been made by the United States representative. The United States resolution, as amended, was adopted by the Commission. Poland abstained from voting and the representative of the U.S.S.R. did not participate. The Working Committee was instructed to include these proposals in the draft of the Commission report to be submitted to the Security Council.

A draft report was approved by Committee 2 at a meeting on December 26 and by the Working Committee on December 27. The U.S.S.R. representative did not participate in the Working Committee's meeting of December 27 because, as had been stated at the Commission's meeting of December 20, he was unable to be a party to any decision on the substance of the United States proposal. Furthermore, at the meeting of December 27, the Polish representative had accepted the portion of the draft report as agreed upon by the Working Committee, but had reiterated the view of the Polish delegation that it was not beneficial to proceed with any report before complete agreement on principle had been reached among the permanent members of the Security Council. On December 30 the Commission, with 10 votes in favor and abstentions on the part of the U.S.S.R. and Poland, adopted the draft report of its Working Committee as the report of the Commission and submitted it to the Security Council on December 31, 1946.

The report described the work of the Commission, approved the report of the Scientific and Technical Committee on scientific and technical aspects of control and the report of Committee 2 on safeguards to ensure the use of atomic energy only for peaceful purposes, and made recommendations. In its general findings it stated that scientifically, technically and practically it was feasible: to extend among all nations the exchange of basic scientific information on atomic energy for peaceful ends; to control atomic energy to the extent necessary to ensure its use only for peaceful purposes; to accomplish the elimination from national armaments of atomic weapons; and to provide effective safeguards by way of inspection and other means to protect complying States against the hazards of violations and evasions. It was also stated that an effective system for control of atomic energy must be international and must be established by an enforceable multilateral treaty or convention which in turn must be administered and operated by an international organ or agency within the United Nations. An international agreement to outlaw national production, possession or use of atomic weapons was considered as essential for an international system of control or inspection but would not be sufficient to ensure the use of atomic energy for peaceful purposes or to provide effective safeguards to protect complying States against the dangers of violations and evasions.

On the basis of its findings, the Commission recommended the creation of a strong and comprehensive international system of control and inspection by a treaty or convention in which all Members of the United Nations would participate on fair and equitable terms.

This treaty, it was urged, should include provisions establishing an international authority possessing power and the responsibility necessary and appropriate for the prompt and effective discharge of its duties imposed upon it by the terms of the treaty or convention. The treaty should also provide that the rule of unanimity of the permanent members which governed all substantive decisions of the Security Council should have no relation to the work of the Authority.

The Authority would promote among all nations the exchange of basic scientific information on atomic energy and should have positive responsibilities as regards research and development in order to promote the beneficial uses of atomic energy and eliminate the destructive ones. It would establish safeguards against the dangerous use of atomic energy but would not interfere with the prosecution of pure scientific research or the publication of its results.

Decisions of the Authority should, however, govern the operations of national agencies for atomic energy with the minimum interference.

The treaty or convention would also provide the representatives of the Authority with unimpeded rights of ingress, egress and access for the performance of their inspections. It would prohibit the manufacture, possession, and use of atomic weapons by all nations which were parties to the treaty and would provide for the disposal of any existing stocks of atomic weapons and for the proper use of fissionable materials.

The treaty would also specify the methods of determining violations of its terms and would establish the measures of enforcement or swift and certain punishment for violators. Enforcement and punishment of violators would not be subject to veto.

Finally, the treaty should provide a schedule for the completion of the transitional process leading step by step to the full and effective establishment of international control of atomic energy.

On February 13, 1947, the Security Council adopted a resolution on disarmament which provided, *inter alia*, that the Council consider as soon as possible the report submitted by the Atomic Energy Commission and take suitable decisions in order to facilitate the Commission's work.

At a meeting of the Security Council on February 18 the representative of the U.S.S.R. proposed twelve specific amendments and additions to the general findings and recommendations contained in the first report of the Atomic Energy Commission. The U.S.S.R. proposals included a provision that inspection, supervision and management by an international agency should apply to all existing atomic plants immediately after the entry into force of an appropriate convention or conventions. Another proposal suggested that an effective system of control of atomic energy must be international in scope and established by an enforceable multilateral convention administered within the framework of the Security Council. Further amendments would provide for the destruction of stocks of manufactured and unfinished atomic weapons, and for elimination of the recommendation in the Commission's report that in case of violation there should be no legal right, by veto or otherwise, whereby a wilful violator of the terms of the treaty or convention should be protected from the consequences of violation of its terms.

On March 10 the Security Council adopted unanimously a resolution which, among other things, stated that the Council would transmit the record of its consideration of the first report of the Atomic Energy Commission to the Commission; urged the Commission to continue its enquiry into all phases of the problem of the international control of atomic energy; and requested the Commission to submit a second report to the Security Council before the next session of the General Assembly.

In order to facilitate its work, the Commission on March 19 resolved that its committees should consider the questions resulting from the Security Council resolution of March 10 and should, in particular, consider the questions relating to the establishment of international control of atomic energy on which the necessary agreement among its members had not yet been reached.

On March 31, 1947, the Working Committee of the Atomic Energy Commission, by a vote of 10 in favor, with Poland and the U.S.S.R. abstaining, adopted the following resolution regarding its future procedure and that of Committee 2 of the Commission:

> The Working Committee resolves to consider at its meetings the points of disagreement outlined in the statements of the representative of the U.S.S.R. in the Security Council.
>
> At the same time the Working Committee requests Committee 2 to proceed on its part by means of formal or informal meetings and conversations with the study of the various questions following from the resolutions of the Atomic Energy Commission and the Security Council, in particular, questions outlined in the last paragraph of Part I of the first report of the Atomic Energy Commission and new questions not studied before, in order to implement the requirements of the General Assembly resolutions dated January 24 and December 14, 1946.

The last paragraph of Part I of the Atomic Energy Commission report, referred to in the resolution, as adopted on last December 31, 1946, read as follows:

> Many important questions, which have been considered only in broad outline, during the course of its (the Commission's) deliberations remain to be further studied by the Commission. These questions include: the detailed powers, characteristics, and functions of the International Control Agency for which the need is expressed in the 'First Report on Safeguards Required to ensure the use of atomic energy only for peaceful purposes,'

including such matters as organization, financing, and staffing; the relationships between the agency, the various organs of the United Nations, and the participating states; powers of the agency in matters of research, development, and planning; the provisions for transition to the full operation of the international system of control; and other specific matters which should be included in the international treaty or convention establishing control over atomic energy.

On April 16, Committee 2 adopted the following resolution on definition of terms:

Resolved: that a standing Sub-Committee be established consisting of the representatives of the U.S.S.R., the United States China, Colombia and Belgium, representing the five official languages, to assist the committee in the formulation of definitions.

Initially, the Sub-Committee will examine definitions which have been used in the first report of the Atomic Energy Commission, with a view to reaching agreement, and report thereon to the Committee.

Subsequently, the Sub-Committee will examine and define such terms as are used, or likely to be used, in negotiation, along with such other terms as may be specifically referred to it by the Committee.

Further, the Sub-Committee may co-opt any representative to serve on the Sub-Committee.

Committee 2 on June 4 received four working papers which had been drafted by working groups composed mostly of scientific and technical experts of different delegations. The experts were members of the working groups in their individual capacity and not as representatives of their respective Governments. Their findings, therefore, as laid down in the four working papers, in no way prejudged decisions to be eventually taken by the Atomic Energy Commission and did not in any way commit their Governments.

The four working papers dealt with the following subjects:

(1) Functions of the International Agency in relation to research and development activities;

(2) Functions of the International Agency in relation to location and mining of ores;

(3) Functions of the International Agency in relation to processing and purification of source material;

(4) Functions of the International Agency in relation to stockpiling, production and distribution of nuclear fuels and the design, construction and operation of isotope separation plants and of nuclear reactors.

The Committee, before considering the individual working papers, agreed to enter into a discussion on the general principles underlying the papers—ownership, operation and management of dangerous facilities by an international agency. The general discussion on the underlying principles of the four working papers, however, would be confined to such principles as contained a deviation from or a modification of the first report of the Atomic Energy Commission to the Security Council.

On June 10, the Working Committee agreed on the principle of using the wording of the Security Council's resolution on the first report of the Atomic Energy Commission—"treaty or treaties, or convention or conventions"—by which the functions and the scope of the international system of control of atomic energy should be defined. The original wording of the first report spoke in the relevant section of "a treaty or convention."

The representative of the United States entered a reservation, stating that in his opinion the Atomic Energy Commission had already taken the decision that there should be only one treaty or convention.

At the twelfth meeting of the full Atomic Energy Commission on June 11 the representative of the U.S.S.R. submitted eight new proposals for the control of atomic energy. The Commission agreed to refer the U.S.S.R. proposals to the Working Committee for further study.

Following is a list of the proposals:

1. For ensuring the use of atomic energy only for peaceful purposes, in accordance with the international convention on the prohibition of atomic and other major weapons of mass destruction and also with the purpose of preventing violations of the convention on the prohibition of atomic weapons and for the protection of complying States against hazards of violations and evasions, there shall be established strict international control simultaneously over all facilities engaged in mining of atomic raw materials and in production of atomic materials and atomic energy.

2. For carrying out measures of control of atomic energy facilities, there shall be established, within the framework of the Security Council, an international commission for atomic energy control to be called the International Control Commission.

3. The International Control Commission shall have its own inspectorial apparatus.

4. Terms and organizational principles of international control of atomic energy, and

also composition, rights and obligations of the International Control Commission, as well as provisions on the basis of which it shall carry out its activities, shall be determined by a special international convention on atomic energy control, which is to be concluded in accordance with the convention on the prohibition of atomic weapons.

5. With the purpose of ensuring the effectiveness of international control of atomic energy, the convention on the control of atomic energy shall be based on the following fundamental provisions:

(a) The International Control Commission shall be composed of the Representatives of States Members of the Atomic Energy Commission established by the General Assembly decision of 24 January 1946, and may create such subsidiary organs which it finds necessary for the fulfilment of its functions.

(b) The International Control Commission shall establish its own rules of procedure.

(c) The personnel of the International Control Commission shall be selected on an international basis.

(d) The International Control Commission shall periodically carry out inspection of facilities for mining of atomic raw materials and for the production of atomic materials and atomic energy.

6. While carrying out inspection of atomic energy facilities, the International Control Commission shall undertake the following actions:

(a) Investigates the activities of facilities for mining atomic raw materials, for the production of atomic materials and atomic energy as well as verifies their accounting.

(b) Checks existing stocks of atomic raw materials, atomic materials, and unfinished products.

(c) Studies production operations to the extent necessary for the control of the use of atomic materials and atomic energy.

(d) Observes the fulfilment of the rules of technical exploitation of the facilities prescribed by the convention on control as well as works out and prescribes the rules of technological control of such facilities.

(e) Collects and analyses data on the mining of atomic raw materials and on the production of atomic materials and atomic energy.

(f) Carries on special investigations in cases when suspicion of violations of the convention on the prohibition of atomic weapons arises.

(g) Makes recommendations to Governments on the questions relating to production, stockpiling and use of atomic materials and atomic energy.

(h) Makes recommendations to the Security Council on measures for prevention and suppression in respect to violators of the conventions on the prohibition of atomic weapons and on the control of atomic energy.

7. For the fulfilment of the tasks of control and inspection entrusted to the International Control Commission, the latter shall have the right of:

(a) Access to any facilities for mining, production, and stockpiling of atomic raw materials and atomic materials, as well as to the facilities for the exploitation of atomic energy.

(b) Acquaintance with the production operations of the atomic energy facilities, to the extent necessary for the control of use of atomic materials and atomic energy.

(c) The carrying out of weighing, measurements, and various analyses of atomic raw materials, atomic materials, and unfinished products.

(d) Requesting from the Government of any nation, and checking of, various data and reports on the activities of atomic energy facilities.

(e) Requesting of various explanations on the questions relating to the activities of atomic energy facilities.

(f) Making recommendations and presentations to Governments on the matters of the production and use of atomic energy.

(g) Submitting recommendations for the consideration of the Security Council on measures in regard to violators of the conventions on the prohibition of atomic weapons and on the control of atomic energy.

8. In accordance with the tasks of international control of atomic energy, scientific research activities in the field of atomic energy shall be based on the following provisions:

(a) Scientific research activities in the field of atomic energy must comply with the necessity of carrying out the convention on the prohibition of atomic weapons and with the necessity of preventing its use for military purposes.

(b) Signatory States to the convention on the prohibition of atomic weapons must have a right to carry on unrestricted scientific research activities in the field of atomic energy, directed toward discovery of methods of its use for peaceful purposes.

(c) In the interests of an effective fulfilment of its control and inspectorial functions, the International Control Commission must have a possibility to carry out scientific research activities in the field of discovery of methods of the use of atomic energy for peaceful purposes. The carrying out of such activities will enable the Commission to keep itself informed on the latest achievements in this field and to have its own skilled international personnel, which is required by the Commission for practical carrying out of the measures of control and inspection.

(d) In conducting scientific research in the field of atomic energy, one of the most important tasks of the International Control

Commission should be to ensure a wide exchange of information among nations in this field and to render necessary assistance through advice, to the countries parties to the convention, which may request such assistance.

(e) The International Control Commission must have at its disposal material facilities including research laboratories and experimental installations necessary for the proper organization of the research activities to be conducted by it.

The question of the rule of unanimity of the five permanent members of the Security Council in relation to the operations of an international control agency for atomic energy was discussed at the 21st meeting of the Working Committee on June 19.

The representative of the U.S.S.R. declared that the so-called veto should not apply to the day-to-day activities and operations of a control commission. Such a commission could, he explained, only make recommendations to the Security Council in respect to violations of any convention that should be drawn up. Punishments for serious violations should always be subject to decisions of the Security Council. He emphasized that the rule of unanimity was a basic principle of the United Nations Charter and that he could never agree to the violation of such a principle.

He went on to discuss the research functions of a control agency, questioning why, if it was the intention of such a body to prohibit the production of atomic weapons, that same body should carry on research for destructive purposes. If all delegations felt that all members of a convention should be enabled to carry on research for peaceful purposes, then, he added, there was not too great a divergence between the views of others and those of the U.S.S.R. on the subject.

The representative of the United States proposed that both questions raised by the representative of the U.S.S.R. should be taken up by Committee 2 of the Atomic Energy Commission. He declared that he thought most delegations had intended that the control commission should deal only with atomic energy research for destructive purposes, while there should be no limit on research for peaceful uses.

The representative of France stated that there were two questions with regard to the veto: whether the veto should apply to an atomic energy agency, and whether the Security Council should be empowered to exercise its veto over day-to-day operations of that organ of control. He expressed the view that one government, by applying the veto in the Security Council, should not be able to paralyze the operations of an inspection agency.

The representative of Australia argued that any control agency should be autonomous and not in any way subject to the veto. Furthermore, he continued, the Charter of the United Nations provided for the sovereign equality of all nations, while the rule of unanimity was not a principle of the United Nations but applied only to one organ, the Security Council.

Further discussion of the control of atomic energy was to be continued in subsequent meetings of the full Commission and its various committees.

G. COMMISSION FOR CONVENTIONAL ARMAMENTS

Article 26 of the United Nations Charter states that in order to promote the establishment and maintenance of international peace and security with the least diversion for armaments of the world's human and economic resources, the Security Council shall be responsible, with the assistance of the Military Staff Committee referred to in Article 47, for formulating plans to be submitted to the Members of the United Nations for the establishment of a system for the regulation of armaments.

Although the Security Council has been vested with the primary responsibility for the maintenance of international peace and security, Article 11 of the Charter permits the General Assembly to consider the general principles of co-operation in the maintenance of international peace and security, including the principles governing disarmament and the regulation of armaments. The General Assembly may make recommendations with regard to such principles to the Members or to the Security Council or to both.

In pursuance of Article 11 of the Charter and with a view to strengthening international peace and security in conformity with the Purposes and Principles of the United

Nations, the General Assembly on December 14, 1946, on the initiative of the U.S.S.R. delegation, adopted a resolution on the principles governing the general regulation and reduction of armaments. This resolution, among other things, recommended that "the Security Council give prompt consideration to formulating the practical measures, according to their priority, which are essential to provide for the general regulation and reduction of armaments and armed forces and to assure that such regulation and reduction of armaments and armed forces will be generally observed by all participants and not unilaterally by only some of the participants."

In order to work out the practical measures for giving effect to the General Assembly's resolution and also to implement Article 26 of the Charter, the Security Council at its 105th meeting held on February 13, 1947, established a Commission for Conventional Armaments. The Commission, consisting of representatives of the members of the Security Council, was instructed to submit to the Council, within the space of not more than three months, proposals for:

(a) the general regulation and reduction of armaments and armed forces; and

(b) practical and effective safeguards in connection with the general regulation and reduction of armaments which the Commission might be in a position to formulate in order to ensure the implementation of the abovementioned resolution of the General Assembly of December 14, 1946, insofar as this resolution related to armaments within the new Commission's jurisdiction.

The Security Council directed that those matters which fell within the competence of the Atomic Energy Commission as determined by the General Assembly resolutions of January 24 and December 14, 1946, should be excluded from the jurisdiction of the Commission for Conventional Armaments. It also directed the new Commission to make such proposals as it might deem advisable concerning the studies which the Military Staff Committee and possibly other organs of the United Nations might be asked to undertake.

The Commission for Conventional Armaments held its first meeting at Lake Success on March 24, 1947.

At its second meeting, held on March 28, the Commission set up a Sub-Committee, consisting of the representatives of Poland, Belgium and France, to examine the Rules of Procedure of the Atomic Energy Commission and make any necessary modifications with a view to using them as rules of procedure for the Commission. At the fifth meeting of the Commission on April 9, the report of the Sub-Committee was approved. The report stated, *inter alia*, that the text of the rules of procedure proposed for the Commission for Conventional Armaments was the same as that for the Atomic Energy Commission. The only modifications made concerned the title of the Commission and (in Rules 4 and 50) the reference to the resolution creating the Commission.

The Commission at its fifth meeting also approved a Colombian resolution for the creation of a Sub-Committee to prepare a draft of the plan of work which the Commission would submit for the approval of the Council. The Sub-Committee was to be composed of the representatives of the five permanent members of the Security Council.

The Sub-Committee held its first meeting on April 21. It decided that the Secretariat should prepare a draft plan of work for the Commission on Conventional Armaments and also a tabulation of different proposals made by various representatives of the Commission in connection with the plan.

At its fifth meeting, on June 6, 1947, the Sub-Committee submitted two draft plans of work, together with the suggestions of the Secretariat for the approval of the Commission. The first plan had been presented by the United States delegation and amended during the course of the meetings. The second plan had been presented by the delegation of th U.S.S.R. A proposal concerning the organization of the work of the Commission was also submitted.

During the sixth meeting of the Commission, on June 11, 1947, the Belgian representative proposed a resolution to the Commission to submit the draft plan of work of the United States for the approval of the Security Council.

At the seventh meeting, on June 13, the French representative submitted one amendment, and the Polish representative several amendments, to the United States draft plan of work. At the eighth meeting, on June 18, the Commission rejected the French and Polish amendments. It adopted the Belgian

motion and rejected the draft plan of work submitted by the delegation of the U.S.S.R.

The plan of work adopted by the Commission was submitted for the approval of the Security Council and the proposal for organization of the work of the Commission was submitted for purposes of information.

Plan of Work adopted by the Commission for Conventional Armaments

The text of the plan of work was as follows:

1. Consider and make recommendations to the Security Council concerning armaments and armed forces which fall within the jurisdiction of the Commission for Conventional Armaments.

2. Consideration and determination of general principles in connection with the regulation and reduction of armaments and armed forces.

3. Consideration of practical and effective safeguards by means of an international system of control operating through special organs (and by other means) to protect complying States against the hazards of violations and evasions.

4. Formulate practical proposals for the regulation and reduction of armaments and armed forces.

5. Extension of the principles and proposals set forth in paragraphs 2, 3 and 4 above to States which are not Members of the United Nations.

6. Submission of a report or reports to the Security Council including, if possible, a Draft Convention.

It is proposed that under the six headings listed above all of the references by the various Delegations suggested for the Plan of Work will be considered.

It is also understood that this Plan of Work does not limit the freedom of individual Delegations to make additional suggestions at a later time.

Plan for the Organization of the Work of the Commission for Conventional Armaments

At its ninth meeting 25 June 1947 the Commission for Conventional Armaments agreed to the following proposal concerning the organization of its future work:

Establishment of a working committee of the whole to formulate proposals for the general regulation and reduction of armaments and armed forces and to co-ordinate the work of the sub-committees to be established to deal with various aspects of the work including the political aspect of security. These sub-committees shall report to the working committee, which shall submit its proposals to the Commission for consideration.

ANNEX I

Representatives on the Security Council

(as of June 30, 1947)

Australia
Representative H. V. Evatt (absent)
Acting Representative Lt.-Colonel W. R. Hodgson

Belgium
Representative Fernand van Langenhove
Alternate Joseph Nisot

Brazil
Representative Oswaldo Aranha (absent)
Acting Representative João Carlos Muniz
Alternate Henrique de Souza Gomez

China
Representative Quo Tai-chi
Alternate C. L. Hsia

Colombia
Representative Dr. Alfonso López
Alternate Dr. Alberto Gonzalez Fernández

France
Representative Alexandre Parodi
Alternate Guy de la Tournelle

Poland
Representative Dr. Oscar Lange

Syria
Representative Faris el-Khouri
Alternate Dr. Costi K. Zurayk
Alternate Rafik Asha

Union of Soviet Socialist Republics
Representative Andrei A. Gromyko

United Kingdom
Representative Sir Alexander Cadogan
Alternate Sir Charles Darwin

United States of America
Representative Warren R. Austin
Alternate Herschel V. Johnson

ANNEX II

Representatives on the Military Staff Committee

(as of June 30, 1947)

China
Air Representative
Lt.-General Pong-Tsu Mow
Army Representative
General of the Army Ying-Chin Ho
Naval Representative (Temp.)
Captain Ying-Tsung Chow

France
Army Representative (Head of Delegation)
Lt.-General P. Billotte
Naval Representative
Commander J. H. Deprez
Air Representative
Brig.-General P. Fay

Union of Soviet Socialist Republics
Air Representative
Lt.-General A. R. Sharapov
Army Representative
Lt.-General A. P. Vasillev
Naval Representative
Vice-Admiral V. L. Bogdenko

United Kingdom
Naval Representative
Admiral Sir Henry Moore
Army Representative
Lt.-General Sir Edwin L. Morris
Air Representative
Air Chief Marshal Sir Guy Garrod

United States of America
Army Representative
Lt.-General M. B. Ridgway
Naval Representative
Admiral H. K. Hewitt
Air Representative
General J. T. McNarney

ANNEX III

Representatives on the Atomic Energy Commission

(as of June 30, 1947)

Australia
Representative H. V. Evatt (absent)
Acting Representative
Lt.-Colonel W. R. Hodgson

Belgium
Representative Fernand van Langenhove
Alternate Joseph Nisot

Brazil
Representative Captain Alvaro Alberto
Alternate Lt.-Colonel Orlando Rangel

Canada
Representative
General A. G. L. McNaughton

China
Representative Quo Tai-chi
Alternate C. L. Hsia

Colombia
Representative Dr. Alfonso López
Alternate
Dr. Alberto Gonzalez Fernández
Alternate Dr. Emilio Toro

France
Representative Alexandre Parodi
Alternate Professor Frederic Joliot-Curie
Alternate Professor Pierre Auger

Poland
Representative Dr. Oscar Lange
Alternate Dr. Ignacy Zlotowski

Syria
Representative Faris el-Khouri
Alternate Dr. Costi K. Zurayk
Alternate Rafik Asha

Union of Soviet Socialist Republics
Representative Andrei A. Gromyko

United Kingdom
Representative Sir Alexander Cadogan
Alternate Sir Charles Darwin

United States of America
Representative Warren R. Austin
Alternate Frederick H. Osborn

ANNEX IV

Representatives on the Commission for Conventional Armaments

(as of June 30, 1947)

Australia
Representative Lt.-Colonel W. R. Hodgson

Belgium
Representative Fernand van Langenhove
Alternate Joseph Nisot

Brazil
Representative Oswaldo Aranha (absent)
Alternate João Carlos Muniz

China
Representative Quo Tai-chi

Colombia
Representative Dr. Alfonso López
Alternate
Dr. Alberto Gonzalez Fernández

France
Representative Alexandre Parodi

Poland
Representative Dr. Oscar Lange

Syria
Representative Faris el-Khoury

Union of Soviet Socialist Republics
Representative Andrei A. Gromyko

United Kingdom
Representative Sir Alexander Cadogan

United States of America
Representative Warren R. Austin
Alternate Ralph A. Bard

ANNEX V

Representatives on the Committee of Experts

(as of June 30, 1947)

Australia
Representative A. H. Body

Belgium
Representative Joseph Nisot

Brazil
Representative H. de Souza-Gomes

China
Representative Shuhsi Hsü

Colombia
Representative E. de Holte-Castello

France
Representative Pierre Ordonneau

Poland
Representative Dr. A. Rudzinski

Syria
Representative R. Asha

U.S.S.R.
Representative A. N. Krasilnikov

United Kingdom
Representative V. G. Lawford

United States
Representative C. P. Noyes

ANNEX VI

PROVISIONAL RULES OF PROCEDURE OF THE SECURITY COUNCIL

Adopted by the Security Council at its First Meeting and Amended at its Forty-eighth Meeting, 24 June 1946.

CHAPTER I: *Meetings*

Rule 1

Meetings of the Security Council shall, with the exception of the periodic meetings referred to in Rule 4, be held at the call of the President at any time he deems necessary, but the interval between meetings shall not exceed fourteen days.

Rule 2

The President shall call a meeting of the Security Council at the request of any member of the Security Council.

Rule 3

The President shall call a meeting of the Security Council if a dispute or situation is brought to the attention of the Security Council under Article 35 or under Article 11 (3) of the Charter, or if the General Assembly makes recommendations or refers any question to the Security Council under Article 11 (2), or if the Secretary-General brings to the attention of the Security Council any matter under Article 99.

Rule 4

Periodic meetings of the Security Council called for in Article 28 (2) of the Charter shall be held twice a year, at such times as the Security Council may decide.

Rule 5

Meetings of the Security Council shall normally be held at the seat of the United Nations.

Any member of the Security Council or the Secretary-General may propose that the Security Council should meet at another place. Should the Security Council accept any such proposal, it shall decide upon the place, and the period during which the Council shall meet at such place.

CHAPTER II: *Agenda*

Rule 6

The Secretary-General shall immediately bring to the attention of all representatives on the Security Council all communications from States, organs of the United Nations, or the Secretary-General concerning any matter for the consideration of the Security Council in accordance with the provisions of the Charter.

Rule 7

The Provisional Agenda for each meeting of the Security Council shall be drawn up by the Secretary-General and approved by the President of the Security Council.

Only items which have been brought to the attention of the representatives on the Security Council in accordance with Rule 6, items covered by Rule 10, or matters which the Security Council has previously decided to defer, may be included in the Provisional Agenda.

Rule 8

The Provisional Agenda for a meeting shall be communicated by the Secretary-General to the representatives on the Security Council at least three days before the meeting, but in urgent circumstances it may be communicated simultaneously with the notice of the meeting.

Rule 9

The first item of the Provisional Agenda for each meeting of the Security Council shall be the adoption of the Agenda.

Rule 10

Any item of the Agenda of a meeting of the Security Council, consideration of which has not been completed at that meeting, shall, unless the Security Council otherwise decides, automatically be included in the Agenda of the next meeting.

Rule 11

The Secretary-General shall communicate each week to the representatives on the Security Council a summary statement of matters of which the Security Council is seized and of the stage reached in their consideration.

Rule 12

The Provisional Agenda for each periodic meeting shall be circulated to the members of the Security Council at least twenty-one days before the opening of the meeting. Any subsequent change in or addition to the Provisional Agenda shall be brought to the notice of the members at least five days before the meeting. The Security Council may, however, in urgent circumstances, make additions to the Agenda at any time during a periodic meeting.

The provisions of Rule 7, paragraph 1, and of Rule 9, shall apply also to periodic meetings.

CHAPTER III: *Representation and Credentials*

Rule 13

Each member of the Security Council shall be represented at the meetings of the Security Council by an accredited representative. The credentials of a representative on the Security Council shall be communicated to the Secretary-General not less than twenty-four hours before he takes his seat on the Security Council. The Head of Government or Minister of Foreign Affairs of each member of the Security Council shall be entitled to sit on the Security Council without submitting credentials.

Rule 14

Any Member of the United Nations not a member of the Security Council and any State not a Member of the United Nations, if in-

vited to participate in a meeting or meetings of the Security Council, shall submit credentials for the representative appointed by it for this purpose. The credentials of such a representative shall be communicated to the Secretary-General not less than twenty-four hours before the first meeting which he is invited to attend.

Rule 15

The credentials of representatives on the Security Council and of any representative appointed in accordance with Rule 14 shall be examined by the Secretary-General who shall submit a report to the Security Council for approval.

Rule 16

Pending the approval of the credentials of a representative on the Security Council in accordance with Rule 15, such representative shall be seated provisionally with the same rights as other representatives.

Rule 17

Any representative on the Security Council, to whose credentials objection has been made within the Security Council, shall continue to sit with the same rights as other representatives until the Security Council has decided the matter.

CHAPTER IV: *Presidency*

Rule 18

The Presidency of the Security Council shall be held in turn by the members of the Security Council in the English alphabetical order of their names. Each President shall hold office for one calendar month.

Rule 19

The President shall preside over the meetings of the Security Council and, under the authority of the Security Council, shall represent it in its capacity as an organ of the United Nations.

Rule 20

Whenever the President of the Security Council deems that, for the proper fulfillment of the responsibilities of the Presidency, he should not preside over the Council during the consideration of a particular question with which the member he represents is directly connected, he shall indicate his decision to the Council. The presidential chair shall then devolve, for the purpose of the consideration of that question, on the representative of the member next in English alphabetical order, it being understood that the provisions of this Rule shall apply to the representatives on the Security Council called upon successively to preside. This Rule shall not affect the representative capacity of the President as stated in Rule 19 or his duties under Rule 7.

CHAPTER V: *Secretariat*

Rule 21

The Secretary-General shall act in that capacity in all meetings of the Security Council. The Secretary-General may authorize a deputy to act in his place at meetings of the Security Council.

Rule 22

The Secretary-General, or his deputy acting on his behalf, may make either oral or written statements to the Security Council concerning any question under consideration by it.

Rule 23

The Secretary-General may be appointed by the Security Council, in accordance with Rule 28, as rapporteur for a specified question.

Rule 24

The Secretary-General shall provide the staff required by the Security Council. This staff shall form a part of the Secretariat.

Rule 25

The Secretary-General shall give to representatives on the Security Council notice of meetings of the Security Council and of its commissions and committees.

Rule 26

The Secretary-General shall be responsible for the preparation of documents required by the Security Council and shall, except in urgent circumstances, distribute them at least forty-eight hours in advance of the meeting at which they are to be considered.

CHAPTER VI: *Conduct of Business*

Rule 27

The President shall call upon representatives in the order in which they signify their desire to speak.

Rule 28

The Security Council may appoint a commission or committee or a rapporteur for a specified question.

Rule 29

The President may accord precedence to any rapporteur appointed by the Security Council.

The Chairman of a commission or committee, or the rapporteur appointed by the commission or committee to present its report, may be accorded precedence for the purpose of explaining the report.

Rule 30

If a representative raises a point of order, the President shall immediately state his ruling. If it is challenged, the President shall submit his ruling to the Security Council for immediate decision and it shall stand unless overruled.

Rule 31

Proposed resolutions, amendments and substantive motions shall normally be placed before the representatives in writing.

Rule 32

Principal motions and draft resolutions shall have precedence in the order of their submission.

Parts of a motion or of a draft resolution shall be voted on separately at the request of any representative, unless the original mover objects.

Rule 33

The following motions shall have precedence in the order named over all principal motions and draft resolutions relative to the subject before the meeting:

1. to suspend the meeting;
2. to adjourn the meeting;
3. to adjourn the meeting to a certain day or hour;
4. to refer any matter to a committee, to the Secretary-General or to a rapporteur;
5. to postpone discussion of the question to a certain day or indefinitely; or
6. to introduce an amendment.

Any motion for the suspension or for the simple adjournment of the meeting shall be decided without debate.

Rule 34

It shall not be necessary for any motion or draft resolution proposed by a representative on the Security Council to be seconded before being put to a vote.

Rule 35

A motion or draft resolution can at any time be withdrawn, so long as no vote has been taken with respect to it.

If the motion or draft resolution has been seconded, the representative on the Security Council who has seconded it may require that it be put to the vote as his motion or draft resolution with the same right of precedence as if the original mover had not withdrawn it.

Rule 36

If two or more amendments to a motion or draft resolution are proposed, the President shall rule on the order in which they are to be voted upon. Ordinarily, the Security Council shall first vote on the amendment furthest removed in substance from the original proposal and then on the amendment next furthest removed until all amendments have been put to the vote, but when an amendment adds to or deletes from the text of a motion or draft resolution, that amendment shall be voted on first.

Rule 37

Any member of the United Nations which is not a member of the Security Council may be invited, as the result of a decision of the Security Council, to participate, without vote, in the discussion of any question brought before the Security Council when the Security Council considers that the interests of that Member are specially affected, or when a Member brings a matter to the attention of the Security Council in accordance with Article 35 (1) of the Charter.

Rule 38

Any member of the United Nations invited in accordance with the preceding Rule or in application of Article 32 of the Charter to participate in the discussions of the Security Council may submit proposals and draft resolutions. These proposals and draft resolutions may be put to a vote only at the request of a representative on the Security Council.

Rule 39

The Security Council may invite members of the Secretariat or other persons, whom it considers competent for the purpose, to supply it with information or to give other assistance in examining matters within its competence.

CHAPTER VII: *Voting*

Rule 40

Voting in the Security Council shall be in accordance with the relevant Articles of the Charter and of the Statute of the International Court of Justice.

CHAPTER VIII: *Languages*

Rule 41

Chinese, English, French, Russian and Spanish shall be the official languages of the Security Council, and English and French the working languages.

Rule 42

Speeches made in either of the working languages shall be interpreted into the other working language.

Rule 43

Speeches made in any of the three other official languages shall be interpreted into both working languages.

Rule 44

Any representative may make a speech in a language other than the official languages. In this case he shall himself provide for interpretation into one of the working languages. Interpretation into the other working language by an interpreter of the Secretariat may be based on the interpretation given in the first working language.

Rule 45

Verbatim records of meetings of the Security Council shall be drawn up in the working languages. At the request of any representative a verbatim record of any speech made in an official language other than the working languages shall be drawn up in the original language.

Rule 46

All resolutions and other important documents shall forthwith be made available in the official languages. Upon the request of any representative any other document shall be made available in any or all of the official languages.

Rule 47

Documents of the Security Council shall, if the Security Council so decides, be published in any language other than the official languages.

CHAPTER IX: *Publicity of Meetings, Records.*

Rule 48

Unless it decides otherwise, the Security Council shall meet in public. Any recommendation to the General Assembly regarding the appointment of the Secretary-General shall be discussed and decided at a private meeting.

Rule 49

Subject to the provisions of Rule 51, the verbatim record of each meeting of the Security Council shall be made available in the working languages to the representatives on the Security Council and to the representatives of any other States which have participated in the meeting not later than 10 A.M. of the first working day following the meeting. The verbatim record of any speech made in any other of the official languages, which is drawn up in accordance with the provisions of Rule 45, shall be made available in the same manner to any of the above mentioned representatives at his request.

Rule 50

The representatives of the States which have participated in the meeting shall, within two working days after the time indicated in Rule 49, inform the Secretary-General of any corrections they wish to have made in the verbatim record.

Rule 51

The Security Council may decide that for a private meeting the record shall be made in a single copy alone. This record shall be kept by the Secretary-General. The representatives of the States which have participated in the meeting shall, within a period of ten days, inform the Secretary-General of any corrections they wish to have made in this record.

Rule 52

Corrections that have been requested shall be considered approved unless the President is of the opinion that they are sufficiently important to be submitted to the representatives on the Security Council. In the latter case, the representatives on the Security Council shall submit within two working days any comments they may wish to make. In the absence of objections in this period of time, the record shall be corrected as requested.

Rule 53

The verbatim record referred to in Rule 49 or the record referred to in Rule 51, in which no corrections have been requested in the period of time required by Rules 50 and 51 respectively or which has been corrected in accordance with the provisions of Rule 52, shall be considered as approved. It shall be signed by the President and shall become the official record of the Security Council.

Rule 54

The official record of public meetings of the Security Council, as well as the documents annexed thereto, shall be published in the official languages as soon as possible.

Rule 55

At the close of each private meeting the Security Council shall issue a communique through the Secretary-General.

Rule 56

The representatives of the Members of the United Nations which have taken part in a private meeting shall at all times have the right to consult the record of that meeting in the office of the Secretary-General. The Security Council may at any time grant access to this record to authorized representatives of other Members of the United Nations.

Rule 57

The Secretary-General shall, once each year, submit to the Security Council a list of the records and documents which up to that time have been considered confidential. The Security Council shall decide which of these shall be made available to other Members of the United Nations, which shall be made public, and which shall continue to remain confidential.

CHAPTER X: *Admission of New Members.*

Rule 58

Any State which desires to become a Member of the United Nations shall submit an application to the Secretary-General. This application shall be accompanied by a declaration of its readiness to accept the obligations contained in the Charter.

Rule 59

The Secretary-General shall immediately place the application for membership before the representatives on the Security Council. Unless the Security Council decides otherwise, the application shall be referred by the President to a committee of the Security Council upon which each member of the Security Council shall be represented. The committee shall examine any application referred to it and report its conclusions thereon to the Council not less than thirty-five days in advance of a regular session of the General Assembly or if a special session of the General Assembly is called, not less than fourteen days in advance of such session.

Rule 60

The Security Council shall decide whether in its judgment the applicant is a peace-loving State and is able and willing to carry out the obligations contained in the Charter, and accordingly whether to recommend the applicant State for membership.

In order to assure the consideration of its recommendation at the next session of the General Assembly following the receipt of the application, the Security Council shall make its recommendations not less than twenty-five days in advance of a regular session of the General Assembly, nor less than four days in advance of a special session.

In special circumstances, the Security Council may decide to make a recommendation to the General Assembly concerning an application for membership subsequent to the expiration of the time limits set forth in the preceding paragraph.

ANNEX

PROVISIONAL PROCEDURE FOR DEALING WITH COMMUNICATIONS FROM PRIVATE INDIVIDUALS AND NON-GOVERNMENTAL BODIES

A. A list of all communications from private individuals and non-governmental bodies relating to matters of which the Security Council is seized shall be circulated to all representatives on the Security Council.

B. A copy of any communication on the list shall be given by the Secretariat to any representative on the Security Council at his request.

CHAPTER XI: *Relations with Other United Nations Organs*

Rule 61

Any meeting of the Security Council held in pursuance of the Statute of the International Court of Justice for the purpose of the election of members of the Court shall continue until as many candidates as are required for all the seats to be filled have obtained in one or more ballots an absolute majority of votes.

ANNEX VII

Provisional Rules of Procedure for the Atomic Energy Commission

Adopted by the Atomic Energy Commission on 3 July 1946 and Approved by the Security Council on 10 July 1946

CHAPTER I: *Meetings*

Rule 1

Meetings of the Atomic Energy Commission shall be held at the call of the Chairman at any time he deems necessary.

Rule 2

The Chairman shall call a meeting of the Atomic Energy Commission at the request of any Member of the Atomic Energy Commission.

Rule 3

Meetings of the Atomic Energy Commission shall as a rule be held at the seat of the United Nations.

CHAPTER II: *Agenda*

Rule 4

The Secretary-General shall immediately bring to the attention of all representatives on the Atomic Energy Commission all directions and other communications from the Security Council, all communications from States, other organs of the United Nations, or the Secretary-General himself, falling within the framework of the terms of reference of the Atomic Energy Commission as contained in the Resolution of the General Assembly of 24 January 1946.

Rule 5

The Provisional Agenda for each meeting of the Atomic Energy Commission shall be drawn up by the Secretary-General and approved by the Chairman of the Atomic Energy Commission.

Rule 6

The Provisional Agenda for a meeting shall be communicated by the Secretary-General to the representatives on the Atomic Energy Commission at least three days before the meeting, but in urgent circumstances it may be communicated simultaneously with the notice of the meeting.

Rule 7

The first item of the Provisional Agenda for each meeting of the Atomic Energy Commission shall be the adoption of the Agenda.

Rule 8

Any item of the Agenda of a meeting of the Atomic Energy Commission, consideration of which has not been completed at that meeting, shall, unless the Atomic Energy Commission otherwise decides, automatically be included in the Agenda of the next meeting.

CHAPTER III: *Representation and Credentials*

Rule 9

Each Member of the Atomic Energy Commission shall be represented at the meetings of the Atomic Energy Commission by an accredited representative. The credentials of a representative on the Atomic Energy Commission shall be communicated to the Secretary-General not less than twenty-four hours before he takes his seat on the Atomic Energy Commission.

Rule 10

Any Member of the United Nations not a Member of the Atomic Energy Commission and any State not a Member of the United Nations, if invited to participate in a meeting or meetings of the Atomic Energy Commission, shall submit credentials for the repre-

sentative appointed by it for this purpose. The credentials of such a representative shall be communicated to the Secretary-General not less than twenty-four hours before the first meeting which he is invited to attend.

Rule 11

The credentials of representatives on the Atomic Energy Commission and of any representatives appointed in accordance with Rule 10 shall be examined by the Secretary-General who shall submit a report to the Atomic Energy Commission for approval.

Rule 12

Pending the approval of the credentials of a representative of a State Member on the Atomic Energy Commission in accordance with Rule 11, such representative shall be seated provisionally with the same rights as other representatives of States Members on the Atomic Energy Commission.

Rule 13

Any representative of a State Member on the Atomic Energy Commission, to whose credentials objection has been made within the Atomic Energy Commission, shall continue to sit with the same rights as other representatives until the Atomic Energy Commission has decided the matter.

CHAPTER IV: *Chairman*

Rule 14

The Chairmanship of the Atomic Energy Commission shall be held in turn by the States represented on the Atomic Energy Commission in the English alphabetical order of their names. Each Chairman shall hold office for one calendar month.

Rule 15

The Chairman shall preside over the meetings of the Atomic Energy Commission and, under the authority of the Atomic Energy Commission, shall represent it in its capacity as an organ of the United Nations.

CHAPTER V: *Secretariat*

Rule 16

The Secretary-General shall act in that capacity in all meetings of the Atomic Energy Commission. The Secretary-General may authorize a deputy to act in his place at meetings of the Atomic Energy Commission.

Rule 17

The Secretary-General shall provide the staff required by the Atomic Energy Commission. This staff shall form a part of the Secretariat.

Rule 18

The Secretary-General shall give to representatives on the Atomic Energy Commission notice of meetings of the Atomic Energy Commission and of its committees and sub-committees.

Rule 19

The Secretary-General shall be responsible for the preparation of documents required by the Atomic Energy Commission and shall, except in urgent circumstances, distribute them at least forty-eight hours in advance of the meeting at which they are to be considered.

Rule 20

The Secretary-General or his Deputy acting on his behalf may make either oral or written statements to the Atomic Energy Commission concerning any question under consideration by it.

CHAPTER VI: *Conduct of Business*

Rule 21

The Chairman shall call upon representatives in the order in which they signify their desire to speak.

Rule 22

The Atomic Energy Commission may appoint such committees or sub-committees as it deems necessary and refer to them any question falling within the framework of the terms of reference of the Atomic Energy Commission for study and report.

Committees and sub-committees may be authorized to sit when the Atomic Energy Commission is not in session.

Rule 23

If a representative raises a point of order, the Chairman shall immediately state his ruling. If it is challenged, the Chairman shall submit his ruling to the Atomic Energy Commission for immediate decision and it shall stand unless over-ruled.

Rule 24

Proposed resolutions, amendments and substantive motions shall as a rule be placed before the representatives in writing.

Rule 25

Principal motions and draft resolutions shall have precedence in the order of their submission.

Parts of a motion or of a draft resolution shall be voted on separately at the request of any representative, unless the original mover objects.

Rule 26

It shall not be necessary for any motion or draft resolution proposed by a representative of a State Member on the Atomic Energy Commission to be seconded by the representative of another State Member before being put to a vote.

Rule 27

If two or more amendments to a motion or draft resolution are proposed, the Chairman shall rule on the order in which they are to be voted upon. As a rule, the Atomic Energy Commission shall first vote on the amendment

furthest removed in substance from the original proposal and then on the amendment next furthest removed until all amendments have been put to the vote but when an amendment adds to or deletes from the text of a motion or draft resolution, that amendment shall be voted on first.

Rule 28

Any Member of the United Nations which is not a Member of the Atomic Energy Commission or any State not a Member of the United Nations may be invited, as the result of a decision of the Atomic Energy Commission, to participate, without vote, in the discussion of any question brought before the Atomic Energy Commission when the Atomic Energy Commission considers that the interests of that State are specially affected. The Atomic Energy Commission may also invite representatives of other States for information purposes.

The representative of a State not a Member of the Atomic Energy Commission may participate in the meetings of the Atomic Energy Commission as soon as his credentials have been approved by the Atomic Energy Commission.

Rule 29

Any State invited in accordance with the preceding Rule to participate in the discussions of the Atomic Energy Commission may submit proposals and draft resolutions. These proposals and draft resolutions may be put to a vote only at the request of a representative of a State Member on the Atomic Energy Commission.

Rule 30

The Atomic Energy Commission may invite members of the Secretariat or other persons, whom it considers competent for the purpose, to supply it with information or to give other assistance in examining matters within its competence.

CHAPTER VII: *Quorum and Voting*

Rule 31

Each Member of the Atomic Energy Commission shall have one vote.

Rule 32

At any meeting, a majority of the Members of the Atomic Energy Commission shall constitute a quorum.

Rule 33

All decisions of the Atomic Energy Commission shall be made by a majority of the Members of the Atomic Energy Commission.

CHAPTER VIII: *Languages*

Rule 34

Chinese, English, French, Russian and Spanish shall be the official languages of the Atomic Energy Commission, and English and French the working languages.

Rule 35

Speeches made in either of the working languages shall be interpreted into the other working language.

Rule 36

Speeches made in any of the three other official languages shall be interpreted into both working languages.

Rule 37

Any representative may make a speech in a language other than the official languages. In this case he shall himself provide for interpretation into one of the working languages. Interpretation into the other working language by an interpreter of the Secretariat may be based on the interpretation given in the first working language.

Rule 38

Verbatim records of meetings of the Atomic Energy Commission shall be drawn up in the working languages. At the request of any representative, a verbatim record of any speech made in an official language other than the working language shall be drawn up in the original language.

Rule 39

All decisions and other important documents shall forthwith be made available in the official languages. Upon the request of any representative, any other document shall be made available in any or all of the official languages.

Rule 40

Documents of the Atomic Energy Commission shall, if the Atomic Energy Commission so decides, be published in any language other than the official languages.

CHAPTER IX: *Publicity of Meetings—Records*

Rule 41

Unless it decides otherwise, the Atomic Energy Commission shall meet in public.

Rule 42

Subject to the provisions of Rule 44, the verbatim record of each meeting of the Atomic Energy Commission shall be made available in the working languages to the representatives on the Atomic Energy Commission and to the representatives of any other States which have participated in the meeting not later than 10 a.m. of the first working day following the meeting. The verbatim record of any speech made in any other of the official languages, which is drawn up in accordance with the provisions of Rule 38 shall be made available in the same manner to any of the above mentioned representatives at his request.

The Atomic Energy Commission shall determine the extent of circulation of the records of its private meetings.

Rule 43

The representatives of the States which have participated in the meeting shall, within two working days after the time indicated in Rule 42, inform the Secretary-General of any corrections they wish to have made in the verbatim record.

Rule 44

The Atomic Energy Commission may decide that for a private meeting the record shall be made in a single copy alone. This record shall be kept by the Secretary-General. The representatives of the States which have participated in the meeting shall, within a period of ten days, inform the Secretary-General of any corrections they wish to have made in this record.

Rule 45

Corrections that have been requested shall be considered approved unless the Chairman is of the opinion that they are sufficiently important to be submitted to the representatives on the Atomic Energy Commission. In the latter case, the representatives on the Atomic Energy Commission shall submit within two working days any comments they may wish to make. In the absence of objections in this period of time, the record shall be corrected as requested.

Rule 46

The verbatim record referred to in Rule 42, or the record referred to in Rule 44, in which no corrections have been requested in the period of time required respectively by Rule 43 and Rule 44 or which has been corrected in accordance with the provision of Rule 45, shall be considered as approved. It shall be signed by the Chairman and shall become the official record of the Atomic Energy Commission.

Rule 47

The official record of public meetings of the Atomic Energy Commission, as well as the documents annexed thereto, shall be published in the official languages as soon as possible.

Rule 48

At the close of each private meeting, the Atomic Energy Commission shall issue a communique through the Secretary-General.

Rule 49

The representatives of the Members of the United Nations which have taken part in a private meeting shall at all times have the right to consult the record of that meeting in the offices of the Secretary-General. The Atomic Energy Commission may at any time grant access to this record to authorized representatives of other Members of the United Nations.

Rule 50

The Secretary-General shall, at suitable intervals but at least once each year, submit to the Atomic Energy Commission a list of the records and documents which up to that time have been considered confidential. The Atomic Energy Commission shall decide, subject to the provisions of Section 2 (a) of the Resolution of the General Assembly of 24 January 1946, which of these shall be made available to other Members of the United Nations, which shall be made public, and which shall continue to remain confidential.

ANNEX

PROVISIONAL PROCEDURE FOR DEALING WITH COMMUNICATIONS FROM PRIVATE INDIVIDUALS AND NON-GOVERNMENTAL BODIES

1. A list of all communications from private individuals and non-governmental bodies relating to the Atomic Energy Commission shall be circulated to all representatives on the Atomic Energy Commission.

2. A copy of any communication on the list shall be given by the Secretariat to any representative on the Atomic Energy Commission at his request.

ANNEX VII

COMMISSION FOR CONVENTIONAL ARMAMENTS
PROVISIONAL RULES OF PROCEDURE

CHAPTER I: *Meetings*

Rule 1

Meetings of the Commission for Conventional Armaments shall be held at the call of the Chairman at any time he deems necessary.

Rule 2

The Chairman shall call a meeting of the Commission for Conventional Armaments at the request of any Member of the Commission.

Rule 3

Meetings of the Commission for Conventional Armaments shall as a rule be held at the seat of the United Nations.

CHAPTER II: *Agenda*

Rule 4

The Secretary-General shall immediately bring to the attention of all representatives on the Commission for Conventional Armaments all directions and other communications from the Security Council, all communications from States, other organs of the United Nations, or the Secretary-General himself, falling within the framework of the terms of reference of the Commission for Conventional Armaments as contained in the Resolution of the Security Council of 13 February 1947.

Rule 5

The Provisional Agenda for each meeting of the Commission for Conventional Armaments shall be drawn up by the Secretary-General and approved by the Chairman of the Commission.

Rule 6

The Provisional Agenda for a meeting shall be communicated by the Secretary-General to the representatives on the Commission for Conventional Armaments at least three days before the meeting, but in urgent circumstances it may be communicated simultaneously with the notice of the meeting.

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Rule 9

Each Member of the Commission for Conventional Armaments shall be represented at the meetings of the Commission by an accredited representative. The credentials of a representative on the Commission shall be communicated to the Secretary-General not less than twenty-four hours before he takes his seat on the Commission.

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The Secretary-General shall, at suitable intervals but at least once each year, submit to the Commission for Conventional Armaments a list of the records and documents which up to that time have been considered confidential. The Commission shall decide which of these shall be made available to other Members of the United Nations, which shall be made public, and which shall continue to remain confidential.

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2. A copy of any communication on the list shall be given by the Secretariat to any representative on the Commission for Conventional Armaments at his request.

STRUCTURE OF THE ECONOMIC AND SOCIAL COUNCIL

AT THE CONCLUSION OF ITS FOURTH SESSION (MARCH 29, 1947)

SPECIALIZED AGENCIES

- *INTERNATIONAL LABOR ORGANIZATION
- *FOOD AND AGRICULTURE ORGANIZATION OF THE UNITED NATIONS
- *UNITED NATIONS EDUCATIONAL, SCIENTIFIC AND CULTURAL ORGANIZATION
- *INTERNATIONAL CIVIL AVIATION ORGANIZATION
- INTERNATIONAL BANK FOR RECONSTRUCTION AND DEVELOPMENT
- INTERNATIONAL MONETARY FUND
- WORLD HEALTH ORGANIZATION (Interim Commission)
- INTERNATIONAL REFUGEE ORGANIZATION (Preparatory Commission)
- INTERNATIONAL TRADE ORGANIZATION (proposed)
- UNIVERSAL POSTAL UNION
- INTERNATIONAL TELECOMMUNICATIONS UNION

COORDINATION COMMITTEE

GENERAL ASSEMBLY

ECONOMIC AND SOCIAL COUNCIL

18 members elected for 3 years by General Assembly
(Decides by simple majority of those present and voting)

- COMMITTEE ON NEGOTIATIONS WITH SPECIALIZED AGENCIES
- AD HOC COMMITTEES
- COMMITTEE ON ARRANGEMENTS FOR CONSULTATION WITH NON-GOVERNMENTAL ORGANIZATIONS

NON-GOVERNMENTAL ORGANIZATIONS

*The General Assembly approved the agreements which had been negotiated by the Committee on Negotiations with Specialized Agencies, bringing these agencies into relationship with the United Nations.

COMMISSIONS

- ECONOMIC AND EMPLOYMENT (15 members)
  - SUBCOMMISSION EMPLOYMENT AND ECONOMIC STABILITY
- TRANSPORT AND COMMUNICATIONS (15 members)
  - SUBCOMMISSION ECONOMIC DEVELOPMENT
- STATISTICAL (12 members)
  - SUBCOMMISSION STATISTICAL SAMPLING
- FISCAL (15 members)
- POPULATION (12 members)
- SOCIAL (18 members)
  - INTERNATIONAL CHILDREN'S EMERGENCY FUND
- HUMAN RIGHTS (18 members)
  - SUBCOMMISSION FREEDOM OF INFORMATION AND OF THE PRESS
  - SUBCOMMISSION PREVENTION OF DISCRIMINATION AND PROTECTION OF MINORITIES
  - DRAFTING COMMITTEE ON THE BILL OF RIGHTS
- STATUS OF WOMEN (15 members)
- NARCOTIC DRUGS (15 members)
- ECONOMIC COMMISSION FOR EUROPE
- ECONOMIC COMMISSION FOR ASIA AND THE FAR EAST

REGIONAL COMMISSIONS

ISSUED BY UNITED NATIONS DEPARTMENT OF PUBLIC INFORMATION

IV. The Economic and Social Council

A. THE CHARTER AND THE ECONOMIC AND SOCIAL COUNCIL[1]

The Charter establishes an Economic and Social Council as a principal organ which, under the authority of the General Assembly, is to devote itself to promoting international economic and social co-operation.

The Council consists of eighteen Members of the United Nations. Its members are elected by the General Assembly for a term of three years. A retiring member is eligible for re-election. In the first election, however, eighteen members were elected—six for one year, six for two years and six for three years. Each member has one representative.

It is realized by the United Nations that peaceful and friendly relations among nations based on respect for the principle of equal rights and self-determination of peoples cannot be developed and maintained unless conditions of stability and well-being are created. With a view to creating such conditions the United Nations undertakes to promote:

(a) higher standards of living, full employment, and conditions of economic and social progress and development;

(b) solutions of international economic, social, health and related problems; and international cultural and educational co-operation; and

(c) universal respect for, and observance of, human rights and fundamental freedoms for all without distinction as to race, sex, language or religion.

All Members pledge themselves to take joint and separate action in co-operation with the United Nations for the achievement of these purposes.

The United Nations is conceived to be a centre for harmonizing the action of nations in the attainment of these economic, social and other purposes. In the economic and social fields there are in existence various inter-governmental specialized agencies. The Charter authorizes the United Nations to bring such agencies into relationship with the United Nations and to co-ordinate the policies and activities of such agencies, and furthermore to create such new agencies as it deems necessary for the accomplishment of its economic and social purposes.

The responsibility for the discharge of these functions is vested in the General Assembly and, under the authority of the General Assembly, in the Economic and Social Council.

The principal functions and powers of the Economic and Social Council are:

(1) to make or initiate studies and reports with respect to international economic, social, cultural, educational, health and related matters and to make recommendations with respect to any such matters to the General Assembly, to the Members of the United Nations and to the specialized agencies concerned;

(2) to make recommendations for the purpose of promoting respect for, and observance of, human rights and fundamental freedoms for all;

(3) to prepare draft conventions for submission to the General Assembly, with respect to matters falling within its competence; and

(4) to call, in accordance with the rules prescribed by the United Nations, international conferences on matters falling within its competence.

As regards the specialized agencies, the Economic and Social Council may:

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[1] This Section is a summary of the Charter provisions relating to the Economic and Social Council. The main provisions are contained in Chapter IX, Articles 55-60, which sets forth the objectives and functions of the United Nations in the realm of international economic co-operation, and Chapter X, Articles 61-72, which defines the composition, functions and powers, voting and procedure of the Economic and Social Council. Other provisions are to be found in Articles 1, 7, 17-18, 91, 96, 98, 101 of the Charter.

(1) enter into agreements with any of the specialized agencies, defining the terms on which the agencies shall be brought into relationship with the United Nations, such agreements being subject to approval by the General Assembly;

(2) co-ordinate the activities of the specialized agencies through consultation with and recommendations to such agencies and through recommendations to the General Assembly and to the Members of the United Nations;

(3) take appropriate steps to obtain regular reports from the specialized agencies, and make arrangements with the Members of the United Nations and with the specialized agencies to obtain reports on the steps taken to give effect to its own recommendations and to recommendations on matters falling within its competence made by the General Assembly; and

(4) communicate its observations on these reports to the General Assembly.

Any financial and budgetary arrangements with the specialized agencies are to be considered and approved by the General Assembly, which is also to examine the administrative budget of such specialized agencies with a view to making recommendations to the agencies concerned.

The Economic and Social Council may furnish information to the Security Council and is to assist the Security Council upon its request. It is to perform such functions as fall within its competence in connection with the carrying out of the recommendations of the General Assembly. It may, with the approval of the General Assembly, perform services at the request of Members of the United Nations and at the request of specialized agencies.

The Council, when so authorized by the General Assembly, may request advisory opinions of the International Court of Justice on legal questions arising within the scope of its activities.

The Secretary-General is to act in that capacity in all meetings of the Economic and Social Council and is to assign a permanent staff to the Economic and Social Council.

Each member of the Council has one vote. Decisions of the Economic and Social Council are made by a majority of the members present and voting.

The Council shall set up such commissions in economic and social fields as may be required for the performance of its functions.

The Council shall invite any Member of the United Nations to participate, without vote, in its deliberations on any matter of particular concern to that Member.

The Economic and Social Council may:

(1) make arrangements for representatives of the specialized agencies to participate, without vote, in its deliberations and in those of the commissions established by it, and for its representatives to participate in the deliberations of the specialized agencies;

(2) make suitable arrangements for consultation with non-governmental organizations, international as well as national, which are concerned with matters within its competence.

The Economic and Social Council adopts its own rules of procedure, including the method of selecting its President. It meets as required in accordance with its rules, which include provision for the convening of meetings on the request of a majority of its members.

B. ESTABLISHMENT AND ORGANIZATION OF THE ECONOMIC AND SOCIAL COUNCIL

1. Election of Members of the Council

The first election of members of the Council by the General Assembly took place on January 12 and 14, 1946. The following countries were selected:

For one year

Colombia
Greece
Lebanon
Ukrainian S.S.R.
United States
Yugoslavia

For two years

Cuba
Czechoslovakia
India
Norway
U.S.S.R.
United Kingdom

For three years

Belgium
Canada
Chile
China
France
Peru

The second election by the General Assembly of members of the Council to replace those who had been elected in January for one year took place on November 19 and December 7 and 12, 1946. Retiring members were eligible for re-election.

The following countries were elected: Byelorussian S.S.R., Lebanon, New Zealand, Turkey, the United States and Venezuela.

In addition, on December 12 the General Assembly elected the Netherlands to replace Belgium (which had resigned in favor of the Netherlands).

2. Recommendations of the Preparatory Commission

The General Assembly adopted a number of recommendations made in the Report of the Preparatory Commission concerning the establishment and the initial work and organization of the Council. These included recommendations that at its first session the Council should establish the following Commissions: Human Rights, Economic and Employment, Temporary Social, Statistical, Narcotic Drugs; and that the Council should consider the desirability of establishing at an early date Demographic, Temporary Transport and Communications and Fiscal Commissions; and should also consider, at its first session, the advisability of setting up a co-ordination commission. Further recommendations were that the Council should at once set up standing committees on the organization of the Council, on relationships with specialized agencies and on relationships with non-governmental organizations. Provisional Rules of Procedure were also approved for transmission to the Council.[1]

3. Sessions of the Council

The first session of the Council was held in Church House, London, from January 23 to February 18, 1946; the second in Hunter College, New York, from May 25 to June 21, 1946; and the third and fourth at Lake Success, New York, from September 11 to October 3, 1946, and from February 28 to March 29, 1947, respectively.

4. Officers of the Council

At its first session the Council elected Sir A. Ramaswami Mudaliar (India) President; and Dr. Andrija Stampar (Yugoslavia) and Carlos Lleras Restrepo (Colombia) First and Second Vice-Presidents respectively for the first period of office. Sir A. Ramaswami Mudalier was unable to be present at the third session, and Dr. Stampar acted as President.

At its fourth session, the Economic and Social Council re-elected Sir A. Ramaswami Mudaliar President, and Jan Papanek (Czechoslovakia) and Alberto Arca Parro (Peru) First and Second Vice-Presidents respectively for the second period of office.

5. Amendments to Rules of Procedure

At its first session the Economic and Social Council adopted provisionally the rules of procedure proposed for it by the Preparatory Commission. Later, certain amendments and additions were made.[2]

At its second session the Council adopted a rule permitting an alternate representative of the country represented by the President to take part in the discussions and vote in the Council provided the President did not exercise his vote.

On November 9, 1946, the General Assembly replaced Rule 87 of the Rules of Procedure, relating to the terms of office of members of the Council, by a new rule reading:

> The term of office of members shall begin on 1 January following their election by the General Assembly, and shall end on 31 December following the election of their successors.

To bring the rules of procedure of the Economic and Social Council into line with this new rule, the Council at its fourth session amended its Rule 17 as follows:

> The President and Vice-Presidents shall hold office until their successors are elected at the first meeting of the Council on or after 1 January in each year, and shall be eligible for re-election.

The General Assembly on December 11, 1946, adopted the following provisional financial regulation:

> Regulation 25
>
> No resolution involving expenditure from United Nations funds shall be approved by a Council unless the Council has before it a

[1] See pp. 67 ff. See also Chapter III of the Report of the Preparatory Commission.
[2] For text of rules see Annex III.

report from the Secretary-General on the financial implications of the proposals, together with an estimate of the costs involved in the specific proposal.

To give formal effect to this decision the Economic and Social Council at its fourth session adopted the following additional rule of procedure:

Before any proposal which involves expenditure from United Nations funds is approved by the Council the Secretary-General shall prepare and circulate to members (a) a summary report of the financial implications of the proposals; and (b) estimates of costs involved in each proposal.

In accordance with this rule estimates of cost were provided by the Secretariat on the proposals before the Council.

6. Consultation with Trusteeship Council

At its fourth session the Economic and Social Council decided that the President of the Council, after consultation with the President of the Trusteeship Council, should be authorized to nominate two other members of the Economic and Social Council to confer with a similar committee of the Trusteeship Council regarding "arrangements that can be arrived at between the two Councils to further the work of both."

7. Commissions of the Council

At its first session the Council established five commissions in nuclear form, and one temporary sub-commission, each consisting of nine experts appointed in their personal capacity as follows: Human Rights, with a sub-commission on the Status of Women; Economic and Employment; Temporary Social; Temporary Transport and Communications; Statistical. It also established a permanent commission of fifteen members on Narcotic Drugs, and selected the members. The nuclear commissions met in Hunter College, New York, in the latter part of April and the first three weeks in May 1946 and submitted their reports to the second session of the Council.

At its second session the Council determined the terms of reference and the composition of the following commissions: Economic and Employment, Transport and Communications, Statistical, Human Rights, Social, Status of Women. (The Economic and Social Council on June 21, 1946, decided to confer upon the Sub-Commission on the Status of Women the status of a full commission to be known as the Commission on the Status of Women.) It established a Temporary Sub-Commission of the Economic and Employment Commission on the Economic Reconstruction of Devastated Areas. The Council also empowered the Commission on Human Rights to set up sub-commissions on (a) freedom of information and of the Press, (b) protection of minorities and (c) prevention of discrimination, and the Statistical Commission to set up a sub-commission on statistical sampling.

At its third session the Council determined the terms of reference and composition of the Population and Fiscal Commissions. It selected the States to designate representatives as members of all the permanent commissions (other than the Commission on Narcotic Drugs, which had been elected at the first session). The Council also directed the Economic and Employment Commission to set up sub-commissions on (a) employment and economic stability and (b) economic development.

The Council gave very full consideration to the question of the composition of permanent commissions. Some delegates urged that the commissions should be composed wholly of persons representing their governments, other delegates urged that at least a proportion of the commissions should consist of experts appointed in their personal capacity. The decision taken by the Council at its second session was that the commissions set up should consist of representatives from Members of the United Nations selected by the Council. With a view, however, to securing a balanced representation in the various fields covered by the commissions, the Council directed that the Secretary-General should consult with the governments so selected before their representatives were finally nominated by those governments and confirmed by the Council. The Council decided to hold an *ad hoc* meeting of the third session later in the year in order to confirm the nominations after the Secretary-General had carried out his consultations.

In accordance with the resolutions passed by the Economic and Social Council on June 21, 1946, and October 1, 2 and 3, 1946, members of commissions were nominated by Member Governments in consultation with the

Secretary-General. The Council held an *ad hoc* meeting on December 10, 1946, and confirmed 106 representatives. Further representatives and also representatives to take the place of those who had resigned, were confirmed by the Council at its fourth session.[1]

Except for the initial period, the term of office for members of all Commissions is three years. For the initial period, one third of the members serve for two years, one third for three years, and one third for four years. The Commission on Narcotic Drugs is an exception, for its initial members were all elected for three years.

At its third session the Council considered the question of payment of expenses of members of commissions and sub-commissions and recommended to the General Assembly that

in order to equalize the opportunities of Members of the United Nations to participate in the work and activities of the Commissions and to ensure the most effective co-operation of the Members travelling expenses and subsistence allowances should be paid by the United Nations for each member of the Commissions and Sub-Commissions of the Council.

The General Assembly decided that the actual travelling expenses of members of commissions and sub-commissions to and from meetings and the actual expenses for travel on business should be borne by the United Nations.

At its fourth session the Economic and Social Council determined the terms of reference and elected the members of the Sub-Commission on Freedom of Information and of the Press and the Sub-Commission on Prevention of Discrimination and Protection of Minorities. It also established two regional commissions, the Economic Commission for Europe and the Economic Commission for Asia and the Far East.

The Commissions held their first sessions as follows:

Commission on Narcotic Drugs — November 27 to December 13, 1946

Social Commission — January 20 to February 4, 1947

Economic and Employment Commission — January 20 to February 5, 1947

Statistical Commission — January 27 to February 7, 1947

Commission on Human Rights — January 27 to February 10, 1947

Transport and Communications Commission — February 6 to 18, 1947

Population Commission — February 6 to 19, 1947

Commission on the Status of Women — February 10 to 24, 1947

Economic Commission for Europe — May 2 to 14, 1947

Fiscal Commission — May 19 to 29, 1947

Economic Commission for Asia and the Far East — June 16 to 25, 1947

The commissions at their first sessions considered their rules of procedure and adopted provisionally draft rules prepared by the Secretariat. They also considered the question of alternates. On the one hand it was felt that alternates should be appointed to enable the commissions to function adequately; on the other hand it was considered that alternates should not be appointed, since members of commissions and sub-commissions were appointed as experts. The Economic and Social Council at its fourth session decided that when members of the Economic and Employment, Transport and Communications, Statistical, Fiscal, Social, Human Rights, Status of Women and Population Commissions were prevented from attending sessions of those Commissions an alternate should be designated by the government of the member, in consultation with the Secretary-General, to serve for that session. An alternate so designated should have the same status as a member of the Commission.

The commissions also considered arrangements for co-ordination with the other commissions and with the specialized agencies. Representatives of the three agencies which had been brought into relationship with the United Nations—the International Labour Organisation, the Food and Agriculture Organization, and the United Nations Educational Scientific and Cultural Organization—attended the sessions of the commissions and the fourth session of the Economic and Social Council and presented the views of their organizations on the subjects under discussion.

[1] For names of members of commissions and sub-commissions see Annex II.

8. Future Sessions of the Council, Commissions and Sub-Commissions

The various commissions made recommendations concerning the times and places of their next meetings. The Economic and Social Council at its fourth session considered the general question of its own sessions and those of its commissions and sub-commissions and resolved as follows:

THE ECONOMIC AND SOCIAL COUNCIL

DECIDES to hold its Fifth Session commencing on 19 July 1947;

REQUESTS the Secretary-General to arrange that the three sessions of the Council for 1948 should commence: the first not later than 15 January, the second in late April or early May, and the third so that the session of the Council ends shortly before the commencement of the regular session of the General Assembly;

DECIDES that the Economic and Employment, Social, Human Rights and Transport and Communications Commissions should normally hold two sessions annually, and requests the Secretary-General to arrange for a second session for each of these Commissions in 1947;

DECIDES that the Statistical, Population, Status of Women and Fiscal Commissions should hold one session annually, unless otherwise decided by the Council, except that in view of the World Statistical Congress to be held in September 1947, a second session of the Statistical Commission and a second session of the Population Commission should be held in August 1947;

REQUESTS the Secretary-General to revise the proposed calendar of meetings for 1947 to correspond with this decision;

DECIDES that sub-commissions of the commissions should normally meet once a year and in any event not more than twice a year;

DECIDES that the reports of commissions (except the Economic Commission for Europe and the Economic Commission for Asia and the Far East) will normally not be considered by the Council unless they have been sent to the members of the Council at least six weeks before the session of the Council at which they will be examined.

DECIDES that the commissions and sub-commissions will meet at the headquarters of the United Nations unless the Council decides otherwise;

REQUESTS the Secretary-General to submit to the Council at its last session each year a draft calendar, drawn up in consultation with the Co-ordination Committee, concerning the programme of sessions of the commissions and sub-commissions of the Council and of the conferences of specialized agencies for the following year.

THE ECONOMIC AND SOCIAL COUNCIL

DECIDES that at the last session of each year the Council should give consideration to a provisional programme of work for the following year.

9. Committees of the Council

Standing Committees of the Council (1) on Organization, (2) on Negotiations with Specialized Agencies, and (3) on Arrangements for Consultations with Non-Governmental Organizations were established at its first session. The Standing Committee on Organization of the Council made many recommendations on the organization of the Council itself and of its commissions, and Rules of Procedure were also submitted, which were adopted by the Council. A separate account of the work of the Committees on Specialized Agencies and Non-Governmental Organizations is given in subsequent sections.

At its fourth session the Council established an Agenda Committee consisting of the officers of the Council and two other elected members, to consider the provisional agenda and make recommendations on it to the Council.

During its four sessions the Council made use of a considerable number of *ad hoc* committees, notably, the Committee on Refugees and Displaced Persons and the Committee on the Finances of the International Refugee Organization.

C. ECONOMIC AND EMPLOYMENT PROBLEMS

1. Economic and Employment Commission

At its first session the Council established an Economic and Employment Commission, with provisional terms of reference, in nuclear form. The Council requested this nuclear commission to make recommendations to the Council on the following matters:

(1) Revision of the Commission's terms of reference;

(2) Composition of the full Commission;

(3) Whether any other sub-commission should be established, particularly a sub-commission on economic reconstruction of devasted areas.

a. Terms of Reference

At its second session the Council considered the report prepared by the nuclear commission, and established the permanent Economic and Employment Commission with the following terms of reference:

(a) The Commission shall advise the Economic and Social Council on economic questions in order to promote higher standards of living.

(b) It shall examine such questions as may be submitted to it by the Council and shall on its own initiative report to the Council on problems which, in its opinion, require urgent attention.

(c) It shall make recommendations to the Council with reference to economic questions involving concerted study and (or) action by more than one specialized agency or commission of the Council and in particular shall draw the attention of the Council to the probable influence of the policies and activities of other commissions of the Council, the specialized agencies or other international organizations on the issues mentioned in paragraph (d) below.

(d) In particular, it shall be the function of the Commission to advise the Council on:

(i) the prevention of wide fluctuations in economic activity and the promotion of full employment by the co-ordination of national full employment policies and by international action;

(ii) problems of the reconstruction of devastated areas and other urgent problems arising from the war, with a view to developing means of giving real help, which is so necessary, to various Members of the United Nations whose territories have been devastated by the enemy as a result of occupation and war activities;

(iii) the promotion of economic development and progress with special regard to the problems of less developed areas.

In carrying out the functions set forth above, the Commission shall take account of the close relationship between the short-term problems and the long-term objectives of an expanding and integrated world economy.

The Council decided at its second session that the Commission should consist of one representative from each of fifteen Members of the United Nations selected by the Council. At its third session the Council selected the following States to designate the initial members:

For two years	*For three years*
Belgium	Canada
Brazil	China
France	Czechoslovakia
Poland	India
United Kingdom	Norway

For four years
Australia
Byelorussian S.S.R.
Cuba
U.S.S.R.
United States

The Council may in addition appoint in their individual capacity from ten to fifteen corresponding members from countries not represented on the Commission, with the approval of their governments.

At its third session the Council directed the Economic and Employment Commission to establish a sub-commission on employment and economic stability and a sub-commission on economic development; it also instructed the Commission to make an early report to the Council on the question of establishing a sub-commission on balance of payments.

The terms of reference of the Sub-Commission on Employment and Economic Stability are:

(i) to study national and international full employment policies and fluctuations in economic activity;
(ii) to analyse the causes of these fluctuations; and
(iii) to advise the Commission on the most appropriate methods of promoting full employment and economic stability.

The terms of reference of the Sub-Commission on Economic Development are:

To study and advise the Commission on the principles and problems of long-term economic development with particular attention to the inadequately developed parts of the world, having the objective of:

(i) promoting the fullest and most effective utilization of natural resources, labour and capital;
(ii) raising the level of consumption; and
(iii) studying the effects of industrialization and changes of a technological order upon the world economic situation.

The composition of these two Sub-Commissions is as follows:

(a) Each Sub-Commission shall be composed of seven persons selected by the Commission in consultation with the Secretary-

General and subject to the consent of the Governments of the countries of which the persons are nationals. Not more than one person shall be selected from any single country.

(b) The terms of office of the members shall be three years. Members shall be eligible for re-election. In the event that a member is unable to serve for the full three-year term, a person selected by the Commission subject to the foregoing provisions should serve in his place for the remainder of the term.[1]

After debate as to whether the members of the Sub-Commissions should serve in their individual capacity or as governmental representatives, a majority of the Council members voting on paragraph (a) above supported the proposition that the persons to be selected under this paragraph should serve in their personal capacities and not as governmental representatives.

b. First Session

The Economic and Employment Commission held its first session at Lake Success, New York, from January 20 to February 5, 1947. It elected the following as its officers:
Chairman — Ragnar Frisch (Norway)
Vice-Chairman — Roland Wilson (Australia)
Vice-Chairman — A. P. Morozov (U.S.S.R.)
Rapporteur — Isidor Lubin (U.S.A.)

The Commission considered questions of economic development, employment and economic stability and the balance of payments.

While recognizing that the carrying out of development activities rested with the governments and peoples of the countries or areas concerned, the Commission referred to the obligation of the United Nations under the Charter to aim at the creation of conditions of stability and well-being and to promote higher standards of living. Such improvements in less developed countries or areas would be likely to flow from projects which were an integral part of long-term and balanced programs of development, and these programs should include the social, scientific, health, education and cultural aspects of community life.

The Commission instructed its Sub-Commission on Economic Development:

1) To inform the Commission as early as possible regarding current and planned studies, field surveys,[2] and provision of technical advice and assistance to Members in the field of economic development both by the Secretariat of the United Nations and by the inter-governmental agencies.

(2) To keep under consideration and to make recommendations to the Commission regarding the general planning and co-ordination of the activities mentioned in paragraph 1 above. Particular attention should be given to the participation of the various inter-governmental agencies in these activities and, where appropriate for the United Nations to participate, to the nature of its participation.

(3) To commence a study, in co-operation with the other Commissions of the United Nations and the specialized agencies concerned, with the view to making recommendations regarding the need for an international code relating to foreign investment which will cover among other things the protection of economic and social interests of the countries in which investments are to be made, as well as the protection of investors, both public and private; and conduct studies into the need for and methods of international incorporation of private business firms conducting business operations on an international or a world scale.

[1] The draft resolution submitted by the *ad hoc* Committee on the terms of reference of the Sub-Commissions of the Economic and Employment Commission contained the following two provisions:

(c) The Commission shall invite experts, named by those inter-governmental agencies which are deemed by the Commission to be particularly concerned with the work of each of the Sub-Commissions, to participate regularly in the work of that Sub-Commission. Experts from other inter-governmental agencies may be invited by each Sub-Commission to participate in the discussion within the scope of their activities.

(d) Experts, including experts nominated by non-governmental agencies, may be invited by the Sub-Commission with the consent of the Secretary-General to be present for purposes of consultation on matters within their special competence.

The Council decided to delete these two paragraphs on the understanding that they be put in a footnote to the resolution.

It was agreed to postpone final decision of this issue until the fourth session of the Economic and Social Council after the proceedings in the forthcoming second part of the first session of the General Assembly.

At its first session the Economic and Employment Commission recommended that the Council defer making any decision on the appointment of corresponding members to the Commission until the Commission had had an opportunity to consider the question of such appointments in the light of its own experience and its future needs.

[2] By "studies" was meant the compilation and collating of information already available or obtainable without field investigation. By "field surveys" was meant the obtaining of information in the area concerned.

(4) To make recommendations to the Commission relative to:

(a) the organization of international co-operation with respect to scientific, technological and economic research relating to production and development, the conservation of resources, the adoption of improved methods of production and technical processes to stimulate greater productivity, and the implementation of the mutual responsibilities of Members, under relevant international agreements, in relation to the international supply of facilities for economic development including capital funds, capital goods and materials, equipment, advanced technology and trained personnel;

(b) the furnishing of such technical assistance within the resources available, as Members of the United Nations may request, relating to production and development; and to the organization, in co-operation with the governments concerned, of such missions as may be needed to perform this function.

(5) To make recommendations to the Commission relative to any other matter which the Sub-Commission may feel should be drawn to the attention of this Commission, including any modification of these instructions which it may wish to suggest.

The Commission requested the Secretariat to make arrangements, in co-operation with the specialized agencies concerned, to provide on request technical advice to enable governments to plan and carry out balanced development programs. If substantial assistance was required, special agreements should be made between the United Nations and the government requesting the assistance, and these agreements should cover the question of defraying expenses. The Secretariat was also to provide the data necessary for the Commission and the Sub-Commission on Economic Development.

The Commission considered that its interest in the field of employment and economic stability would include the broad economic problems of production, consumption and investments, national incomes and their distribution, and the balance of payments. It felt that there would be no danger of overlapping between the functions of the Sub-Commission on Employment and Economic Stability and the specialized agencies and other commissions if the Sub-Commission concentrated on the general aspects of the problem. It instructed the Sub-Commission:

1. To report to the Commission as early as possible on current world economic conditions and trends, giving particular attention to any factors that are preventing, or are likely to prevent in the near future, the maintenance of full employment and economic stability, together with analyses indicating causal factors involved and recommendations as to desirable action.

2. To report to the Commission at its early convenience on:

(a) The preliminary views of the Sub-Commission concerning the kinds of international action which are likely to be feasible and of assistance in maintaining economic stability and full employment. In this connection the Sub-Commission should bear in mind the important links between stability and development and should examine such proposals as:

(i) The concerted timing, to the extent which may be appropriate and practicable in the interests of employment policy, of national and international measures to influence credit conditions and the terms of borrowing;

(ii) National or international arrangements, in suitable cases, to promote due stability in the real incomes of producers of primary products, taking account both of the interests of consumers and producers regardless of country;

(iii) The timing, to the extent which may be appropriate and practicable in the interests of employment policy, of capital expenditures on projects which are either of an international character or are internationally financed; as well as the expansion of investments in less-developed countries as measures designed to maintain stability of employment during periods of depression in more highly industrialized countries.

(b) Recommended methods and forms of reporting economic conditions and trends, including the definition of specific information to be collected. In this connection, the Sub-Commission should, in co-operation with the Secretariat, give consideration to arrangements for the regular collection, analysis and exchange of information on domestic employment problems, trends and policies, including as far as possible information relating to national income, demand, and balances of payments (incluuding methods of presenting the multilaterial aspects of balance of payments problems).

(c) Any other matter which the Sub-Commission may feel should be drawn to the attention of this Commission, including any modifications of these instructions which it may wish to suggest.

The Secretariat, in co-operation with the specialized agencies concerned, was asked to provide necessary data for the Commission

and the Sub-Commission on Employment and Economic Stability, and in particular to make periodic reports to the Commission and Sub-Commission on world economic trends and to draw their attention to any specific economic situations requiring consideration. It was also asked to keep abreast of methods of economic and statistical analysis and to consider arrangements for bringing together economists and technicians in related fields to exchange ideas and develop methods of appraising and forecasting economic trends.

The Commission considered that the balance of payments was such a broad subject that the Commission itself and its already established sub-commissions would necessarily have to deal with it. It therefore recommended that no sub-commission on this subject should be established at present, but that the Secretariat in co-operation with the specialized agencies concerned should make regular reports and analyses of balances of payments.

The Commission felt that for the time being adequate co-ordination of its work and the work of its sub-commission with that of the specialized agencies was achieved by the presence of representatives of the agencies at its meetings and by the working arrangements initiated by the Secretariat. It suggested, however, that the Secretariat consider establishing a co-ordination register to maintain a classified file of information on all substantial work in the economic and statistical fields under way or planned in all the commissions, sub-commissions, specialized agencies and non-governmental organizations on: collection of data; analysis of data; and operative tasks.

The Council discussed the report of the Commission at its fourth session.

Representatives stressed the inter-relation of full employment and the development of backward countries, and certain delegates felt that the recommendations of the Commission did not go far enough. Draft resolutions and amendments were submitted.

The Council approved the instructions given by the Economic and Employment Commission to its Sub-Commission on Economic Development and its Sub-Commission on Employment and Economic Stability. It requested the Commission:

(a) to investigate and report, taking full account of the responsibilities of the specialized agencies and the inter-governmental organizations regarding the most appropriate forms of international action for facilitating the better utilization of world resources of manpower, materials, labour and capital in order to promote higher standards of living throughout the world, more particularly in undeveloped and under-developed areas;

(b) to initiate regular reports to the Council on world economic conditions and trends, giving particular attention to any factors that are preventing or are likely to prevent in the near future the maintenance of full employment and economic stability, together with analyses indicating the casual factors involved and recommendations as to desirable action; and

(c) to consider and report to the Council as early as practicable regarding the most appropriate forms of international action to maintain world full employment and economic stability, taking full account of any views put forward by the International Labour Organisation, the International Monetary Fund, the International Bank for Reconstruction and Development, the Food and Agriculture Organization of the United Nations, the Interim Co-ordinating Committee for International Commodity Arrangements, the Preparatory Committee of the Trade and Employment Conference (particularly the draft resolution on international action relating to employment appearing in the report of the first session of this Committee), and by non-governmental organizations in Category A in regard to questions of particular concern to them, and bearing in mind that the action to promote full employment when unemployment or under-employment result from the lack of effective demand may differ from that which is appropriate when, as in devastated areas or undeveloped or under-developed countries, the obstacle is the deficiency of certain factors such as equipment, fuel and raw materials which are necessary to employ productively the available supply of labour.

The Council requested the Secretary-General to make the necessary provisions for carrying out the services suggested by the Commission and to assume the responsibility for drawing to the attention of the Commission and its Sub-Commission on Employment and Economic Stability any economic situations which should receive special consideration and, in particular, such developments as would, in the opinion of the Secretary-General, justify the calling of a session of the Economic and Employment Commission in accordance with its rules of procedure.

The Council also expressed the view that the Commission in carrying out its functions in regard to technical and other assistance to any country should be guided by the principle that such assistance should not be used for the purpose of exploitation or of obtaining political and other advantages exclusively for countries rendering such assistance.

On the question of the balance of payments the Council requested the Secretary-General

(a) to make the necessary arrangements for full and regular reports on and analyses of balances of payments in close co-operation with and using to the fullest extent possible the resources of the International Monetary Fund and other interested inter-governmental agencies in order to assist the Economic and Employment Commission and its Sub-Commissions in considering the economic problems related to or arising out of balances of payments; and

(b) to consult with the International Monetary Fund and other interested inter-governmental agencies with the view to developing standards of reporting data in the field of balances of payments.

c. Second Session

The Economic and Employment Commission held its second session from June 2 to 17, 1947, at Lake Success, New York.

It elected the members of the Sub-Commissions on Employment and Economic Stability and on Economic Development.

The Commission examined various aspects of economic development. It was suggested that development programs should be directed toward making nations less dependent on foreign markets, and that internationally assisted programs should be compatible with agreed international objectives, such as the expansion of world trade and economic stability. The Secretariat was requested to make comparative analyses of the patterns of industrialization. With regard to the means of development, emphasis was placed in the discussion on the availability of loan funds and the provision of technical assistance and advice. It was emphasized that such loans and assistance should be in the interest of the peoples of the countries receiving them, without political or other advantages accruing exclusively to the countries rendering them, and that programs of economic development should proceed in such a way as to promote economic stability and progress in both capital exporting and capital importing countries. The Commission endorsed the principle that small initial projects should be developed without waiting to see whether they could be included in larger projects.

The Commission recommended that the Economic and Social Council request the General Assembly to appropriate any additional funds that might be necessary for the Secretary-General to carry out the investigations recommended by the Commission, to provide technical assistance to Member Governments upon their request and to facilitate the co-ordination of the work of the Economic and Employment Commission and its Sub-Commission on Economic Development with the activities of the Economic Commission for Europe, the Economic Commission for Asia and the Far East and other commissions interested in economic development or reconstruction and with the International Bank for Reconstruction and Development and other specialized agencies with responsibilities in this field.

The Commission decided not to draw up a definitive program of reports on world economic conditions and trends but to proceed experimentally. It would make a comprehensive review, once each year, of world economic conditions and trends in the light of recommendations from its sub-commissions and include in its report to the Council its comments and recommendations. The Secretariat was to be left free to prepare, where appropriate in co-operation with the specialized agencies, and publish such reports and analyses as it found necessary and feasible in the light of changing world economic conditions and the consequent changing requirements of the Assembly, the Council, and its commissions and sub-commissions, taking into account suggestions made by members of the Commission, the Commission's instructions to its sub-commissions and the schedule of meetings of the Council, the Commission and its sub-commissions.

The Commission felt that the rehabilitation of the economics disrupted by war was a prerequisite to attaining world economic stability, and that, though considerable efforts had been made in this direction, much remained to be done. The abnormal rise in prices

had proved a handicap to recovery. The Commission submitted two resolutions on the subject for the consideration of the Council, as follows:

Resolution I

THE ECONOMIC AND SOCIAL COUNCIL

(a) URGES the Members of the United Nations to contribute within their capacities toward achieving the purposes of the Charter relating to the promotion of higher standards of living, full employment, and conditions of economic and social progress and development;

(b) RECOMMENDS to Member Nations that have already attained high levels of output that they take appropriate steps to maintain such levels in order to remain in a position to assist the world economy to attain full employment and economic stability;

(c) RECOMMENDS to Member Nations that have commodities which they can make available for the reconstruction of countries disrupted by war that they avoid, to the extent that their resources of foreign exchange permit, measures tending to reduce imports from countries in need of economic reconstruction in order to increase the ability of such countries to purchase their necessary requirements in international markets, and that they continue to make financial and other resources available to assist in providing essential goods to Members in need of economic reconstruction; and

(d) RECOMMENDS to Member Nations whose economies are in need of reconstruction that to the extent their resources permit they (i) direct their attention above everything else to increasing their production to a maximum level, (ii) adopt monetary and fiscal policies which will yield them the maximum assistance in increasing production without compromising economic stability, (iii) make every effort to maximize the use of their manpower in a manner which will afford the greatest possible efficiency, and (iv) avoid such measures restrictive of international trade as will reduce their ability to secure necessary imports and impair economic stability in other parts of the world.

Resolution II

THE ECONOMIC AND SOCIAL COUNCIL

(a) CALLS the attention of the Members of the United Nations to the existence of unemployment in a number of countries, which is reaching sizable proportions in some of the countries, and calls upon the Governments of the countries concerned to adopt all measures within their powers for the achievement of full employment;

(b) CALLS upon the Members of the United Nations to take measures towards lowering of abnormally high prices, especially for export goods; and

(c)[2] FAVORS loans and credits to Member Nations which are directed exclusively towards economic stability and reconstruction in the interests of the peoples of the countries receiving credit.

The Commission asked the Sub-Commission on Employment and Economic Stability to make recommendations on the longer-term problems of economic stability and full employment, taking into account the various suggestions made to the Commission.

The Commission appointed a representative to the Population Commission and suggested that the Economic and Social Council should recommend to the General Assembly that it appropriate such additional funds as might be necessary to carry out the essential secretariat functions relating to economic stability and development which had been requested by the Council.

D. ECONOMIC RECONSTRUCTION OF DEVASTATED AREAS

On February 2, 1946, the General Assembly had adopted a resolution which asked the Economic and Social Council to place the subject of the economic reconstruction of devastated areas on the agenda of its first meeting, as an urgent matter in the economic and social field.[1]

1. TEMPORARY SUB-COMMISSION ON ECONOMIC RECONSTRUCTION OF DEVASTATED AREAS

The urgent need for international assistance in the economic reconstruction of the devastated areas was discussed at the first session of the Council. The Council resolved that it was the function of the Economic and Employment Commission to advise it on the problems

[1] See p. 76.

[2] A motion to add the following words at the beginning of this paragraph was regarded as rejected in accordance with Rule 39 of the Commission's Rules of Procedure after two tied votes of 6 to 6:

"Supplementing the Resolution on Technical and Other Assistance of 28 March 1947."

of economic reconstruction of the devastated areas and other urgent economic problems arising from the war, including the methods of meeting short-term situations most consistently with the requirements of long-term economic policy. On the recommendation of that Commission, a Temporary Sub-Commission on Economic Reconstruction of Devastated Areas was established by resolution of the Council on June 21, 1946, at its second session.

The terms of reference of the Sub-Commission were to advise on:

(a) the nature and scope of the economic reconstruction problems of those countries which face great and urgent tasks in this field, whether by reason of occupation or physical devastation;

(b) the progress of reconstruction and the measures of international co-operation by which reconstruction in those countries might be effectively facilitated and accelerated.

For these purposes the Economic and Social Council authorized the Sub-Commission to make enquiries, with the consent of the governments concerned, in countries which had been occupied or devastated by war, except Germany and Japan, with a view to making a preliminary report on the problems of economic reconstruction in the countries visited, bearing in mind the special claims of countries which were Members of the United Nations. In considering the reconstruction problems of these countries, the Sub-Commission was instructed to take into account their economic relations with Germany and Japan and to obtain information as required through the governments of the occupying powers. Relations with neutral countries were likewise to be considered.

The Sub-Commission was comprised of the following Members: Australia, Belgium, Canada, China, Czechoslovakia, Ethiopia, France, Greece, India, Netherlands, New Zealand, Norway, Peru, Philippine Republic, Poland, Ukrainian S.S.R., U.S.S.R., United Kingdom, United States, Yugoslavia.

The Sub-Commission met in London on July 29 and concluded its session on September 13, 1946. The Sub-Commission consisted of two Working Groups, one for Europe and Africa and one for Asia and the Far East. It was decided that the Working Group for Asia and the Far East should confine its work in London to a preliminary discussion of the manner in which its enquiries could best be conducted at a later stage, and that the Sub-Commission should be mainly concerned in London with the writing of a preliminary report on Europe.

The Working Group for Europe and Africa appointed three sub-committees which made a detailed analysis of the material submitted by governments, inter-governmental agencies and the United Nations Secretariat, and conducted on-the-spot enquiries in Belgium, Czechoslovakia, France, Greece, Luxembourg, the Netherlands, Poland and Yugoslavia in order to supplement the information submitted, particularly data on the reconstruction and development programs of the devastated countries. After full discussion the Sub-Commission approved the reports and recommendations of the two Working Groups for transmission to the Council. In addition, the Sub-Commission agreed to refer to the Council a proposal for the establishment of an Economic Commission for Europe which had been presented originally by the representatives for Poland, the United Kingdom and the United States. The representatives for the U.S.S.R. and the Ukrainian S.S.R. reserved their position on the report as a whole.

The report was submitted to the Council at its third session. The report on Europe gave a picture of war devastation and of the progress of recovery in the devastated areas to date, on the basis of the data collected. The short-term and long-term problems concerning man-power, food, agriculture, fuel and power, major industries, housing, transport, finance and currencies and trade, were studied and an attempt was made to envisage the reconstruction of Europe as a whole. For each of the above fields measures of international co-operation were recommended.

A considerable proportion of the representatives on the Council were in general agreement with the report. Certain representatives, however, were of the opinion that the terms of reference of the Sub-Commission directed it to establish the short-term requirements of the devasted areas and that an adequate study of those problems had not been fully carried out. They further disagreed with the various references in the report to long-term problems and insisted that the proposal for the establishment of an Economic Commission for Europe should be examined at a later stage.

The Council adopted the following resolutions:

(i)

General Resolution

THE ECONOMIC AND SOCIAL COUNCIL having considered the Preliminary Report of the Temporary Sub-Commission on Economic Reconstruction of Devastated Areas of the Economic and Employment Commission;

1. REQUESTS the Secretary-General to transmit to the General Assembly, the Member Governments of the United Nations and to the specialized agencies the preliminary report and this present resolution for their consideration, and to call the attention of those Governments and agencies to the matters with which they are particularly concerned for appropriate action by them;

2. (a) REQUESTS the Secretary-General of the United Nations to undertake forthwith special studies of the needs of the devastated countries of the United Nations for long-term and short-term financing on favourable conditions of urgent reconstruction requirements (including the import of raw materials); to review the existing means of meeting such needs (including inter-governmental loans and credits, the International Bank for Reconstruction and Development, private and commercial credits); and to draw the attention of the Economic and Social Council to any cases where the existing means of financing these urgent reconstruction requirements appear to be insufficient;

(b) WELCOMES the recent announcement of the International Bank for Reconstruction and Development on the progress made in its organization and operations and expresses the hope that devastated countries of the United Nations, requiring funds for reconstruction purposes, will be able to take full advantage of the Bank's operations at the earliest possible date.

3. DRAWS the specific attention of the Member Governments and specialized agencies concerned to the following matters important for the reconstruction of devastated areas:

(a) The part which the International Monetary Fund can play within the framework of its Articles of Agreement to assist in the reconstruction of devastated areas by facilitating exchange of currencies;

(b) The necessity for coal-producing countries to continue their efforts to increase coal exports in order to meet the requirements of the devastated areas, and for countries producing mining equipment and supplies to increase production and exports to the countries in need;

(c) The furnishing of maximum assistance, including technical assistance, to promote the expeditious re-establishment of agricultural production;

(d) The urgent need for international co-operation in the utilization and training of man-power;

(e) The need for rehabilitation of transport;

(f) The widespread need for new machinery and equipment including agricultural equipment and the special need for spare parts including those formerly obtained from ex-enemy countries;

(g) The desirability of exchanging information and experience regarding urgent housing problems;

(h) The importance of reviving and expanding international trade;

(i) The need for increased production of electric power;

Requests the Secretary-General to take appropriate action to assist in the promotion of international co-operation on these matters.

(ii)

Resolution Endorsing the UNRRA Council Resolution

THE ECONOMIC AND SOCIAL COUNCIL

1. STRONGLY ENDORSES the recommendation made by the UNRRA Council at its Fifth Session in August 1946 that the General Assembly of the United Nations should "forthwith establish or designate such agency or agencies as it may deem appropriate" whose functions shall include:

(a) a review of the needs in 1947 for financing urgent imports of the basic essentials of life, particularly food and supplies for agricultural production, after the termination of UNRRA programmes to the extent that they cannot otherwise be met, and

(b) the making of recommendations as to the financial assistance which might be required to meet such needs as are found to exist as a result of foreign exchange difficulties which cannot be dealt with by existing agencies.

2. RECOMMENDS that the General Assemby, in view of the nature and urgency of the problem in certain countries as indicated in the preliminary report of the Temporary Sub-Commission on Economic Reconstruction of Devastated Areas of the Economic and Employment Commission, take appropriate action as soon as possible in connection with the above mentioned UNRRA Council resolution.

3. REQUESTS the Secretary-General to undertake immediately the collection and analysis of information relating to the subjects

enumerated in paragraph 1 above with a view to the submission of this data to the agency or agencies to be established or designated by the General Assembly, and recommends that other international organizations and Governments provide all possible assistance to the Secretary-General in the performance of this task.

(iii)

Resolution on Survey of the Economic Reconstruction of Devastated Areas in Asia and the Far East

THE ECONOMIC AND SOCIAL COUNCIL, having taken note of the preliminary report of its Temporary Sub-Commission on Economic Reconstruction of Devastated Areas and realizing the urgent need of the early carrying-out of a study on Asia and the Far East,

1. REQUESTS the Secretary-General of the United Nations to prepare background material on war devastation and reconstruction needs of the Asiatic and Far Eastern countries.

2. REQUESTS the Secretary-General to arrange a preliminary field survey of the territories concerned to be undertaken by the Working Group or certain Members thereof.

3. REQUESTS the Working Group for Asia and the Far East to reconvene in Nanking at a time designated by the Secretary-General, to study the material prepared by the Secretariat and information received from the preliminary field survey and from governments, and to prepare a preliminary report for submission to the Economic and Social Council at its first session in 1947.

(iv)

Resolution for Continuing the Work of the Sub-Commission on Devastated Areas in Europe

THE ECONOMIC AND SOCIAL COUNCIL instructs the Temporary Sub-Commission (Working Group for Europe and Africa) to reconvene if necessary at a date to be fixed by the Secretary-General for the purpose of preparing its final report with a view of making concrete proposals to further the reconstruction of devasted areas.[1]

(v)

THE ECONOMIC AND SOCIAL COUNCIL resolves that the proposal for the establishment of an Economic Commission for Europe be considered at the next ordinary or special session of the Council, certain delegations reserving the right to raise the matter at the General Assembly.

(vi)

THE ECONOMIC AND SOCIAL COUNCIL resolves that the following proposal be considered at the next ordinary or special session of the Council:

The status of the Temporary Sub-Commission for Economic Reconstruction of Devastated Areas be raised to that of a Commission to be called The Temporary Commission for Economic Reconstruction of Devastated Areas.

(Following the establishment of an Economic Commission for Europe and an Economic Commission for Asia and the Far East, the Economic and Social Council decided at its fourth session that the activities of the Temporary Sub-Commission on Economic Reconstruction of Devastated Areas should be terminated.)

2. ECONOMIC COMMISSION FOR EUROPE

The General Assembly on December 11, 1946, adopted a resolution noting the preliminary report of the Temporary Sub-Commission on Economic Reconstruction of Devastated Areas and the relevant resolution of the Economic and Social Council at its third session. It approved the Council's recommendations and urged the Members of the United Nations, the Economic and Social Council, and the specialized agencies and inter-governmental organizations concerned to take all possible steps which might lead to the early solution of the problems of the economic reconstruction of devastated areas. It also directed the Secretary-General to transmit to the International Bank for Reconstruction and Development the Assembly's opinion that the Bank should come into full operation as soon as possible. It recommended that the Economic and Social Council and its commissions should consider undertaking, in co-operation with the specialized agencies concerned, a general survey of raw material resources needed for the economic reconstruction of devastated areas. Finally it recommended that the Council at its next session should give prompt and favor-

[1] The Council agreed that the following proposal should be transmitted to the Temporary Sub-Commission (Working Group for Europe and Africa):

The Temporary Sub-Commission on Economic Reconstruction of Devastated Areas should undertake the necessary surveys in order to investigate the potential resources of the non-devastated countries with a view to ascertain how the needs of the devastated areas could be met with the products and raw materials available in the former countries.

able consideration to the establishment of an Economic Commission for Asia and the Far East.

The Temporary Sub-Commission on the Economic Reconstruction of Devastated Areas had submitted to the third session of the Council a detailed draft of the terms of reference of the proposed Economic Commission for Europe. The question was also considered by the Economic and Employment Commission during its first session, from January 20 to February 5, 1947. That Commission suggested that the terms of reference of the proposed Economic Commission for Europe should be formulated by the Economic and Social Council itself, taking into account the following guiding principles:

(a) The proposed Economic Commission for Europe, with the agreement of the respective governments, should initiate and participate in measures for facilitating concerted action for the economic reconstruction of Europe.

(b) The Commission should give prior consideration to measures to facilitate the economic rehabilitation and reconstruction of devastated countries which are Members of the United Nations.

(c) Immediately upon its establishment, the Commission should consult with the member governments of the Emergency Economic Committee for Europe, the European Coal Organization, and the European Central Inland Transport Organization with a view to the absorption or termination of these Organizations, while ensuring that there is no interruption in the essential work performed by them.

(d) In view of the special functions contemplated for the Commission, the Commission should be empowered to make recommendations on any matter within its competence directly to its member governments, governments admitted in a consultative capacity, and specialized agencies concerned, but the Commission should submit for the Council's consideration any of its proposals for activities that might have important effects on the economy of the world as a whole.

(e) Subject to such measures of financial and budgetary control as may be necessary, the Commission should be empowered to establish such subsidiary machinery as it deems appropriate for facilitating the carrying out of its responsibilities.

(f) The Council should consider measures to ensure that the necessary liaison is maintained between the Economic Commission for Europe and other organs of the United Nations, in particular the Economic and Employment Commission and the Economic Commission for Asia and the Far East.

The Commission recommended that the Council transfer future work on reconstruction in Europe from the Temporary Sub-Commission on Economic Reconstruction of Devastated Areas to the Economic Commission for Europe. It also recommended that the Council should consider the establishment of an Economic Commission for Asia and the Far East after the Temporary Sub-Commission on Economic Reconstruction of Devastated Areas had submitted its report on the reconstruction needs of these areas. The Commission drew to the Council's attention the fact that the General Assembly had not expressed any views on measures to be taken concerning the economic reconstruction of devastated areas in North Africa and Ethiopia although these areas were included in the scope of the activities of the Temporary Sub-Commission. It recommended that the Council consider the necessary measures.

The Transport and Communications Commission recommended to the fourth session of the Economic and Social Council the creation of a European Transport Organization to succeed the European Central Inland Transport Organization (ECITO).

The Secretary-General presented a memorandum to the fourth session of the Economic and Social Council, outlining a possible procedure for establishing the proposed Economic Commission for Europe, including the formation of a preparatory committee. The Council decided, however, to establish the Economic Commission for Europe forthwith and, after considerable discussion, determined its terms of reference.

The U.S.S.R. representative presented a series of amendments to the draft terms of reference of the Commission with the object of providing: that prior consultations with specialized agencies should not be mandatory on the Commission; that the Commission should not be required to report to the Council on its plan of future activities; that the competence of the Commission should extend only over its members and not over all European countries; that the Allied Control Authorities of the occupied territories should be admitted

in a consultative capacity on matters of particular concern to them; that inter-governmental organizations apart from specialized agencies should not be admitted in a consultative capacity; and that transport problems should be handled by the Transport and Communications Commission and should not be the concern of the Economic Commission for Europe. As none of these amendments was accepted by the Council, the U.S.S.R. representative abstained from voting.

a. Terms of Reference

The terms of reference of the Commission, adopted by the Council, were as follows:

1. The Economic Commission for Europe, acting within the framework of the policies of the United Nations and subject to the general supervision of the Council shall, provided that the Commission takes no action in respect to any country without the agreement of the government of that country:

(a) initiate and participate in measures for facilitating concerted action for the economic reconstruction of Europe, for raising the level of European economic activity, and for maintaining and strengthening the economic relations of the European countries both among themselves and with other countries of the world;

(b) make or sponsor such investigations and studies of economic and technological problems of and developments within member countries of the Commission and within Europe generally as the Commission deems appropriate;

(c) undertake or sponsor the collection, evaluation and dissemination of such economic, technological and statistical information as the Commission deems appropriate.

2. The Commission shall give prior consideration, during its initial stages, to measures to facilitate the economic reconstruction of devastated countries of Europe which are Members of the United Nations.

3. Immediately upon its establishment, the Commission shall consult with the member governments of the Emergency Economic Committee for Europe, the European Coal Organization and the European Central Inland Transport Organization with a view to the prompt termination of the first, and the absorption or termination of the activities of the second and third, while ensuring that the essential work performed by each of the three is fully maintained.

4. The Commission is empowered to make recommendations on any matter within its competence directly to its member Governments, Governments admitted in a consultative capacity under paragraph 8 below, and the specialized agencies concerned. The Commission shall submit for the Council's prior consideration any of its proposals for activities that would have important effects on the economy of the world as a whole.

5. The Commission may, after discussion with any specialized agency functioning in the same general field, and with the approval of the Council establish such subsidiary bodies as it deems appropriate for facilitating the carrying out of its responsibilities.

6. The Commission shall submit to the Council a full report on its activities and plans, including those of any subsidiary bodies, once a year and shall make interim reports at each regular session of the Council.

7. The members of the Commission are the European Members of the United Nations and the United States of America.

8. The Commission may admit in a consultative capacity European nations not Members of the United Nations and shall determine the conditions in which they may participate in its work.

9. The Commission shall invite representatives of the Free Territory of Trieste (when it is established) to participate in a consultative capacity in the consideration by the Commission of any matter of particular concern to the Free Territory.

10. The Commission may consult with the representatives of the respective Allied Control Authorities of the occupied territories, and be consulted by them for the purpose of mutual information and advice on matters concerning the economies of these territories in relation to the rest of the European economy.

11. The Commission shall invite any Member of the United Nations not a member of the Commission to participate in a consultative capacity in its consideration of any matter of particular concern to that non-member.

12. The Commission shall invite representatives of specialized agencies and may invite representatives of any inter-governmental organizations to participate in a consultative capacity in its consideration of any matter of particular concern to that agency or organization, following the practices of the Economic and Social Council.

13. The Commission shall take measures to ensure that the necessary liaison is maintained with other organs of the United Nations and with the specialized agencies.

14. The Commission shall adopt its own rules of procedure, including the method of selecting its Chairman.

15. The administrative budget of the Commission shall be financed from the funds of the United Nations.

16. The Secretary-General of the United Nations shall appoint the staff of the Commission, which shall form part of the Secretariat of the United Nations.

17. The headquarters of the Commission shall be located at the seat of the European office of the United Nations.

18. The first session of the Commission shall be called by the Secretary-General of the United Nations as soon as practicable after the Commission has been created by the Economic and Social Council.

19. Not later than 1951 the Council shall make a special review of the work of the Commission with a view to determining whether the Commission should be terminated or continued, and if continued what modification if any should be made in its terms of reference.

The Council also drew the attention of the Economic Commission for Europe to those parts of the first report of the Transport and Communications Commission relating to functions in the field of European inland transport and requested it

> to convene at the earliest possible date a meeting of transport experts drawn from its member Governments, from other European Governments admitted in a consultative capacity, and the Allied Control Authorities of the occupied countries and from appropriate European inter-governmental transport organizations, to formulate recommendations which shall form the basis of a report by the Commission to the Council at its fifth session, if possible, on the functions and organizational arrangements within the framework of the Commission required to deal with European inland transport problems in general.

b. First Session

The Economic Commission for Europe held its first session from May 2 to May 15, 1947, at Geneva.

The Commission elected as Chairman E. Warum (Denmark) and as Vice-Chairman J. Rudzinski (Poland).

The Commission decided that it would take the initiative in determining which non-member countries and inter-governmental organizations, as being of assistance to its work, should be admitted in a consultative capacity. As regards transport matters, it was decided to invite to a meeting of transport experts European non-member countries which had direct connections by road, rail or inland waterways with countries in continental Europe.

In addition to constitutional and organizational questions the Commission discussed the question of European inland transport and what functions of the Emergency Economic Committee for Europe and the European Coal Organization should be continued.

It instructed the Executive Secretary to approach the Allied Control Authorities in Germany with a view to ascertaining their views on how to collaborate with the Commission, and to make an immediate study of how to take over, without interruption, those of the functions of the Emergency Economic Committee for Europe which were considered essential.

The Commission also requested the Executive Secretary to convene a meeting of transport experts on May 27, 1947, in Geneva, to frame recommendations with regard to the functions and organizational structure of that part of the machinery of the Economic Commission for Europe which was to deal with transport matters. The meeting of experts was also to recommend practical measures connected with the termination of the activities of the European Central Inland Transport Organization and to outline the essential work in the field of European transport performed until now by ECITO which should be fully maintained in the transfer of activities to the Economic Commission for Europe. The Meeting of Transport Experts was held in Geneva from May 27 to June 6 and submitted recommendations to the Commission on these matters.

The Commission recommended that the European Coal Organization continue its activities until its functions were transferred to the Economic Commission for Europe and in any case not later than the end of 1947. It recommended that the Executive Secretary, after consultations with Member Governments, the Chairman of ECO, and such experts as necessary, present concrete proposals to the second session of the Economic Commission for Europe regarding the structure of the future coal body, its membership and position within the framework of the Commission, its rules of procedure and its terms of reference. The new coal body, the Commission proposed, should not carry out its recommendations without the approval of the interested governments.

Economic Commission for Asia and the Far East

The Working Group for Asia and the Far East met at Lake Success on February 14, 1947, for its second session. It was composed of representatives of Australia, Canada, China, France, India, Netherlands, New Zealand, Peru, Philippine Republic, U.S.S.R., United Kingdom and United States, under the chairmanship of China. After a general discussion of preliminary material laid before it by the Secretariat, it divided into two sub-groups: one to study and redraft the factual material on war devastation and the progress of reconstruction in the various countries; and the other to produce a general analysis leading to specific recommendations. The reports of the two sub-groups were then brought together into a single report. This report, which included recommendations formulated and approved by the Working Group, was presented to the Economic and Social Council at its fourth session.

The report stressed the number of people affected and pointed out that the physical devastation and the indirect injuries resulting from disrpution of the existing means of livelihood fell upon communities which for the most part even before the war lived at the margin of subsistence. It outlined the particular importance of the economic reconstruction of these countries to the other nations of the world.

The report covered China, the Indo-Chinese Federation, the Malayan Union, Singapore, Siam, Hongkong, Papua and New Guinea, the Philippine Republic, British Borneo, Burma, the Netherlands Indies, the Gilbert and Ellice Islands, the Solomon Islands, India, Portuguese Timor and Korea. It gave a general survey of war damage, and dealt with: living conditions and manpower; food, agriculture, and forestry; industry and mining; transport and communications, foreign trade and balance of payments; finance; and immediate needs for economic reconstruction.

The report also contained an analysis of reconstruction problems and suggested methods of organizing international aid.

It recommended that the Economic and Social Council should establish an Economic Commission for Asia and the Far East, and outlined certain guiding principles which it suggested that the Council should take into consideration.

a. Terms of Reference

After considering the report of the Working Group, the Council established an Economic Commission for Asia and the Far East with the following terms of reference:

1. The Economic Commission for Asia and the Far East, acting within the framework of the policies of the United Nations and subject to the general supervision of the Council, shall, provided that the Commission takes no action in respect to any country without the agreement of the Government of that country:

(a) initiate and participate in measures for facilitating concerted action for the economic reconstruction of Asia and the Far East, for raising the level of economic activity in Asia and the Far East and for maintaining and strengthening the economic relations of these areas both among themselves and with other countries of the world;

(b) make or sponsor such investigations and studies of economic and technological problems and developments within territories of Asia and the Far East as the Commission deems appropriate;

(c) undertake or sponsor the collection, evaluation and dissemination of such economic, technological and statistical information as the Commission deems appropriate.

2. The territories of Asia and the Far East referred to in paragraph 1 shall include in the first instance, British North Borneo, Brunei and Sarawak, Burma, Ceylon, China, India, Indo-Chinese Federation, Hong-Kong, Malayan Union and Singapore, Netherlands Indies, Philippine Republic and Siam.

3. The members of the Commission shall, in the first instance, consist of Australia, China, France, India, Netherlands, Philippine Republic, Siam, Union of Soviet Socialist Republics, United Kingdom and United States of America, provided that any State in the area which may hereafter become a Member of the United Nations shall be thereupon admitted as a member of the Commission.

4. The Commission shall invite any Member of the United Nations not a member of the Commission to participate in a consultative capacity in its consideration of any matter of particular concern to that non-member.

5. The Commission shall invite representatives of specialized agencies and may invite representatives of any inter-governmental organizations to participate in a consultative capacity in its consideration of any matter of particular concern to that agency or organization, following the practice of the Economic and Social Council.

6. The Commission shall take measures to ensure that the necessary liaison is maintained with other organs of the United Nations and with the specialized agencies.

7. The Commission shall adopt its own rules of procedure, including the method of selecting its Chairman.

8. The administrative budget of the Commission shall be financed from the funds of the United Nations.

9. The Secretary-General of the United Nations shall appoint the staff of the Commission, which shall form part of the Secretariat of the United Nations.

10. The first session of the Commission shall be called by the Secretary-General of the United Nations as soon as practicable after the Commission has been created by the Economic and Social Council.

11. The headquarters of the Commission shall be located at the seat of the office of the United Nations in Asia and the Far East. Pending the establishment of such headquarters, the temporary offices of the Commission shall be located at Shanghai, subject to review by the Economic and Social Council at its first session in 1948.

12. Not later than 1951 the Council shall make a special review of the work of the Commission with a view to determining whether the Commission should be terminated or continued, and if continued what modification if any should be made in its terms of reference.

The Council requested the Commission:

1. to consider at its first session, and prepare for submission to the fifth session of the Council, recommendations concerning:

(a) the membership of the Commission, including the provisions to be made for associating with the work of the Commission any territory or group of territories in the area that may be proposed from time to time by the member Government responsible for the international relations of such territory or group of territories;

(b) its geographical scope;

(c) any other changes in or additions to its terms of reference which the Commission may deem necessary or desirable. The Commission shall, in this connection, take note of all the documents before the Council and its Committee and the discussions thereon.

2. To undertake the collection of further information relating to economic reconstruction, and make such investigations, including enquiries in the field, as it may consider necessary, and to submit a report on the result of these investigations to the next or a subsequent session of the Council.

3. In assuming its work under paragraph 1 and 2:

(a) to meet at Shanghai to inaugurate investigations as stated under paragraph 2, and

(b) to appoint a committee of the whole to meet at the interim headquarters of the United Nations to consider the questions arising under paragraph 1 and to submit its recommendations to the fifth session of the Economic and Social Council.

4. To make recommendations to the Council regarding a temporary headquarters of the Commission.

The Council requested the Secretary-General, in framing an administrative budget for the Commission, to make suitable financial provisions for the cost of invstigations and field surveys.

The U.S.S.R. representative abstained from voting on the terms of reference of the Commission as a whole because he objected to the terms of a United Kingdom amendment adopted by the Council by 5 votes to 4 providing for the association with the work of the Commission of any territory or group of territories in the area proposed by the Member Government responsible for the international relations of such territories. He also objected to the provisions concerning the relations between the Commission and the specialized agencies.

The United Kingdom representative regretted that it had not been mentioned in the terms of reference that regard should be taken of existing machinery for international collaboration in the area concerned, as proposed in the report of the Working Group for Asia and the Far East, and instanced in particular the work of economic co-ordination being performed in South-East Asia by Lord Killearn's organization.

b. First Session

The Economic Commission for Asia and the Far East held its first session in Shanghai from June 16 to 25, 1947.

It elected T. F. Tsiang (China) as its Chairman, and Miguel Cuarderno (Philippines) Vice-Chairman.

The session was attended by representatives of specialized agencies.

The Commission considered the Report of the Working Group for Asia and the Far East and agreed that it set forth all the factors of economic reconstruction but that certain gaps existed in it which could be filled in only by detailed study.

The Commission decided that steps should be taken to complete the study of the Working Group and to analyze, in the light of all the information available, the short-term requirements of the countries within the geographical scope of the Commission in respect of essential reconstruction needs. It decided to ascertain how far these requirements could be met and to suggest measures to ensure their being met (a) from domestic sources; (b) from within the region; and (c) from all other sources.

It also decided that steps should be taken:

to suggest the measures necessary to facilitate training in the economic field of administrative and technical personnel of the countries concerned and the obtaining of competent technicians from outside by countries in need of them;

to examine any other matters relating to the reconstruction requirements of the area (such as obstacles to the flow of goods), the early consideration of which is essential for the completion of the above studies.

The Secretariat was instructed to make the necessary investigations with due regard to any investigations already carried out or now being carried out by other organs of the United Nations. The government of each country whose problems were being investigated was to be invited to associate itself with the investigations.

The Secretariat was requested to submit to the Commission's next session a report containing its suggestions, including suggestions with regard to the establishment of field teams where necessary, the character of such teams, their functions and the area wherein it was proposed that they operate.

A Committee of the Whole was set up to prepare a resolution for submission to the Economic and Social Council and to decide on the site for the next meeting of the Commission, which it was agreed should be held in the latter half of November. The Committee of Whole was scheduled to meet in New York on July 10, 1947. The U.S.S.R. representative abstained from voting on the Commission's decisions and objected to the procedure of setting up a Committee of the Whole with the right to report direct to the Economic and Social Council. The Indian representative also questioned the division of functions between the Commission and a Committee of the Whole and gave notice that he would, either at the meeting of the Committee in New York or at a later session of the Commission, move the inclusion on the Commission of other countries in Asia such as Burma, Ceylon, Indonesia and Viet-Nam, and would ask for a complete review of the Commission's present membership.

4. NEEDS OF NORTH AFRICA AND ETHIOPIA

A draft resolution proposing the establishment of a special Economic Commission for North Africa and Ethiopia was proposed by the representative of India at the fourth session of the Economic and Social Council. Certain members of the Council, however, expressed doubt as to whether North Africa and Ethiopia could be regarded as an economic whole and felt that further information was required.

The Economic and Social Council adopted the following resolution:

THE ECONOMIC AND SOCIAL COUNCIL TAKES NOTE of the fact, to which attention has been drawn by the Economic and Employment Commission in its report, that North Africa and Ethiopia were included in the scope of the activities of the Temporary Sub-Commission on Economic Reconstruction of Devasted Areas:

CONSIDERS THAT it is essential that the United Nations give simultaneous consideration to all war-devastated areas; and

REQUESTS the Secretary-General to make a field survey, with the concurrence of the Governments and administrations concerned and at their request, of the reconstruction problems of Ethiopia and of other devastated territories not included in the reports of the Temporary Sub-Commission on Economic Reconstruction of Devastated Areas, and to report to the Economic and Social Council at its next session the measures necessary to effect a speedy reconstruction.

5. SECRETARY-GENERAL'S INTERIM REPORT

As requested by the Economic and Social Council in its resolution of October 11, 1946, the Secretary-General arranged for studies of the needs of the devastated countries of the United Nations for long-term and short-term financing or urgent reconstruction re-

quirements, and for a review of the existing means of meeting such needs. A questionnaire was dispatched to the following Member Governments: Australia (for New Guinea), Belgium, China, Denmark, Ethiopia, France, Greece, India, Luxembourg, Netherlands, Norway, Philippines, Siam, U.S.S.R. (for Northern Korea), United Kingdom, United States (for Southern Korea) and Yugoslavia.

The Secretary-General presented an interim report to the fourth session of the Economic and Social Council. The report pointed out that as it was based on information submitted by governments, it did not include countries from which no information had been received; it dealt only with European areas to avoid overlapping with the studies of the Working Group for Asia and the Far East of the Temporary Sub-Commission on Economic Reconstruction of Devastated Areas; certain of the estimates supplied by governments were not on a comparable basis. The report also dealt with certain countries not Members of the United Nations on the grounds that the United Nations Special Technical Committee on Relief Needs after the Termination of UNRRA had considered all countries formerly assisted by UNRRA and that the existing means of international credit had been drawn upon both by Members and by non-members of the United Nations.

The import requirements and estimated balances of payment position for 1947 were estimated as follows:

(Millions of U. S. Dollar Equivalents)

Countries	Relief Reconstruction and Other Needs for 1947 (1)	Foreign Exchange Resources Available Against Import Programs for 1947 (2)	Deficit (1)	Deficit (2)
U.N. Member Countries				
Belgium-Luxembourg	1,650.0	1,290.0	360.0	
Czechoslovakia	757.0	642.0	115.0	
Ethiopia	90.2	30.8	59.4	
France	3,027.0	1,901.6	621.4[1]	
Greece	501.0	111.5	389.5	
Netherlands	1,326.0	1,003.0	323.0	
Poland	717.4	348.0	369.4	
Yugoslavia	467.5	132.1	335.4	
Non-Member Countries				
Austria	322.5	100.0	222.5	
Finland	332.5	319.8	12.7	
Hungary	147.0	50.5	83.0[1]	
Italy	1,506.8	911.0	595.8	
TOTAL	10,844.9	6,840.3	3,487.1	

In calculating the deficits the following resources were taken into account: gold holdings, foreign exchange balances, and long-term external assets; estimated foreign exchange receipts on current account and equivalent imports under barter agreements; unexpended balances of foreign loans and credits received and available for expenditure in 1947. Gold, foreign exchange balances, and long-term external assets were offset against the requirements only to the extent that governments had stated them to be available to meet these requirements.

The report outlines the following resources as potentially available to meet the deficits: additional relief grants and other contributions; reparations and restitution of property, including monetary gold; loans and credits. It stated that the major potential source of reconstruction loans in 1947 was the International Bank for Reconstruction and Development but that the situation with respect to urgent reconstruction requirements would not become clearer until the Bank had determined the extent to which its resources would be used to meet the applications for its assistance in 1947.

The Economic and Social Council by a majority of 15 for and 2 against passed the following resolution proposed by the Netherlands representative.

THE ECONOMIC AND SOCIAL COUNCIL HAVING TAKEN NOTE of the interim report by the Secretary-General on the needs of the devastated countries of the United Nations for long-term and short-term financing of urgent reconstruction requirements, accompanied by a review of the existing means of meeting such needs (document E/228);

RECOGNIZING the importance of continuing the study of the financial needs of the devastated countries of the United Nations;

RECOGNIZING that the financial difficulties which hamper the economic reconstruction of the devastated countries, Members of the United Nations, cannot be fully understood

[1] The deficit is arrived at by taking into account reductions in gold reserves.

unless the following facts are taken into account:

(a) that at present a substantial part of the goods imported by the devastated countries, Members of the United Nations, for the satisfaction of their most pressing needs, must be paid for in freely convertible foreign currency;

(b) that the limited amount of freely convertible foreign exchange available to these countries is further limited by the fact that the devastated countries of Europe are required to regulate their accounts with Germany in freely convertible foreign currency;

(c) that the foreign exchange receipts of these countries for the goods they export and the services they render are only to a small extent in freely convertible foreign exchange,

REQUESTS the Secretary-General

To continue, in close collaboration with the Governments concerned and with the International Monetary Fund, to study the questions under review in document E/288;

To extend the study to all devastated areas of the United Nations; and

To present to the Economic and Social Council, the Regional Commissions for Europe and for Asia and the Far East, and the Economic and Employment Commission, as early as possible a report indicating the financial needs and resources of the devastated countries of the United Nations in the immediate future, especially in respect of their requirements and receipts of freely convertible foreign currency; and

RECOMMENDS that the Governments concerned give the fullest co-operation to the Secretary-General in the performance of the above task.

E. RELIEF NEEDS AFTER THE TERMINATION OF UNRRA

The General Assembly on December 11, 1946, had established a Special Technical Committee consisting of ten experts serving in their individual capacities, designated by the Governments of Argentina, Brazil, Canada, China, Denmark, France, Poland, the U.S.S.R., the United Kingdom and the United States. The Committee was directed by the Assembly:

(a) to study the minimum import requirements of the basic essentials of life, particularly food and supplies for agricultural production of countries which the Committee believes might require assistance in the prevention of suffering or of economic retrogression which threatens the supply of these basic essentials;

(b) to survey the means available to each country concerned to finance such imports;

(c) to report concerning the amount of financial assistance which it believes may be required in the light of (a) and (b) above.

The Committee first met on December 18 and held 30 sessions. It submitted its report to the Secretary-General on January 23, 1947.

The Committee reviewed the data supplied by the Secretary-General in accordance with the General Assembly's resolution on the needs and resources for international payment of the following countries: Austria, Czechoslovakia, Finland, Greece, Hungary, Italy, Korea, Philippine Commonwealth, Poland and Yugoslavia. The Committee also heard additional evidence submitted by representatives of Austria, Czechoslovakia, Finland, Greece, Hungary, Poland and Yugoslavia, the Secretary-General of the International Emergency Food Council and the Chief of the Bureau of Supply of UNRRA. Replies were not received from the Byelorussian S.S.R. and the Ukrainian S.S.R.

The Committee drew up a minimum list of import requirements consisting of the basic essentials of life and of such other imports as were necessary to prevent suffering on the one hand or economic retrogression on the other, under the headings of food, agricultural supplies, textiles and footwear, medical supplies, fuel and industrial supplies; it calculated the foreign currency resources available to the countries under consideration for meeting the minimum import programs.

In calculating import requirements the Committee considered that capital items and imports required for reconstruction and rehabilitation of agriculture and industry damaged or destroyed by the war, or imports

intended to increase agricultural and industrial activity, were outside its terms of reference. It also made allowance for the carry-over of assistance from UNRRA during 1947.

In calculating the means of the countries concerned to finance the minimum import requirements out of their own resources, the Committee considered that such requirements should be regarded as a first charge upon the proceeds of exports and other free resources in foreign currency of these countries. At the same time the Committee recognized that certain exports, e.g. those governed by barter arrangements, could not be freely used to finance minimum import requirements and that certain loans were earmarked for other purposes.

The report of the Special Technical Committee was communicated by the Secretary-General to Members, and was noted by the Economic and Social Council at its fourth session. The Secretary-General also reported to the Council on activities under the General Assembly resolution on relief needs.

The U.S.S.R. representative on the Committee had made a statement criticizing the Committee's report on the ground that, owing to an inequitable approach to the assessment of relief requirements for various countries, the estimates computed were too high for certain countries and too low for others. Referring to this statement, the U.S.S.R. representative on the Council said that in numerous cases the present economic conditions of a country and the degree of devastation caused by the war were ignored, and that the requirements for fuel, capital equipment, clothing and other articles had been calculated on a purely mechanical basis, and were therefore frequently erroneous.

The Czechoslovak representative pointed out certain deficiencies in that part of the Committee's report which concerned Czechoslovakia, e.g. the statement that no grain deficiency was to be expected from Czechoslovakia, whereas that country had imported grain before the war and still needed to do so.

The resolution adopted by the General Assembly had also called on Members to assist in furnishing relief and had recommended that they should keep the Secretary-General informed concerning their plans for assisting in meeting relief needs in 1947, and concerning the progress of their relief activities.

In his letter of February 7, 1947, transmitting the report of the Special Technical Committee the Secretary-General called the attention of Members to the provisions of the resolution inviting information. The Secretary-General reported to the Council that he had not received official statements from Members concerning their plans, although in response to informal inquiries he had been assured that the matter would be seriously considered by appropriate governments departments and that he would be informed as soon as possible concerning plans for assisting in meeting relief needs in 1947. He would make this information available to Members when he had received it and was arranging for informal consultations among interested governments, in accordance with the General Assembly's resolution.

On February 19, 1947, the Secretary-General received a communication from the Director-General of UNRRA, requesting that the United Nations consider taking over the functions of UNRRA with regard to proceeds in the form of local currency derived from the sale of UNRRA supplies by receiving countries.

The matter was considered by the Economic and Social Council at its fourth session, and the Secretary-General was authorized to receive reports on the manner in which the proceeds were used and to transmit a report to the Council. The Cuban and U.S.S.R. representatives abstained from voting on this decision. The Cuban representative felt that the Economic and Social Council was not competent to make such a decision without previous authorization by the General Assembly. The U.S.S.R. representative objected to items being placed on the agenda at the last moment, pointing out that such a procedure made it impossible for representatives to consult competent organizations. He believed that there was no need for the Council to take any decision in the matter.

The General Assembly in its resolution of December 11, 1946, on relief needs after the termination of UNRRA directed the Secretary-General "to consider the ways and means of collecting and utilizing contributions from

persons, organizations, and peoples all over the world, equivalent to the earnings of one day's work for the purpose of helping to meet relief needs during 1947" and to report to Member Governments and to the Economic and Social Council. The Economic and Social Council was to take what action it thought appropriate.

The Secretary-General's report estimated that such a collection would materially help in furnishing funds for urgent relief needs, and would have a powerful moral and psychological effect. Countries which had themselves suffered should also participate, it was recommended, and the collection should be linked with an equitable system for the allocation of funds.

The report recommended that the collection be made available for the alleviation of distress among the world's children, adolescents, expectant and nursing mothers, without discrimination because of race, creed, nationality status, or political belief. For this purpose it was suggested that the International Children's Emergency Fund[1] should be the main recipient of the proceeds of the collection.

The Economic and Social Council considered the Secretary-General's report at its fourth session, and approved the "One Day's Pay" collection. Certain representatives left, however, that other forms of appeal might also be used, as being more adaptable to certain countries. The Council passed the following resolution:

THE ECONOMIC AND SOCIAL COUNCIL

HAVING CONSIDERED the report of the Secretary-General in virtue of paragraph 8 of the General Assembly resolution No. 48 (1) of 11 December 1946[2] and

TAKING NOTE of the General Assembly resolution No. 57 (1) of the same date and the need of the International Children's Emergency Fund for contributions:

1. APPROVES in principle the proposal for a special world-wide appeal for non-governmental voluntary contributions to meet emergency relief needs of children, adolescents, expectant and nursing mothers, without discrimination because of race, creed, nationality status, or political belief, by way of a "One Day's Pay" collection or some alternative form of collection better adapted to each particular country;

2. REQUESTS the Secretary-General to continue his exploration of the most appropriate procedures for carrying forward this work and to make such arrangements as may be necessary for this purpose, taking into account the circumstances, including the foreign exchange position, of each country.

3. REQUESTS the Secretary-General to report to the next session of the Economic and Social Council on the progress of this project;

4. URGES Governments to facilitate this voluntary effort, on the understanding that agreement will be reached between the Secretary-General and each country

(a) as to the disposal of the national collections,

(b) as to the purchase of supplies within the country for use elsewhere; and

5. AUTHORIZES the Secretary-General, after due consultations, to fix a date most suitable for the collection.

F. CONFERENCE ON RESOURCE CONSERVATION AND UTILIZATION

On September 14, 1946, by a letter from the United States representative to the Acting President of the Economic and Social Council, the United States proposed that a scientific conference be held in that country to consider the conservation and effective utilization of natural resources. At the same time the United States submitted a draft resolution recognizing the war's drain on natural resources, their importance to the reconstruction of devastated areas and the need for continuous development of the techniques of resource conservation and utilization, and proposing the establishment of a preparatory committee to prepare and carry through the conference. A letter to the United States representative from the President of the United States expressing his hopes for the approval of the proposed conference by the Council was also appended, together with a tentative program

[1] See p. 518 ff.

[2] See pp. 163, 164.

prepared by the departments of the United States Government concerned with resources.

The Council decided to retain the item on its agenda but to postpone decision on it until the fourth session of the Council, so that the interim period could be used for consultations among Member Governments, specialized agencies and the Secretariat.

On December 5, 1946, the Secretary-General wrote to the Governments of the United Nations and to the specialized agencies concerned calling their attention to the proposed scientific conference on resource conservation and utilization and offering his services to assemble any comments they cared to make. Replies were received from twenty governments and from the Food and Agriculture Organization and the International Bank for Reconstruction and Development. Certain replies expressed support of the proposal; others expressed certain reservations such as that it would not be possible to hold the conference in 1947 in view of the already heavy program of international conferences, that preparatory work should be undertaken either by an expert committee or by preparatory meetings on specific subjects, and that the conference should not be intended to lead to any explicit program of government action. The United States submitted an amendment to its original proposal to delete from the items proposed for the agenda the consideration of the major economic uses of atomic energy and to add certain items relating to irrigation problems.

The Council considered the matter at its fourth session, and general agreement with the idea of holding the conference, provided it was not held before 1948, was expressed. The U.S.S.R. representative expressed the view that fundamental emphasis should be laid on encouraging the investigation of the existence of natural resources in Non-Self-Governing Territories, including Trust Territories.

The Council adopted the following resolutions:

THE ECONOMIC AND SOCIAL COUNCIL

RECOGNIZING the importance of the world's natural resources, particularly due to the drain of the war on such resources, and their importance to the reconstruction of devastated areas, and recognizing further the need for continuous development and wide-spread application of the techniques of resource conservation and utilization,

DECIDES to call a United Nations Scientific Conference on the Conservation and Utilization of Resources for the purpose of exchanging information on techniques in this field, their economic costs and benefits, and their inter-relations; such conferences to be held not earlier than 1948;

DECIDES that the Conference be devoted solely to the exchange of ideas and experience on these matters among engineers, resource technicians, economists and other experts in related fields;

REQUESTS the Secretary-General

(a) to undertake the necessary preparatory work related to the scope and organization of the Conference program and to the consideration of the place and date of the Conference;

(b) in carrying out the task entrusted to him under paragraph (a), to consult with the representatives of the specialized agencies having important responsibilities in the fields related to the Conference program and to consider suggestions which may be submitted to him by Members of the United Nations;

AUTHORIZES the Secretary-General, if he deems it appropriate, to convene a preparatory committee of experts who in his judgment will assist him in carrying out the work described in paragraph (a);

REQUESTS the Secretary-General to keep the Council informed of his activities under the resolution.

G. PREPARATORY COMMITTEE OF THE INTERNATIONAL CONFERENCE ON TRADE AND EMPLOYMENT

The Council, at its first session, approved a resolution on February 18, 1946, concerning the calling of an International Conference on Trade and Employment in the latter part of 1946. The Council established a Preparatory Committee and appointed as members the representatives of the Governments of the following countries: Australia, Belgium, Luxembourg, Brazil, Canada, Chile, China, Cuba, Czechoslovakia, France, India, Lebanon, Netherlands, New Zealand, Norway, South Africa, the U.S.S.R., the United States of America and the United Kingdom.

The preparation of an annotated draft agenda, including a draft convention, for consideration by the conference, taking into

account suggestions submitted to it by the Council or by any Members of the United Nations, was entrusted to this Preparatory Committee. The Council suggested that the agenda to be discussed by the Preparatory Committee should include the following topics:

A. International agreements relating to:
(a) the achievement and maintenance of high and stable levels of employment and economic activity;
(b) regulations, restrictions and discriminations affecting international trade;
(c) restrictive business practices; and
(d) inter-governmental commodity arrangements.

B. The establishment of an international trade organization as a specialized agency of the United Nations having responsibilities in the fields of (b), (c) and (d) above.

The Council further requested the Preparatory Committee, when considering the foregoing items, to take into account the special conditions which prevail in countries whose manufacturing industry is still in its initial stages of development, and the questions that arise in connection with commodities which are subject to special problems of adjustment in international markets.

Finally, the Preparatory Committee was requested to make recommendations to a subsequent session of the Council regarding the agenda (including a draft convention), and the date and place of the Conference on Trade and Employment; and also what States, if any, not Members of the United Nations, should be invited.

In connection with the above resolution, the Council was informed that the Government of the United States had invited the Governments of fifteen countries controlling a substantial proportion of world trade to meet for the purpose of negotiating the reduction of specific trade barriers and discriminations in advance of the general Conference.

At the second session of the Council, the Secretary-General made an announcement in which he stated that it would not be possible to hold the International Conference on Trade and Employment until 1948 in view of the scope and complexity of the preparatory work which would be necessary before the Conference could be held. The Secretary-General announced, however, that arrangements were being made for the Preparatory Committee of the Conference to meet in London on October 15, 1946.

The first session of the Preparatory Committee was held in London from October 15, 1946, to November 26, 1946. Its report was considered at the fourth session of the Economic and Social Council. The report contained chapters dealing with: achievement and maintenance of high and steadily rising levels of effective demand, employment and economic activity; industrial development; general commercial policy; restrictive business practices; inter-governmental commodity arrangements; and the establishment of an International Trade Organization. Annexed to it was a draft Charter of the projected ITO.

The Preparatory Committee requested its Executive Secretary:

> to draw the attention of the Economic and Social Council to those portions of the Report of the Preparatory Committee which were concerned with the possible performance by the International Trade Organizations of functions in relation to industrial development and to ask the Economic and Social Council to state, before the commencement of the second session of the Committee, whether paragraph (3) of Article II of the Charter included provisionally in the Chapter on Economic Development is in accordance with the Council's views on the appropriate allocation of functions relating to economic development.

The Economic and Employment Commission considered that it was premature to attempt to make a rigid division of functions not yet allocated in the field of economic development amongst specialized agencies, commissions and sub-commissions of the Council, but stressed the desirability of co-ordinating policies and activities in this field with a view to providing complimentary rather than competitive technical services.

It saw no reason to suggest that Article 11 should be omitted from the draft Charter, but assumed that the Conference in formulating it would consider the responsibilities of existing specialized agencies in this field and the terms of reference established by the Council for the Sub-Commission on Economic Development. The Commission expressed its wish to be kept informed of the development of plans for the ITO's activities in this field.

Some members of the Council, however, felt that these recommendations of the Economic and Employment Commission were too negative.

The Council passed the following resolution:

THE ECONOMIC AND SOCIAL COUNCIL

HAVING CONSIDERED the request of the Preparatory Committee of the United Nations Conference on Trade and Employment contained in annex 8 of the Report of its First Session,

IS OF THE VIEW that it would be appropriate for the International Trade Organization to assume the functions relating to economic development as described in Article 11, paragraph 3 of the draft charter appended to the above-mentioned report. The Council expects that careful consideration will be given by the United Nations Conference on Trade and Employment to the final formulation of this paragraph in the light of the agreed purposes and functions of the International Trade Organization, bearing in mind

(a) the terms of reference established by the Council for the Economic and Employment Commission and its Sub-Commission on Economic Development, and

(b) the responsibility in this field of inter-governmental organizations which are now, or are qualified to be, specialized agencies under Article 57 of the United Nations Charter.

The Norwegian and U.S.S.R. representatives abstained from voting on the resolution on the ground that advising Members on economic development was a function of the Economic and Social Council and its Commissions rather than of the ITO, and it was important to avoid overlapping.

With regard to inter-governmental consultation and action on commodity problems the Preparatory Committee recommended:

that, insofar as inter-governmental consultation or action in respect of particular commodities is necessary before the International Trade Organization is established, the Governments concerned should adopt as a guide the Chapter on Inter-governmental Commodity Arrangements of the Charter appended to the Report of the Committee.

It requested the Secretary-General of the United Nations,

pending the establishment of the International Trade Organization, to appoint an Interim Co-ordinating Committee for International Commodity Arrangements, to consist of the Executive Secretary of the Preparatory Committee for an International Conference on Trade and Employment as Chairman, a representative from the Food and Agriculture Organization to be concerned with the agricultural primary commodities, and a person to be selected at the discretion of the Secretary-General to be concerned with non-agricultural primary commodities, this Committee to keep informed of inter-governmental consultation or action in this field and to facilitate by appropriate means such consultation or action.

The Economic and Employment Commission at its first session decided to defer consideration of international commodity controls, and to request the Secretariat to collect and analyze the necessary data.

The Economic and Social Council, at its fourth session, considering the measure of agreement regarding commodity problems and the co-ordination of commodity consultations reached in the first session of the Preparatory Committee on Trade and Employment and the Preparatory Commission on World Food Proposals of the Food and Agriculture Organization, decided, the Cuban and U.S.S.R. representatives abstaining, to recommend:

that, pending the establishment of the International Trade Organization, Members of the United Nations adopt as a general guide in inter-governmental consultation or action with respect to commodity problems the principles laid down in chapter VII as a whole, i.e. the chapter on inter-governmental commodity arrangements of the draft charter appended to the report of the first session of the Preparatory Committee of the United Nations Conference on Trade and Employment, although recognizing that discussions in future sessions of the Preparatory Committee of the United Nations Conference, as well as in the Conference itself, may result in modifications of the provisions relating to commodity problems.

The Council also requested the Secretary-General

to appoint an interim co-ordinating committee for international commodity arrangements to keep informed of and to facilitate by appropriate means such inter-governmental consultation or action with respect to commodity problems, the committee to consist of a chairman to represent the Preparatory Committee of the United Nations Conference on Trade and Employment, a person nominated by the Food and Agriculture Organization of the United Nations to be concerned in particular with agricultural primary commodities, and a

person to be concerned in particular with non-agricultural primary commodities.

In accordance with this instruction the Secretary-General appointed J. R. C. Helmore (Chairman), a member of the United Kingdom delegation to the Preparatory Committee of the United Nations Conference on Trade and Employment, representing the Preparatory Committee, L. A. Wheeler, of the United States Department of Agriculture, representing the Food and Agriculture Organization, and G. Peter, Director of Economic Affairs at the Ministry of French Overseas Territories, as members of the Interim Commodity Co-ordinating Committee.

At its second session the Economic and Employment Commission requested the Secretariat to prepare a report on the question of how shortages in important commodities constitute obstacles to reconstruction of devastated areas, to economic development of underdeveloped countries and to economic stability and full employment. The report was to be submitted to the Sub-Commission on Employment and Economic Stability and to the Sub-Commission on Economic Development.

H. RESOLUTIONS REGARDING ASSISTANCE TO THE FOOD AND AGRICULTURE ORGANIZATION

During its second session, the Council received a communication from the Chairman of a Special Meeting which had been convened by the Food and Agriculture Organization to consider international food problems, particularly those to which reference had been made in the resolution on world shortage of cereals adopted by the General Assembly on February 14, 1946.[1]

Following the consideration of the report of the Special Meeting, the Economic and Social Council adopted a resolution, on June 21, 1946, relating to the long-term aspects of the Special Meeting's recommendations. The resolution requested the Secretary-General to

offer all possible assistance to the Food and Agriculture Organization at all stages, in making the survey and in preparing proposals concerning longer-term international machinery with reference to food with a view to ensuring that these proposals are in harmony with the broad pattern of the United Nations for international economic organization and co-operation.

During the third session of the Council the Secretary-General reported on the discussions which had taken place on such longer-term proposals, referring particularly to the establishment by the Food and Agriculture Organization of a Preparatory Commission, in which representatives of the Council were invited to participate to consider proposals which had been made for the establishment of a World Food Board or of some other arrangement to achieve the same objectives.

On October 3, 1946, the Council adopted a resolution appointing the Chairman of the Economic and Employment Commission, or an alternate designated by him, to take part in the deliberations of the Preparatory Commission, and requesting the Secretary-General also to appoint a representative to speak especially for the Preparatory Committee of the International Conference on Trade and Employment. By the same resolution the Council requested the Secretary-General to report on these discussions to each session of the Council until the Preparatory Commission had completed its work, and requested the Economic and Employment Commission to "keep itself closely informed of the progress of the deliberations of the Preparatory Commission and to advise the Council as to the nature and timing of further measures that may be required in order to assure progress towards the basis objective."

A report was accordingly presented by the Secretary-General to the fourth session of the Economic and Social Council on the meetings of the Preparatory Commission on World Food Proposals from October 28, 1946, to January 24, 1947. Professor W. A. Mackintosh, as chairman of the Nuclear Economic and Employment Commission, represented the Economic and Social Council at the meetings of the Commission, and David Owen, Assistant Secretary-General in charge of Economic Affairs, was appointed by the Secretary-General to speak especially for the Preparatory Committee of the International Conference on Trade and Employment.

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[1] For text of the resolution, see p. 75.

The Preparatory Commission established two Committees, the first on development and food programs and the second on price stabilization and commodity policy. Later the two Committees held joint meetings.

In his report the Secretary-General listed nine items in the report of the Preparatory Commission of particular concern to the Economic and Social Council. These concerned:

(1) Population studies.

(2) Provision of information and advice on industrialization and general economic development.

(3) Requests by governments for missions to study the general exploitation of the resources of a country, both agricultural and industrial.

(4) Industrial development — the problem of selecting industries with reasonable prospects of economic success and of minimizing the dislocation in existing channels of trade.

(5) Finance for development projects and programs.

(6) Wise domestic finance in countries being developed.

(7) Co-ordination of activities of specialized agencies.

(8) Interim co-ordinating committee to facilitate and keep informed of consultation or action in respect of inter-governmental commodity arrangements.

(9) Representation of Economic and Social Council on proposed World Food Council.

The Council agreed to take no action on the report of the Secretary-General until the full Conference of FAO had considered the Report of its Preparatory Commission on World Food Proposals.

I. RESOLUTION ON FAO TIMBER CONFERENCE

A resolution was presented by the Czechoslovak representative at the fourth session of the Economic and Social Council recognizing the seriousness of the timber shortage, welcoming the initiative taken by the Food and Agricultural Organization in calling an international timber conference to meet in Czechoslovakia in April 1947 and urging participation in the conference by Members of the United Nations to whose economy the production, import or export of forest products was important.

The resolution was adopted by the Economic and Social Council with certain drafting changes aimed, *inter alia*, at including the whole problem and not, as in the original draft, merely the European aspects of it.

The resolution as adopted read:

THE ECONOMIC AND SOCIAL COUNCIL

RECOGNIZING the seriousness of the present timber shortage which is delaying reconstruction and threatening economic recovery in devastated countries,

CONSIDERING the urgent need for international consultation with regard to this problem,

CONSIDERING that in any immediate solutions which may be found, full consideration must be given to the long-range requirements of a sound afforestation policy,

WELCOMES the initiative taken by the Food and Agriculture Organization of the United Nations in calling an international timber conference to meet in Czechoslovakia on 28 April 1947;

NOTES with satisfaction the decision taken by the FAO that other conferences would be called in various parts of the world in 1947, in order to consider this problem;

REQUESTS the Secretary-General to arrange for representation of the United Nations at the conference in response to the invitation of the Food and Agriculture Organization of the United Nations, and

URGES the Members of the United Nations to whose economy Europe's production, import or export of forest products is important, whether immediately or from the point of view of longer-range development of potential resources and consumption requirements, to participate in the timber conference.

J. TRANSPORT AND COMMUNICATIONS PROBLEMS

1. TRANSPORT AND COMMUNICATIONS COMMISSION

The Council at its first session established the Temporary Transport and Communications Commission, in nuclear form, to advise it on the adequacy of the structure of international organization in the fields of transport and communication and on substantive problems in these fields. The Commission was directed to make a general review of international organization in the fields of transport and communications, to establish preliminary contacts with inter-governmental

agencies, to advise the Council with respect to the disposition of the functions of the Communications and Transit Organization of the League of Nations and to report to the Council after consultation with the appropriate inter-governmental agencies on substantive problems requiring immediate attention.

a. Terms of Reference

The terms of reference adopted by the Council at its second session in the light of the Report of the nuclear Commission were as follows:

> The functions of the Commission shall be:
> (a) to assist the Economic and Social Council in its tasks concerned with transport and communications problems;
> (b) to advise the Council on the co-ordination of the work of specialized agencies in the sphere of transport and communications;
> (c) to report to the Council, on its request, on the work of any of the specialized agencies in the sphere of transport and communications;
> (d) to advise the Council in fields where no permanent international organization yet exists and on problems which concern more than one sphere of transport or communications;
> (e) to suggest to the Council the creation of new agencies, or the conclusion of new conventions or the revision of existing conventions;
> (f) on instructions of the Economic and Social Council and when so authorized by convention or agreement between the parties, to perform the task of conciliation in cases of disputes between States and (or) specialized agencies, on problems concerning international transport and communications where not dealt with by other means;
> (g) to perform such other tasks as the Economic and Social Council may require of it on any question concerning international transport and communications;
> (h) to assist the Security Council, if so desired by the Economic and Social Council, in accordance with Article 65 of the Charter;
> (i) to assist the Trusteeship Council, if so desired by the Economic and Social Council, in accordance with Article 91 of the Charter.

In the five individual fields of transport and communications, aviation, telecommunications, postal services, inland transport and shipping, the Council considered the question of what inter-governmental organizations there should be and the suitability of certain existing specialized organizations to be brought into relation with the United Nations. In the aviation field the Council directed that negotiations should begin immediately with the Provisional International Civil Aviation Organization for establishing such a relationship. In the case of telecommunications, on the other hand, the Council considered that a world conference was needed to review the organization of the existing International Telecommunications Union and its radio regulations, while in both the telecommunications and postal fields it directed the Secretary-General to convene meetings of experts to draft proposals for bringing the International Telecommunications Union and the Universal Postal Union into relation with the United Nations, such proposals to be submitted by the competent national administrations to the Telecommunications Conference and the Congress of the Universal Postal Union respectively. The Secretary-General had brought the Council's decisions to the attention of the Members of the United Nations and was making arrangements for convening the meetings of telecommunications and postal experts.

The inland transport and shipping fields, in which, as contrasted with the case of the other three fields, there was no existing permanent world organization, were to be the subject of further study by the Transport and Communications Commission. With regard to inland transport, the Commission was to submit recommendations to the Council on the question of the forms of relationship and the organizations with which the Council should establish relationship. In the shipping field the Commission was directed to report the conclusions of its study concerning the question of the establishment of a world-wide intergovernmental organization to deal with technical matters. The Council, in addition, authorized the Secretary-General to seek the views of the United Maritime Consultative Council which was to meet in Amsterdam in June. The Secretary-General in accordance with this authorization requested the views of the United Maritime Consultative Council.

In addition to the organizational matters, the Council dealt with certain substantive questions brought to its attention by the Temporary Commission. It agreed that a commission of experts should prepare the ground for a world conference on passport and frontier formalities. It asked the Transport and Communications Commission to examine the situation and the machinery needed with

respect to co-ordination of activities in the fields of aviation, shipping and telecommunications with respect to safety at sea and in the air. The Council furthermore drew the attention of the interested Governments to two specific problems: the re-establishment and re-organization of inter-governmental and other international machinery for the co-ordination of rail problems in Europe, and the need for improvement of the present situation of inland waterways in Europe.

The continuation of the activities of the League of Nations Organization for Communications and Transit was entrusted in some instances to the relevant specialized inter-governmental organizations and in others to organs of the United Nations. In the latter category the Statistical Commission of the Council was to continue the study of the problem of the unification of transport statistics in collaboration with the Transport and Communication Commission and the interested specialized agencies; the Transport and Communications Division of the Secretariat was to publish the monthly summary of important events in the field of transportation and the periodical lists of multilateral conventions, agreements, etc., relating to transport and communications questions.

The Council at its third session recommended adoption by the General Assembly of the agreement with the Provisional International Civil Aviation Organization which had been negotiated pursuant to the decision of the Council at its previous session.

The Council supplemented its decision taken at the second session, requesting the Secretary-General to convene a meeting of experts to prepare for a world conference on passport and frontier formalities, by its decision at the third session to ask the Secretary-General to prepare and circulate to the Members of the United Nations the draft agenda of this meeting and in its preparation to take into consideration the discussions and recommendations of the Provisional International Civil Aviation Organization, the Conference of Official Travel Agencies meeting in London from October 1 to 7, the International Chamber of Commerce at its meeting in Paris June 20 to 21, 1946, and any other competent international group making recommendations on this subject. The Transport and Communications Commission was asked to report to the Council without delay on the question of the methods by which the Council could best be advised on travel questions.

The Council decided at its second session that the Commission should consist of one representative from each of fifteen Members of the United Nations selected by the Council. At its third session, the Council selected the following States to designate the initial members:

For two years	*For three years*
Brazil	Chile
India	China
Netherlands	France
Poland	Norway
United Kingdom	Union of South Africa

For four years
Czechoslovakia
Egypt
U.S.S.R.
United States
Yugoslavia

b. First Session

The Transport and Communications Commission held its first session from February 6 to 18, 1947.

It elected the following as its officers:

Chairman—J. J. Oyevaar (Netherlands)
Vice-Chairman—N. Y. Bezroukov (U.S.S.R.)

The Commission recommended that no special new international organization should be created to advise the Economic and Social Council on travel questions, but that this task should be undertaken by the Commission itself.

It took account of the decision adopted at the International Conference of National Tourist Organizations, held in London in October 1946, that an exploratory committee should study the international organization of the official technical tourist bodies and recommend whether the pre-war *Union internationale des organes officiels touristiques* should be revised and revived or whether a new organization was necessary. The Commission asked the Secretariat to follow developments in this connection and those concerning any other competent international group in this field and report to the Commission at its next session.

The Economic and Social Council at its fourth session entrusted the Transport and Communications Commission with the task of advising the Council on travel matters and requested it to follow international developments in this field and report to the Council from time to time.

2. Universal Postal Union[1]

As directed by the Economic and Social Council at its second session the Secretary-General called a meeting of governmental experts for the purpose of drawing up proposals on the establishment of relations between the Universal Postal Union and the United Nations.

The meeting was held at the United Nations Headquarters at Lake Success from December 10 to 18, 1946, and was attended by representatives of 39 countries. It adopted a draft agreement between the United Nations and the Universal Postal Union.

The Transport and Communications Commissions expressed pleasure at the results of the meeting of governmental experts and voiced the hope that the agreement would definitely be concluded at the forthcoming Congress of the Universal Postal Union in May.

The Economic and Social Council at its fourth session authorized the Committee on Negotiations with Specialized Agencies to enter into negotiations "at the appropriate time" with the Universal Postal Union for the purpose of bringing it into relationship with the United Nations, and to submit to the Council a report on the negotiations, including a draft preliminary agreement.

3. International Telecommunications Union[2]

The Commission took note that the meeting of governmental experts to prepare a draft agreement with the International Telecommunications Union, to be convened in accordance with the decision of the Economic and Social Council at its second session, would be held a few days prior to the forthcoming International Telecommunications Conference itself and in or near its meeting place. The Commission expressed the hope that an agreement bringing the International Telecommunications Union into relationship with the United Nations would be concluded during the Conference.

The Economic and Social Council at its fourth session authorized the Committee on Negotiations with Specialized Agencies to enter into negotiations "at the appropriate time" with the International Telecommunications Union for the purpose of bringing it into relationship with the United Nations and to submit to the Council a report on the negotiations, including a draft preliminary agreement.

4. Telecommunications Conference

The Transport and Communications Commission at its first session examined a U.S.S.R. proposal resulting from the decisions of the Five-Power Conference held in Moscow on October 21, 1946. This proposal urged that the Economic and Social Council ask the United States to call: (a) an administrative conference on May 15, 1947, "for the purpose of revising radio regulations and of redistributing frequencies among services, as well as for the organization of an international committee for the registration of wave-lengths,' and (b) a plenipotentiary conference on July 1, 1947, to revise the International Convention on Telecommunications and to reorganize the International Telecommunications Union. The proposal suggested that all nations which were Members of the United Nations as well as other States (excluding Franco Spain) "which possess their own territory and a permanent population, have a government of their own and possess the right of establishing diplomatic relations with other states," should be invited.

The United States representative felt that invitations should be sent only to members of the International Telecommunications Union, with the exception of Franco Spain. He mentioned that the invitations had already been sent and the proposed decision by the Economic and Social Council would only be confirmation of this action. The United Kingdom representative opposed the Soviet proposal on the ground that it would mean that the conference would be held outside of the existing International Telecommunications Union framework and would therefore create a new organization.

The Commission decided, with the United Kingdom representative in opposition and reserving his position, to adopt the points of the Soviet proposal referring to the calling of the two conferences. As regards the countries to be invited, it decided by a majority of 7 to 2, with 3 members abstaining, to suggest that invitations should be extended to all members of the International Telecommunications Union and to those Members of the United Nations not members of the Union, on the understanding that the possibility from the point of view of principle of approaching any government be left to the Economic and Social Council for decision.

[1] See Part Two, The Specialized Agencies.
[2] See Part Two, The Specialized Agencies.

When the question was again discussed at the fourth session of the Economic and Social Council, the Council decided, the U.S.S.R. representative abstaining, to adopt an amendment proposed by the United Kingdom representative as follows:

THE ECONOMIC AND SOCIAL COUNCIL

NOTES that the United States has issued invitations to a Radio-Communications Administrative Conference and to a Plenipotentiary Conference of the International Telecommunications Union on 15 May and 1 July 1947, respectively, and

ENDORSES the action of the United States in not inviting the Franco Government of Spain to these Conferences, in accordance with the resolution of the General Assembly of 12 December 1946.[1]

5. CONCILIATION OF DISPUTES

The Commission decided to bring to the attention of the Economic and Social Council the fact that its powers to deal with the conciliation of disputes, as foreseen in its terms of reference, did not include the transfer to the Commission of the task of the League of Nations Committee for Communications and Transit in connection with the settlement of disputes, as foreseen in several conventions in this field concluded under the League's auspices. The Commission decided by a majority vote to adopt provisionally the procedure followed in this respect by the League Committee.

6. PROPOSED SHIPPING CONFERENCE

As requested by the Economic and Social Council at its second session, the Secretary-General sought the views of the United Maritime Consultative Council on the question of establishing a future world inter-governmental organization in the field of shipping.

The United Maritime Consultative Council considered this question at its session in October 1946 and made recommendations, including a draft convention for the establishment of an inter-governmental maritime consultative organization.

The Transport and Communications Commission decided, with the abstention of the U.S.S.R. and Yugoslav members, to suggest to the Council the establishment of a world-wide inter-governmental organization in the field of shipping to deal with technical matters and the convening for this purpose by the Secretary-General of an international conference.

As the draft proposal of the U.M.C.C. was not strictly limited to the technical field, the Commission recommended that it should be used as a working draft to form the basis of discussion at the conference, and stressed the fact that governments would be free to present their views to the Conference. It suggested that governments should be requested to submit their comments and proposed amendments in advance so that these as well as the U.M.C.C. draft could be circulated to all governments participating in the Conference.

The Commission expressed the desirability that delegates to the Conference should have full powers to sign conventions concluded at the Conference so as to avoid the necessity of convening a second diplomatic conference to sign the adopted text.

It considered that the conference should be held in 1947 in Europe and recommended that as many countries as possible should be invited.

The Economic and Social Council discussed the proposal at its fourth session. Certain representatives questioned whether the proposed organization was necessary, and pointed out the burden, particularly for smaller countries, of a multiplicity of international organizations. The Council therefore decided that the proposed conference should consider the establishment of such an organization on the understanding that if it considered this favourably it should draw up the necessary convention. At the suggestion of the Indian representative, supported by other representatives, the Council also decided that the Conference should consider whether the proposed organization should deal with unfair restrictive practices by shipping concerns. The Council passed the following resolution:

THE ECONOMIC AND SOCIAL COUNCIL

REQUESTS the Secretary-General

(a) to convene a conference of interested Governments to consider the establishment of an inter-governmental maritime organization. The draft convention prepared by the United Maritime Consultative Council on this matter, concerning the scope and the purpose of the proposed organization, will serve as a working paper forming the basis of discussion for the conference. The conference will also consider if the scope and purposes of the organization should include the removal or prevention of unfair restrictive practices by shipping concerns;

(b) to circulate the above-mentioned draft convention to all the Governments invited to the conference;

(c) to inform the Governments which are

[1] See pp. 129, 130.

invited to the conference that any comments which they may wish to make on specific articles of the draft convention or amendments which they may wish to propose in advance of the conference, should be submitted to the Secretary-General for circulation to all Governments participating in the conference and for consideration by the conference itself;

(d) to draw up a provisional agenda for the conference including the items mentioned above;

(e) to invite all the Members of the United Nations, and the following Governments, to participate in the conference: Albania, Austria, Bulgaria, Eire, Finland, Hungary, Italy, Portugal, Roumania, Switzerland, Transjordania, Yemen.

THE ECONOMIC AND SOCIAL COUNCIL

EXPRESSES the hope that the Governments invited to the conference may give their respective delegations full powers enabling them to sign such convention on the establishment of an inter-governmental maritime organization as may be concluded at the conference.

THE ECONOMIC AND SOCIAL COUNCIL

REQUESTS the Secretary-General to invite the specialized agencies, inter-governmental organizations and international organizations in this field, as may be appropriate, to send observers to the conference.

The conference shall meet, if practicable, in the autumn of 1947, at a place to be determined by the Secretary-General after consultation with the President of the Council.

7. CO-ORDINATION OF ACTIVITIES IN AVIATION, SHIPPING AND TELECOMMUNICATIONS IN REGARD TO SAFETY AT SEA AND IN THE AIR

The Transport and Communications Commission at its first session took note of a communication from the United Kingdom Government concerning the conference with a view to revising the International Convention on the Safety of Life at Sea of 1929, on the basis of Article 61 of the Convention.

The Commission by a majority adopted a proposal submitted by the United Kingdom and United States delegations. The proposal provided that the Conference should invite the Provisional International Civil Aviation Organization, the Provisional Maritime Consultative Council, the International Telecommunications Union and the International Meteorological Organization to send representatives to the conference to join in the study of the best machinery for co-ordinating the air-sea rescue activities of these four organizations, and that recommendations should be submitted to the Economic and Social Council. The proposal provided that a committee consisting of one representative of each of the four organizations should be set up on the initiative of the Secretary-General to prepare a factual report describing existing measures for co-ordinating safety and rescue arrangements and, if possible, to make recommendations. The report of this committee would be sent to the Secretary-General for the information of the Transport and Communications Commission, and a copy forwarded for the consideration of the Safety of Life at Sea Conference.

The representative of Yugoslavia stressed the desirability of including Albania, Bulgaria and Roumania in the list of countries to be invited to the Conference, and the representative of the ILO expressed the Organization's desire to have its Joint Maritime Commission invited to attend the conference in a consultative capacity. The United Kingdom representative said that the suggestions in question would be brought to the notice of his Government.

The Economic and Social Council accepted the principle of the recommendations and adopted the following resolution:

THE ECONOMIC AND SOCIAL COUNCIL

After considering the suggestions of the Transport and Communications Commission concerning the co-ordination of activities in the fields of aviation, shipping and telecommunications, in regard to safety at sea and in the air,

TAKES NOTE of the fact that the United Kingdom Government, having convened the Conference on Safety of Life at Sea, is prepared to invite the necessary experts in the fields mentioned to the Conference, and also, preliminary to the Conference, to convene a preparatory committee of experts to consider the co-ordination of activities in these fields; and

INSTRUCTS the Secretary-General to continue the preliminary study of this problem which has already been commenced, to follow and assist the work of the preparatory committee and of the Conference itself, and to keep the Transport and Communications Commission informed of developments in this connection.

The U.S.S.R. representative stated his opposition to inviting representatives of Franco Spain to the Conference or representatives of PICAO, of which Spain was a member, to the preparatory committee. The United Kingdom Government stated that his Government

would pay regard to the Assembly resolution regarding Franco Spain, but doubted whether it would wish to exclude technical experts representing PICAO from the preparatory committee.

8. Proposed Inland Transport Organization

The Transport and Communications Commission considered the question of un-economic competition between the ports of Western Europe, submitted by the International Labour Organisation. It thought that the long-term aspect of the problem might be considered by a European Transport Body, if and when created, and decided to postpone to its next session consideration of the short-term aspect of the question since a report on the matter was already being prepared by the European Central Inland Transport Organization.

As requested by the Economic and Social Council, the Commission studied the question of inter-governmental agencies in the field of inland transport.

While recognizing that only the Governments composing ECITO should decide its date of termination, the Commission noted the general feeling of its members that ECITO should be terminated before the end of 1947, and preferably before the end of September. It considered that at present there was no suitable existing organization to carry on its general tasks, and that a new international organization for inland transport in Europe should be created to come into operation after the termination of ECITO.

The Commission thought that the new organization should have consultative and advisory functions in the whole field of inland transport, should perform such tasks as the United Nations might require of it in regard to any question concerning inland transport, and deal with the liquidation of any tasks not terminated by ECITO on its dissolution. It suggested the following general functions for the new organization:

1. To provide machinery for the discussion among governments of subjects of common interest in the field of inland transport.
2. To promote agreement on long-term inland transport policy in Europe.
3. To collaborate closely with the proposed Economic Commission for Europe, the exact nature of the relations to be determined when the character of the latter organization has been decided.
4. To promote action by the appropriate bodies in matters requiring their attention in their respective fields.
5. To promote, if necessary, the creation of new inland transport organizations in Europe, and/or the fusion of the organizations already existing in this field.
6. To encourage the removal of all forms of discriminatory action and unnecessary restrictions by governments in the field of international inland transport.
7. To promote the co-ordination of the different forms of international inland transport — rail, waterways, and roads.
8. To undertake the study of technical and economic problems in the field of international inland transport, to collect existing documentation and to promote the standardization and extension of statistics and documentation, and to provide for exchange of information among governments on matters under consideration by the organization.
9. To assist governments in the revision of existing international inland transport conventions and agreements, in the conclusion of such instruments; and to observe and report on their operation.
10. To advise governments on matters of international inland transport requiring conciliation and arbitration.

The Commission recommended that the structure of the proposed organization and its relation to the appropriate United Nations bodies should be examined by a conference of the interested governments. It suggested that the conference be convened by the Economic and Social Council, that it be held as soon as possible, that all countries with a major interest in European transport, including the occupying powers, be invited to participate, and other governments invited to send observers, and that the existing inter-governmental organizations in the field of European inland transport be invited to send representatives to the conference. It suggested that the conference be held in Paris.

Ten members of the Commission concurred in these recommendations, though the United States member stated that he would have preferred to leave the setting up of the European Transport Organization to the Economic Commission for Europe. The U.S.S.R. representative voted against the recommendations as he believed the question should be postponed until the Economic and Social Council had taken a decision concerning the Economic Commission for Europe. He objected in any case to giving the new organization functions other than technical and advisory. The Yugoslav member abstained from voting since he

doubted the necessity of creating a new transport body of the type of ECITO owing to the existence of other international bodies in this field.

Differences of opinion were expressed in the Commission regarding the structure of the proposed organization. Two different types of structure were suggested: (a) an intergovernmental agency of the same nature as the world-wide organizations in other fields of transport, with a council, technical committees and its own secretariat and a relationship with the United Nations similar to that of the world-wide organizations in other branches of transport, and absorbing at least some of the existing inter-governmental bodies; and (b) a commission of experts similar to the Transport and Communications Commission meeting occasionally and advising the European Economic Commission as the Transport and Communications Commission advised the Economic and Social Council, the existing regional bodies remaining autonomous bodies related to the Economic Commission for Europe.

The Commission considered three alternatives suggested by the ECITO Council Committee for the relationship of the proposed organization to various United Nations bodies:

1) The European Transport Organization to be linked directly to the Economic and Social Council, autonomous as regards the Economic Commission for Europe although closely linked with it;

2) The European Transport Organization to be a transport branch of the Economic Commission for Europe.

3) The European Transport Organization to be a branch of the Economic Commission for Europe but to have its own Transport Council, consisting of transport representatives of the member governments.

The continental European members of the Commission preferred the first alternative, but there was general agreement among the ten members concurring in the recommendations that it was difficult to determine the proper relationship of the proposed European Transport Organization to the Economic Commission for Europe in view of the lack of information concerning the character of the latter.

The Economic and Social Council at its fourth session decided to consider the question in connection with the setting up of the Economic Commission for Europe. In establishing the Commission it drew attention to those aspects of the Transport and Communications Commission relating to functions in the field of European inland transport, and requested the Commission to convene a meeting of transport experts to make recommendations on the machinery for dealing with European inland transport problems.[1]

After discussing the question of regional organization of inland transport in Asia and the Far East and in the Americas the Commission agreed as a first step to recommend to the Economic and Social Council that the Secretariat be asked to study and report on these matters and that it be authorized to seek the information required to make the study. These recommendations were approved by the Economic and Social Council, which also authorized the Secretary-General in studying the organization of inland transport in the Americas to take account, among other things, "of the views of the appropriate American inter-governmental transport organizations."

9. Passports and Frontier Formalities

The Meeting of Experts to Prepare for a World Conference on Passports and Frontier Formalities, decided upon by the Council at its third session, took place in Geneva from April 14 to 25, 1947, and was attended by representatives from thirty-one countries and observers from six others, as well as observers from various international organizations. The meeting adopted a report to the Economic and Social Council.

The meeting placed on record its view that the general abolition of the requirement of carrying a passport for purposes of foreign travel was not feasible at present, but that bilateral or multilateral agreements to waive this requirement should be encouraged on the basis of reciprocity. It recommended that the "international type" of passport recommended by the Passport Conferences held in 1920 and 1926, or an improved version which took account of the characteristics of the international type, should be generally used.

The experts also made recommendations designed to ensure the maximum duration and extent of validity of passports, and suggested that formalities for obtaining passports should be simplified as far as possible.

[1] See Economic Commission for Europe, p. 481 ff.

On the question of visas, the meeting, while feeling that in present circumstances the general abolition of visas was not practicable, recommended the universal abolition of exit visas and the reduction of preliminary exit formalities to a minimum. The meeting recommended the conclusion of inter-governmental agreements with the objective of a general abolition of entrance and transit visas. The meeting also made recommendations on the duration and extent of validity of visas, and on the reduction of charges and the simplification of the formalities for obtaining them.

The recommendations on frontier formalities included suggestions for simplifying the existing system: by expediting control; by combining control of passports, luggage, currencies and, where applicable, preliminary sanitary control; by allowing *bona fide* travelers to import under certain conditions funds in foreign currencies which they could later re-export; by simplifying the formalities for obtaining at frontiers posts the national currency required for the immediate needs of travelers; and by simplifying customs formalities.

The meeting suggested to the Economic and Social Council that it consider convening a further meeting of experts.

10. Danubian Vessels

The Council at its third session had before it proposals from the Yugoslav and Czechoslovak Governments recommending the restitution of the Danube vessels and barges belonging to Yugoslavia and Czechoslovakia, which had been removed by the German army, and were under the control of the United States occupation authorities in Austria and Germany. The United States representative and other representatives expressed the opinion that the question of the restitution of these vessels could not be separated from the broader problem of Danubian traffic in general. During the discussion the Greek delegation also submitted a proposal for restitution of Danubian vessels belonging to Greece taken over during the war by Roumania and Germany and now under the control of the U.S.S.R. occupation authorities; a number of the representatives maintained that the circumstances of this case were not sufficiently clear for discussion and the Council decided not to vote on it.

The Yugoslav and Czechoslovak proposals were rejected by the Council, which adopted a United States resolution recommending that a conference of representatives of interested States meet not later than November 1, 1946, for the purpose of resolving the problems of the resumption of international traffic on the Danube and establishing provisional operating and navigation regulations. It was pointed out that the provisions of supplementary rule K of the Rules of Procedure of the General Assembly (requiring due consultation with Members of the United Nations) applied in this case.

On October 8, 1946, the Secretary-General sent telegrams to the Governments of Czechoslovakia, France, Greece, the United Kingdom and the United States, the U.S.S.R. and Yugoslavia asking them for their views on the question of holding a conference to deal with the international traffic on the Danube. Since some States replied opposing the proposal, it was felt that no useful purpose would be served by convoking a conference in the immediate future.

K. FISCAL PROBLEMS

1. Fiscal Commission

a. Terms of Reference

At its third session the Council decided to establish a Fiscal Commission with the following terms of reference:

The Fiscal Commission shall:

(a) Study and advise the Council in the field of public finance, particularly in its legal, administrative and technical aspects;

(b) Advise the Council and other Commissions of the Council either upon their request or on its own initiative on the fiscal implications of recommendations made by the Commissions in their fields, and in general, cooperate in matters of common interest with other Commissions of the Council and other organs of the United Nations, including the specialized agencies.

The Council also directed that shortly after its creation, and thereafter when appropriate, the Commission should make recommendations and report to the Council with respect to its terms of reference, organization and program of work.

The Council decided at its second session that the Commission should consist of one

representative from each of fifteen Members of the United Nations selected by the Council. At its third session, the Council selected the following States to designate the initial members:

For two years	*For three years*
Belgium	Colombia
Czechoslovakia	Cuba
India	Lebanon
New Zealand	Poland
United States	U.S.S.R.

For four years
China
France
Ukrainian S.S.R.
United Kingdom
Union of South Africa

b. First Session

The Fiscal Commission held its first session at Lake Success, New York, from May 19 to May 29, 1947, and elected as its officers:

Chairman — Rodolphe Putman (Belgium)
Vice-Chairman — Pavel M. Chernyshev (U.S.S.R.)
Rapporteur — Dr. A. R. F. Mackay (New Zealand)

Owing to the illness of Mr. Putman, Mr. Chernyshev acted as Chairman after the first meeting.

The Commission established two temporary working committees for the duration of its first session: a Committee on Technical Problems of Public Finance in General and Information Required by the Commission for the Accomplishment of Its Tasks; and a Committee on International Tax Relations.

It recommended a program of work which the Secretary-General should be asked to undertake and in which Member Governments should be asked to assist him. The Commission recommended that he should be asked to: build up a fiscal information service, and make appropriate arrangements so as to be equipped to give, on request, technical information and assistance on fiscal matters; report to the Fiscal Commission cases where the programs approved by the Economic and Social Council or other Commissions had fiscal provisions or implications; request Member Governments to submit to the Secretariat for the use of the Fiscal Commission copies of publications issued by them relating to budgets, government revenue and other receipts, appropriations and expenditure, public debt and information on the most significant facts and trends relative to public finance in the course of each year; arrange for the compilation and publication of a Public Finance Survey 1937-1947 in continuation of the series *Public Finance* formerly published by the League of Nations, and for the publication of the volume "Public Debt 1914-1947", begun by the League of Nations; ascertain from the Economic and Social Council and other commissions whether any special studies of a technical nature should be made by the Fiscal Commission to advise such organs on the fiscal aspects of their inquiries; subject to the policies of the General Assembly and the Economic and Social Council, invite non-members to co-operate in supplying this information.

On the specific question of international tax relations the Commission recommended that the Secretary-General should be requested to:

(a) Make a review and revision of the work which has already been accomplished by the League of Nations in the field of international tax problems with particular reference to further action to be taken for the solution of such problems;

(b) Collect, publish and distribute the text of treaties for the prevention of double taxation, and for mutual assistance in the collection of taxes and the exchange of information;

(c) Obtain from Member Governments and compile information on administrative practices in Member countries, so that countries negotiating treaties may know what techniques are available for securing and exchanging information and for co-operating in the collection of taxes;

(d) Collect information on tax systems (including statutes, regulations and administrative practices) particularly those aspects of such systems which:

(i) in effect impose more burdensome taxes on foreigners than on nationals or on international transactions than on domestic, as for example: impose higher rates on foreigners; tax capital transfers in or out of the country; refuse foreigners the privilege accorded nationals of deducting expenses attributable to income from the taxing country; provide for presumptive or empirical tax assessments on foreigners;

(ii) in effect, make special concessions to foreigners, or to international transactions;

(iii) give taxes extra-territorial applications;

(iv) tax international travel, transport and communications;

(v) make special tax provisions for foreign held public debt.

(e) Collect detailed documentary material on internal tax legislation in every country to the extent to which such legislation covers foreign nationals or resources;

(f) Collect from Member Governments their comments on the model bilateral tax conventions prepared at the Regional Tax Conference held in Mexico City in 1943 under the auspices of the Fiscal Committee of the League of Nations and at the final session of the Fiscal Committee held in London in 1946. The comments should cover the three types of treaties: double taxation of income; double taxation of estates and successions; reciprocal administrative assistance. These comments should be circulated to the members of the Fiscal Commission well in advance of the next session;

(g) Study these problems from the point of view of their effects on international trade and investment.

It further recommended that the Secretary-General should invite Member Governments to report on fiscal problems which in their opinion should be given consideration by the Fiscal Commission.

It was the understanding of the Commission that Members would furnish only such official information as was generally accessible in accordance with applicable internal regulations.

L. STATISTICAL PROBLEMS

1. Statistical Commission

At its first session the Council established a Statistical Commission, in nuclear form, to report back to the Council on the functions and the scope of work which the permanent Statistical Commission should undertake.

a. Terms of Reference

The Council considered the report of the nuclear Commission at its second session and decided that the terms of reference of the Statistical Commission should be as follows:

The Commission was to assist the Council:

(a) in promoting the development of national statistics and the improvement of their comparability;

(b) in the co-ordination of the statistical work of specialized agencies;

(c) in the development of the central statistical services of the Secretariat;

(d) in advising the organs of the United Nations on general questions relating to the collection, interpretation and dissemination of statistical information;

(e) in promoting the improvement of statistics and statistical methods generally.

Further, the Council decided that:

(a) the Statistical Commission should formulate recommendations concerning the methods by which the activities of quasi-governmental and non-governmental statistical organizations may be related to those of the United Nations in fostering international co-operation in the improvement of statistics;

(b) a central statistical unit should be organized within the Secretariat of the United Nations;

(c) arrangements should be made whereby the Secretariat of the United Nations would maintain, without interruption, the statistical activities of the League of Nations.

The Council decided at its second session that the Commission should consist of one representative from each of twelve Members of the United Nations selected by the Council. At its third session the Council selected the following States to designate the initial members:

For two years	*For three years*
China	Canada
Netherlands	India
U.S.S.R.	Mexico
United States	Ukrainian S.S.R.

For four years
France
Norway
Turkey
United Kingdom

In addition the Council may appoint in their individual capacities not more than twelve corresponding members from countries not represented on the Commission. Such members are to be appointed with the approval of the Governments concerned.

b. First Session

The Statistical Commission held its first session from January 27 to February 7, 1947. It elected the following as its officers:

Chairman — H. Marshall (Canada)
Vice-Chairman — P. C. Mahalanobis (India)
Rapporteur — S. A. Rice (United States)

The Commission heard statements from representatives of the specialized agencies on their statistical activities, and made recommendations for the co-ordination of these activities with those of the United Nations. These recommendations were adopted by the Economic and Social Council in the following resolution:

THE ECONOMIC AND SOCIAL COUNCIL,

TAKES NOTE of the report of the first session of the Statistical Commission, and

DECIDES as follows:

THE ECONOMIC AND SOCIAL COUNCIL,

TAKING NOTE of the recommendation of the Statistical Commission regarding the co-ordination of statistical activities of the United Nations and the specialized agencies relating to the collection, interpretation and dissemination of statistical information,

REQUESTS the Secretary-General to make periodic reports at sessions of the Statistical Commission on progress achieved in developing administrative instruments, procedures, and agreements through which effective statistical co-operation may be secured between the United Nations and the specialized agencies. The initial report should be made at the second session of the Statistical Commission and should include the following items:

(a) A comprehensive inventory of the statistical activities and needs of all the constituent organs of the United Nations, the specialized agencies, and inter-governmental organizations qualified to be specialized agencies under Article 57 of the Charter.

(b) The extent to which complete or partial duplication may exist among these activities and needs.

(c) The proposed distribution of primary responsibilities for the collection and publication of statistics in various specialized fields among the specialized agencies and the Statistical Office of the United Nations, taking into account the agreements reached between the specialized agencies and the United Nations.

(d) The steps taken to co-ordinate the collection and publication of such statistics together with proposed methods of achieving further co-ordination.

(e) Proposals to arrange for the collection and publication of statistical data required for international purposes which may not already be adequately provided through the statistical activities of the United Nations or the specialized agencies.

(f) The extent to which the objectives of the agreements existing between the United Nations and the specialized agencies with respect to statistical services have been realized. The report should point out the difficulties, if any, which have been encountered in carrying out the agreements and the means which should be undertaken to remove such difficulties.

The Statistical Commission at its first session also requested the Statistical Office of the United Nations to consult with the International Monetary Fund and other interested agencies with a view to developing standards of reporting data in the field of balance of payments, and requested the Secretary-General to report on the subject to the Commission at its next session.

The Statistical Commission expressed the view that the appropriate functions of the United Nations and the specialized agencies on the one hand, and those of non-governmental organizations interested in statistics on the other should be:

(a) That the United Nations and specialized agencies have responsibilities for the collection, analysis, and publication of statistics required in the performance of their assigned tasks and for the general development and improvement of an adequate and co-ordinated international statistical system;

(b) That non-governmental international organizations interested in the development of statistics should maintain and develop their scientific and professional character and should direct their activities toward the development of statistical methodology and scientific standards, the interchange and diffusion of knowledge, the training of statisticians, and the maintenance of high professional competence.

The Commission recommended that the Economic and Social Council should admit to consultative status international organizations interested in the development of statistics which so requested and which would be guided by this definition of roles, and should request the Secretary-General to be guided by the definition in his discussions with these organizations so as to avoid undesirable duplication, and report periodically on these discussions to the Commission.

The Economic and Social Council at its fourth session requested the Secretary-General, in developing relationships with such non-governmental organizations, to be guided by the principles set forth by the Statistical Commission, and especially to consider the desirability of:

(a) eliminating duplication in statistical programmes and activities as between such organizations and the United Nations;

(b) assuming responsibility for such statistical activities as might be more appropriately undertaken by the United Nations than by the non-governmental organizations.

The Commission stressed the urgency of securing, so far as possible, comparability in the statistics of different countries with regard to "industrial classification" and recommended:

(a) That the Secretary-General obtain from Governments, copies of their industrial classifications (copies of classifications for statistical nomenclature), covering all branches of economic activity, now in use or under consideration by them, together with any explanatory notes which may be available and that this information be collated;

(b) That a report on the data received be submitted to a Committee of the Statistical Commission in order that it may plan and consider a future program of work in this field;

(c) That the Economic and Social Council authorizes the Statistical Commission in addition to appoint a Committee of Experts, at a date to be specified by the Commission. This Committee shall consist of not more than seven members to serve in their individual capacities and to make proposals to the Statistical Commission on a standard industrial classification.

The Commission elected a Committee on Industrial Classification composed of six members of the Commission.

The Statistical Commission also recommended that the publication of national income and expenditure data should be undertaken promptly in order to provide comparable figures for as many countries as possible.

The Economic and Social Council at its fourth session passed the following resolution:

THE ECONOMIC AND SOCIAL COUNCIL

HAVING NOTED with approval the recommendations of the Statistical Commission regarding its program for the development of an international standard industrial classification,

AUTHORIZES the Statistical Commission to invite individual experts, not more than seven in number, to work with the Committee on Industrial Classification established by the Commission to make proposals to the Commission on a standard industrial classification.

The Statistical Commission expressed the wish to assume formally the functions of the Committee of Statistical Experts set up under the International Convention relating to Economic Statistics (1928) and requested the Secretary-General to prepare a report on the assumption by the United Nations of responsibilities entrusted to the League of Nations under this Convention, for consideration by the Commission at its next session.

On the recommendation of the Commission, the Economic and Social Council requested the Secretary-General:

(a) to arrange for the publication of the following technical papers prepared under the direction of the League of Nations Committee of Statistical Experts:

(i) Measurement of national income and the construction of social accounts,

(ii) Banking statistics, recommendations on scope and principles of classification,

(iii) Note on balance of payments statistics;

(b) to collect any comments received or to be received from Governments on the technical papers cited above, and in consultation with the appropriate agencies to make these comments available in connection with any work undertaken in the fields to which these papers relate.

The Commission endorsed the proposal to prepare a Supplement to the *Monthly Bulletin of Statistics*, and recommended that a revised edition of the Supplement should be endorsed periodically. The Economic and Social Council endorsed these recommendations.

2. Sub-Commission on Statistical Sampling

The Economic and Social Council had authorized the Statistical Commission to establish a Sub-Commission on Statistical Sampling, to consist of not more than nine members. The Commission established the Sub-Commission and nominated its members. It recommended that the Secretary-General should request R. A. Fisher (United Kingdom) to serve as consultant to the Sub-Commission. It directed the Sub-Commission:

(a) To draft recommendations to the Commission concerning its detailed terms of reference and composition in conformity with Chapter VII of the report of the nucleus Commission;

(b) To examine the status of the methods used in applications of statistical sampling in different countries and in different fields of subject matter;

(c) To give special consideration to the use of statistical sampling methods in meeting the actual needs of the United Nations, the specialized agencies and non-governmental organizations brought into consultative status with the United Nations with a view to filling gaps in the information needed by them;

(d) To examine the possibility of using sampling methods to assess the reliability of complete enumeration;

(e) To give special consideration to those fields in which sampling methods are to be preferred to complete enumeration in respect of reliability, speed, cost and other factors.

3. World Statistical Congress

At the third session of the Economic and Social Council the Lebanese representative drew attention to the expectation that during the latter part of 1947 there would be a number of important international meetings relating to statistical matters in the United States. He made the proposal that the Secretary-General, in consultation with the Statistical Commission, should explore "with those responsible for the organization of such meetings and with the appropriate specialized agencies, the practicability and desirability of co-ordinating the arrangements being made in such a manner as to constitute a World Statistical Congress in September 1947, under the aegis of the Economic and Social Council, and should make a report and recommendations on this matter to the Council at its next meeting." Several representatives, however, preferred that the matter should be referred for consideration to the Statistical Commission. The Council decided to approve the proposal in the form set out above.

In accordance with this resolution the Statistical Commission was asked for its views on this proposal. It recommended that such a conference should be held and expressed the view that:

> It would be desirable for the Economic and Social Council to assume responsibility for a limited program of general meetings under its auspices to be known as the World Statistical Congress, focusing attention upon the statistical activities of the United Nations, the specialized agencies, and non-governmental organizations. The arrangements for such meetings should be co-ordinated with those of the international organizations which are scheduled to meet during the same period.

The Statistical Commission also made recommendations concerning participation in the Congress of Members of the United Nations, specialized agencies, non-governmental organizations and officials of the United Nations; co-ordination with the organizations planning statistical meetings; circulation of the agenda. The Population Commission endorsed the recommendations of the Statistical Commission. (The representatives of the U.S.S.R., the Ukrainian S.S.R. and Yugoslavia did not participate in this decision).

The Secretary-General reported to the Economic and Social Council on the estimated cost of holding the Congress and on the practicability of holding it in September 1947.

On the basis of these recommendations the Economic and Social Council at its fourth session passed the following resolution:

> The Economic and Social Council
> Taking Note of the recommendation of the Statistical Commission regarding the desirability of holding a World Statistical Congress
>
> Decides to convene a World Statistical Congress, to be held in Washington, D. C. in September 1947, consisting of a limited programme of general meetings focusing attention upon the statistical activities of the United Nations, the specialized agencies, and non-governmental organizations;
>
> Invites Members of the United Nations to participate in the World Statistical Congress by naming delegations consisting of an adequate number of leading statisticians of their countries;
>
> Invites the specialized agencies, intergovernmental agencies, and interested non-governmental organizations to participate by sending to the Congress officials responsible for their statistical activities and by co-ordinating the time and place of their statistical meetings with those of the World Statistical Congress; and
>
> Requests the Secretary-General
> (a) to arrange for the participation of appropriate officials of the United Nations in the Congress;
> (b) to circulate the agenda for the Congress sufficiently well in advance of the meeting to enable Member Governments to determine the composition of their delegations; and
> (c) to work with representatives of organizations planning statistical meetings during the same period, and to take such other action as he may consider necessary and appropriate in connection with the arrangements for the Congress.

M. POPULATION PROBLEMS

1. Population Commission

a. Terms of Reference

The Council decided at the third session to establish a Population Commission (replacing the former name of Demographic Commission) with the following terms of reference:

> The Population Commission shall arrange for studies and advise the Council on:
> (a) population changes, the factors associated with such changes, and the policies designed to influence these factors;

(b) inter-relationships of economic and social conditions and population trends;

(c) migratory movements of population and factors associated with such movements;

(d) any other population problems on which the principal or subsidiary organs of the United Nations or the specialized agencies may seek advice.

The first task of the Population Commission was to be the drawing up of a specific programme of work based on its terms of reference and taking into account any modifications in those terms of reference which the Commission might wish to recommend to the Council.

The Council decided at its second session that the Commission should consist of one representative from each of twelve Members of the United Nations selected by the Council. At its third session the Council selected the following States to designate the initial Members:

For two years	*For three years*	*For four years*
China	Australia	Brazil
United Kingdom	Canada	Netherlands
United States	France	Peru
U.S.S.R.	Ukrainian S.S.R.	Yugoslavia

In order to maintain close liaison between the Population Commission and other bodies concerned with population problems, the Council decided that the Population Commission should invite representatives from the Economic and Employment Commission, Statistical Commission, Social Commission and, until such time as the World Health Organization should become a specialized agency, from the Interim Commission of the World Health Organization, such representatives to take part in the proceedings but not to be entitled to vote.

b. First Session

The Population Commission held its first session from February 6 to February 19, 1947. It elected the following as its officers:

Chairman	— **Alberto Arca Parró (Peru)**
Vice-Chairman	— V. A. Rabichko (Ukrainian S.S.R.)
Rapporteur	— **David Glass (United Kingdom)**

The Commission restricted itself to preparing a limited interim program, and recommended that the Secretary-General prepare outlines for certain more comprehensive long-term work. It expressed the view that it was at present desirable to avoid any strict lines of demarcation between the work of the Population Commission and that of other commissions, in particular the Statistical Commission.

The Commission heard statements from the representatives of the Food and Agriculture Organization, the International Labour Organisation, the United Nations **Educational,** Scientific and Cultural Organization and the World Health Organization, and considered questions of collaboration between the Commission and the specialized agencies. It recognized the need of the Food and Agriculture Organization for statistics, estimates and studies relating to population and recommended that the Economic and Social Council should request the Secretary-General to provide means whereby in collaboration with the Food and Agriculture Organization the data needed by that Organization might be supplied.

The Economic and Social Council passed the following resolution:

THE ECONOMIC AND SOCIAL COUNCIL

TAKES NOTE of the report of the first session of the Population Commission and decides as follows:

TAKING NOTE of the report of the Population Commission on the needs of the Food and Agriculture Organization for population statistics, estimates, and studies, in connection with the current activities of that organization; and

RECOGNIZING that statistics, estimates, and studies on these subjects are needed also by other specialized agencies and branches of the United Nations and by Member States;

RECOMMENDS the Secretary-General:

1. to provide means whereby the population statistics, estimates, and studies needed by the United Nations and by the various specialized agencies may be supplied in collaboration with the agencies concerned, taking into consideration the question of appropriate allocation of costs in accordance with the agreements existing between the United Nations and the specialized agencies;

2. to report to the Population and Statistical Commissions at their next sessions on steps taken to this end.

2. International Census Plan

The Statistical Commission at its first session recommended that the Economic and Social Council should (1) welcome the steps which were being taken to conduct co-operatively population censuses of American nations; (2) express the belief that the experience gained in this co-operative project would be of value to Member Governments to their own countries, and serve as a basis for useful conclusions in possible projects in all countries of the world; and (3) request Member Governments taking part in the 1950 Census of the Americas to keep the Secretary-General and the Statistical Commission informed as to the development of the project and furnish to the Secretary-General copies of schedules and basic documents of this census, to be distributed to each Member Government of the United Nations.

The Population Commission at its first session endorsed these recommendations and recommended that the Economic and Social Council should in addition encourage Member States proposing to take censuses in or around 1950 to use comparable schedules, and request the Secretary-General to: (1) offer advice and assistance to Members preparing to take comparable censuses; (2) co-operate with FAO and Member States intending to participate in the proposed World Census of Agriculture; and (3) keep Member States and the Statistical and Population Commissions informed of developments under these heads.

The Economic and Social Council at its fourth session, passed the following resolution:

The Economic and Social Council

Taking Note of

1. The recommendations of the Statistical Commission regarding the 1950 Census of the Americas;
2. The Population Commission's endorsement of these recommendations;
3. The further recommendations of the Population Commission regarding international census plans;

Records its welcome of the steps which are being taken to conduct co-operatively population censuses of American nations and agricultural censuses of all nations of the world;

Expresses its belief that the experience gained in the preparation and conduct of these co-operative projects will be of great value to Member States in their own countries, and will serve as a basis for useful conclusions in possible population census projects in all countries of the world;

Recommends that all such Member States as are proposing to take censuses in or around 1950 use comparable schedules, so far as it is possible to do so; and

Requests

1. The Secretary-General to offer advice and assistance to all such Member States as are prepared to take comparable population censuses, whether by complete enumeration or on the basis of a scientific sample.
2. The Secretary-General to co-operate with the Food and Agriculture Organization and with all such Member States as intend to participate in the proposed 1950 world census of agriculture.
3. That Member States taking part in the 1950 census of the Americas and the 1950 world census of agriculture keep the Secretary-General informed as to the development of the projects.
4. That Member States taking part in the 1950 census of the Americas furnish the Secretary-General with copies of schedules and basic documents of this census, as they are prepared, which he shall distribute to all Member States of the United Nations.
5. The Secretary-General to keep Member States and the Statistical and Population Commissions informed on developments under the above heads.

3. Demographic Data

The Population Commission recommended that the Economic and Social Council should authorize, in addition to any inclusion of population statistics in general annual or other periodic publications of the United Nations, the publication by the Secretary-General of a Demographic Yearbook, on the ground that the quantity and nature of the data desirable for demographic purposes went beyond the scope of general publications published by the United Nations and the specialized agencies. The statistical data contained in the Yearbook, should be taken from official statistics published or supplied by separate governments or calculated by the Secretariat with the consent of the separate governments concerned.

The Commission recommended that the Secretary-General should be requested to prepare for its consideration at its next session an outline of the contents of the proposed Yearbook, taking into account the needs of the United Nations and of the specialized agencies. It also recommended that he should be requested to consider publishing in the

Yearbook, or separately, an annual digest of legislation concerning sources of population data, population changes, and migration. It recommended that the first issue of the Yearbook should be published not later than 1948.

These recommendations were approved by the Economic and Social Council at its fourth session.

The Population Commission also made recommendations on the need for improving the accuracy, comparability and usefulness of demographic data, and the Statistical Commission emphasized the need for taking steps to make statistics compiled by different countries more comparable.

On the basis of these recommendations, the Economic and Social Council at its fourth session adopted the following resolution:

THE ECONOMIC AND SOCIAL COUNCIL

TAKING NOTE OF

1. The report of the Population Commission on the need for improving the accuracy, comparability, and usefulness of demographic data;

2. The concern expressed in the report of the Statistical Commission, regarding the urgency of working towards greater comparability of data through uniformity of definitions and classifications;

REQUESTS the Secretary-General to prepare, for consideration by the Population Commission at its next session (in consultation with the Statistical Commission and the specialized agencies concerned), proposals:

(a) for effecting greater comparability of basic data and summary statistical measurements relating to fertility, mortality (including infant mortality), characteristics of the population, international and internal migration and the labour force, whether such data are derived from complete census, sampling, registration, or administrative operations;

(b) For improving the quality of such data;

(c) For increasing their usefulness in relation to the needs of the United Nations and of the specialized agencies.

4. POPULATIONS OF TRUST TERRITORIES

The Population Commission suggested that a study should be made of the populations of Trust Territories. It recommended that the Economic and Social Council should offer its assistance to the Trusteeship Council with respect to population data and population problems of the Trust Territories, and more specifically that it should propose to the Trusteeship Council the collection of data making possible a demographic study for each Trust Territory. Meantime, the Commission proposed, the Secretary-General should be authorized to proceed with such a study within the framework of existing data. The Commission outlined certain questions which should be answered by such a study. It recommended that the Secretary-General should issue on the basis of the studies a series of reports on the demographic characteristics of the populations of individual Trust Territories. It also recommended that he should be asked to prepare, in time for the next session of the Commission, a report on concrete achievements in the fulfilment of the task.

The Commission members from the Ukrainian S.S.R., the U.S.S.R. and Yugoslavia thought that similar studies should also be carried out for other Non-Self-Governing Territories, and the Commission member from Brazil thought it necessary that such studies be made for all areas of the world.

The Economic and Social Council accepted the recommendations of the Population Commission in the following resolution:

THE ECONOMIC AND SOCIAL COUNCIL

TAKING NOTE OF the report of the Population Commission on the desirability of studies of the population of Trust Territories;

OFFERS ASSISTANCE to the Trusteeship Council, in acordance with the Charter of the United Nations (Chapter XII, Article 75. and Chapter XIII, Articles 88 and 91), with respect to population data and population problems of the Trust Territories;

PROPOSES to the Trusteeship Council the collection of data through the questionnaires provided by Chapter XIII, Article 88, which will make possible a demographic study for each of the Trust Territories, covering the following subjects:

(a) The dynamics of the past population growth and present numbers;

(b) Birth and mortality rates (particularly infant mortality), the mean expectation of life and the prospects of population growth;

(c) The distribution of the population by occupations and educational levels;

(d) The density and distribution of the population in specific areas of the given territory;

(e) Migration of the population.

REQUESTS the Secretary-General:

1. Pending the collection of the above data, to proceed with studies of the population of Trust Territories within the framework of existing data, covering the subjects listed above, elaborating and analyzing them with

reference to sex and age groups and to the separate ethnic and racial groups composing the population of each Territory;
(2) Issue, on the basis of these studies, a series of reports on the demographic characteristics of the population of individual Trust Territories;
(3) Prepare, for consideration by the population Commission at its next session, a report on concrete achievements in the fulfilment of this task.

5. Population Growth

On the recommendation of the Population Commission, the Economic and Social Council passed the following resolution concerning population growth in relation to economic conditions:

THE ECONOMIC AND SOCIAL COUNCIL

TAKING NOTE OF the report of the Population Commission concerning studies of population growth in relation to economic conditions,

REQUESTS the Secretary-General to formulate, for consideration by the Population Commission at its next session, a statement indicating the steps which might be taken to encourage studies by Member States of the most favourable rate of population change from the economic and social points of view.

6. Study of Demographic Problems

The Population Commission, while deciding not to prepare at its first session final plans for its future, long-term work, drew attention to the necessity of studying the interplay of the economic, social and demographic factors hindering the attainment of an adequate standard of living and cultural development of the population of certain countries. It also drew attention to certain specific questions. On its recommendations, the Economic and Social Council at its fourth session passed the following resolution:

THE ECONOMIC AND SOCIAL COUNCIL

TAKING NOTE OF the report of the Population Commission regarding the necessity of studying the interplay of the economic, social and demographic factors which hinders the attainment of an adequate standard of living and the cultural development of the population in certain countries,

REQUESTS the Secretary-General to prepare for consideration by the Population Commission at its next session, a plan of study of demographic problems in connection with the subjects listed below, for those countries the Governments of which shall request assistance in the study of these problems:

(a) Size and rate of growth of the population;
(b) Population distribution and density in various parts of the country;
(c) Social conditions among the people;
(d) Degree of industrial development;
(e) Character and conditions of land use;
(f) Social and occupational composition of the population;
(g) Distribution of the people by level of education.

The Population Commission also recommended that the Economic and Social Council should take into consideration the fact that devastated areas had suffered not only material damage, but also losses to their populations through the last two world wars.

It further recommended that the Economic and Social Council should instruct the Secretary-General to take steps to ensure that as soon as possible sufficient qualified staff be provided to implement the Commission's proposals.

7. Migration Questions

The question of migration was considered by both the Social and Population Commissions at their first sessions. The Social Commission recommended to the Economic and Social Council the constitution of an *ad hoc* technical committee composed of members representing the Social and Populations Commissions and such representatives of the appropriate specialized agencies, particularly the ILO, as they might invite, to consider the documentation on migration to be submitted by the Secretariat to this committee.

This recommendation was endorsed by the Population Commission at its first session.

The Economic and Social Council, however, considered that further consideration of the question was necessary and adopted the following resolution:

THE ECONOMIC AND SOCIAL COUNCIL

HAVING CONSIDERED the recommendations of the Population and Social Commissions relating to migration questions, and being of the opinion that further consideration of these questions by the Council should be postponed pending further study,

INVITES the Commissions concerned, after appropriate consultations, to report to the Council on a practical plan for the allocation of functions, without duplication of work, among the various organs concerned in the field of migration, and

REQUESTS the Secretary-General to make such preliminary studies as would facilitate and expedite the work of the Commissions.

N. SOCIAL PROBLEMS

1. Social Commission

a. Terms of Reference of Temporary Social Commission

The Council set up a Temporary Social Commission, in nuclear form, at its first session, charged with the following tasks:

(a) to make a general review of international organization in the social field, and of problems not dealt with by existing organizations, with a view to making recommendations to the Council at an early date regarding the structure of commissions and sub-commissions and possibly of new specialized agencies which it appears desirable to maintain or establish.

(b) to report to the Council on the advisability of bringing under the Council the activities in the social field hitherto carried on by the League of Nations, and such other activities as the work on the treatment of offenders now carried on by The International Penal and Penitentiary Commission;

(c) to assume on an interim basis pending the establishment of permanent machinery, the work of the League of Nations on such social questions as traffic in women and children and child welfare;

(d) to report to the Council on substantive problems in the social field requiring immediate attention.

b. Terms of Reference of Permanent Social Commission

In the light of the report submitted by the Temporary Commission to the Council at its second session, the Council decided that the terms of reference of the permanent Commission should be:

(a) to advise the Council on social questions of a general character and in particular on all matters in the social field not covered by specialized inter-governmental agencies;

(b) to advise the Council on practical measures that may be needed in the social field;

(c) to advise the Council on measures needed for the co-ordination of activities in the social field;

(d) to advise the Council on such international agreements and conventions on any of these matters, as may be required, and on their execution;

(e) to report to the Council on the extent to which the recommendations of the United Nations in the field of social policy are being carried out.

The Council also referred the following matters to the Social Commission:

(a) The observations of the Temporary Social Commission concerning provision needed in the social welfare field included in section XI of its report, and its suggestions as to methods by which such work might be carried on are referred to the Social Commission for early study and recommendation to the Economic and Social Council.

(b) The observations and recommendations concerning the activities of the League of Nations in the social field included in Section XIV of the report of the Temporary Social Commission are referred to the Social Commission with the request that, in the light of conditions prevailing in the post-war world

(i) it consider the best way of carrying on the functions undertaken by the League with reference to traffic in women and children and all measures designed to prevent such traffic;

(ii) it consider how work in the child welfare field can be effectively carried out, in co-operation with those international organizations which are concerned with particular aspects of these problems, and take steps to create a sub-commission especially constituted for work in the child welfare field;

(iii) it consider how effective machinery can be developed for studying on a wide international basis the means for the prevention of crime and the treatment of offenders, undertake consultation with the International Penal and Penitentiary Commission, and recommend a scheme by which work on this whole subject can be fruitfully delt with on a broad international basis in close association with other social problems.

(c) The observations of the Temporary Social Commission in section XV of its report concerning social problems requiring immediate attention, especially problems in countries directly affected by war or under enemy occupation to which first priority should be given and in countries which are under-developed, are referred to the Social Commission with the request that it give special attention to these problems and particularly to the urgent need for finding some way of dealing with the important aspects of the work of the United Nations Relief and Rehabilitation Administration, mentioned in the report, after it is brought to a close. The Social Commission is also asked to consider the desirability of setting up international machinery in the fields of housing and town and country planning.

The Council decided at its second session that the Commission should consist of one representative from each of eighteen Members of the United Nations selected by the Council.

At its third session, the Council selected the following States to designate the initial members:

For two years	*For three years*
Czechoslovakia	Colombia
France	Netherlands
Greece	New Zealand
Union of South Africa	Peru
U.S.S.R.	United Kingdom
United States	Yugoslavia

For four years

Canada
China
Denmark
Ecuador
Iraq
Poland

c. First Session of Social Commission

The Social Commission held its first session at Lake Success, New York, from January 20 to February 4, 1947, and elected the following as its officers:

Chairman — Frantisek Kraus (Czechoslovakia)
Vice-Chairman — David Wilson (New Zealand)
Rapporteur — Henry Hauck (France)

The Commission took note, as being either directly or indirectly within its terms of reference, of various subjects falling under the headings of: the standard of living; social services; and social policy applying to special areas. It also approved suggestions made by the Secretariat under which the Secretariat would include in a periodical report to the Commission all the documentary material necessary to enable the Commission to advise the Economic and Social Council.

The Commission considered the transfer to the United Nations of the activities, powers and functions formerly exercised by the League of Nations relating to the traffic in women and children, the prevention of crime and treatment of offenders, and child welfare.

2. Temporary Social Welfare Committee

The Economic and Social Council had recommended to the Commission the establishment of a sub-commission on child welfare. The Commission decided to establish a Temporary Social Welfare Committee to determine the best method of providing for work in the field of child welfare and in particular to consider whether a sub-commission should be constituted in the near future, how it should be composed and what terms of reference it should have. The Committee was to submit a report containing concrete proposals to the Commission's next session. The Commission felt that certain other unresolved questions relating to social welfare might be referred to the Temporary Social Welfare Committee.

While the Commission felt that the primary responsibility of the sub-commission on child welfare would be to develop and put into action a general long-range program on behalf of the children of the world, whereas the International Children's Emergency Fund had been created for the benefit of children and countries affected by the war, it recommended that the Temporary Committee should consider the desirability of including in the sub-commission's terms of reference certain particularly urgent matters:

a. welfare of child war victims, especially in the devastated countries (material, juridical, social and moral welfare measures); practical international mutual aid;
b. welfare and re-education of children, physically or mentally handicapped, or in moral danger (furnishing of suitable equipment and model institutions);
c. organization of child welfare work in insufficiently equipped countries.

The Temporary Committee was also to consider how far the study of measures to be taken for the development of a social sense and a spirit of national and international mutual aid amongst the young should be included in the sub-commission's terms of reference.

The Secretariat, the Commission recommended, should proceed immediately to carry on necessary research and provide necessary advisory services to governments and international agencies, relative to activities in the field of child welfare. This recommendation was approved by the Council.

The Economic and Social Council at its fourth session approved the setting up of the Temporary Welfare Committee and the composition and functions assigned to it.

The Commission suggested a program of future activities for the Secretariat, including a report on how far the various social questions were being studied by the International Labour Office, and measures of co-operation with specialized agencies and non-governmental organizations. The Economic and

Social Council requested the Secretary-General, after consultation with the appropriate specialized agencies and inter-governmental organizations, to report to a future session of the Social Commission on the extent to which social questions within the terms of reference of the Social Commission had been or were being studied by the specialized agencies and inter-governmental organizations and to suggest appropriate measures to enable the Commission effectively to carry out the tasks entrusted to it—in particular the study of standards of living in under-developed countries and areas.

The Temporary Social Welfare Committee met at Lake Success from February 4 to 18, 1947, and from April 16 to 24. Its third session opened on June 30. The report of the Committee was to be submitted to the next session of the Social Commission.

3. Social Welfare Service

a. Program of Work

The Commission considered that while certain sectors of the social field came within the province of specialized agencies, welfare work was not within the competence of any agency and should receive special attention from the Commission. It considered particularly: training of social welfare staff, protection of children and adolescents, and transfer to the United Nations of the urgent and important advisory functions exercised by UNRRA in the field of social welfare.

The Commission recognized that the improvement of social welfare services depended essentially on the existence of specially trained staff to administer these services. It believed that the Division of Social Questions should be adequately staffed with technicians experienced in the administration of welfare services, with a view to advising governments in drawing up their national programs in the social sphere. It also believed that there should be supplementary staff to furnish the necessary technical service in connection with the transfer of welfare services from UNRRA and to assist in the administration of important national and international relief and reconstruction programs.

The Commission requested the Temporary Social Welfare Committee established by it to give priority to developing an emergency program to meet urgent needs. Such a program should include (1) consultation to governments on developing training programs; (2) the provision of fellowships to give experienced staff an opportunity to observe new methods in other countries; and (3) the supplying of technical literature. Financial provision was made for continuing these activities under the United Nations. The Commission agreed that the Secretariat should assume the functions exercised by the League of Nations as regards the training of qualified social service personnel, but thought the Secretariat should assume a more positive role than had the League. It thought that a long-range program should include: (1) assistance to governments on the development of training programs; (2) the permanent establishment of an international exchange of students (fellows) and instructors in schools of social work along the lines of the fellowship program being taken over by the United Nations from UNRRA.

In discussing the report of the Social Commission certain members of the Economic and Social Council stressed the importance of avoiding overlapping with the work of the specialized agencies, in particular of the ILO. The representative of the ILO outlined some of the work of the Organisation in the social field, and stressed its willingness to co-operate with the United Nations. Certain members of the Council felt that the recommendations of the Commission were too broad, in particular the recommendations for training social workers.

The Council at its fourth session requested the Secretary-General, in co-operation with the specialized agencies concerned:

1. To arrange for a study of:

(a) methods of social welfare administration at present in use in different countries;

(b) methods of furnishing advice and information and providing experts for countries which request such assistance, with a view to helping them to organize the administration of their social services, including the training of social workers; and

(c) how a long-term training programme of assistance to Governments may be developed, and how international training fellowships may be established.

2. To submit a report to the Social Commission and to the Council on items (b) and (c) above at the next session and item (a) at a subsequent session.

b. Transfer of Welfare Activities of UNRRA

The Council of UNRRA at its meeting in Geneva in August 1946, passed Resolution No. 95, which stated:

WHEREAS UNRRA is now performing functions in the social welfare field such as those concerned with the problems of undernourished and orphaned children, the maimed and the handicapped, the training of skilled personnel, materials and equipment for community services;

WHEREAS the Council is of the view that international action in regard to certain of these functions will be necessary beyond the present emergency period;

WHEREAS the Council has taken note of the establishment by the Economic and Social Council of the United Nations of a permanent Social Commission to advise the Economic and Social Council, *inter alia*, of requirements in the field of social welfare and methods by which such requirements may be met; it is therefore RESOLVED:

1. That the Director-General consult with the appropriate authorities of the United Nations with a view to considering the desirability of transferring to the United Nations the functions being performed by UNRRA in the field of social welfare exclusive of those relating to displaced persons.
2. That the Director-General is authorized to transfer to the United Nations such of those functions now being performed by UNRRA in the social welfare field as the United Nations desires to undertake.
3. That the Director-General is further authorized to transfer to the United Nations from time to time any available records, equipment, materials and personnel of use in the performance of the abovementioned functions, which the United Nations may desire.

The social welfare functions undertaken by UNRRA, whose continuation by the United Nations was recommended, fell under five headings:

1. Training of social welfare personnel;
2. Rehabilitation of the physically handicapped;
3. Restoration of social welfare activities and institutions;
4. Co-ordination of the activities of voluntary agencies;
5. Child welfare.

After considering the questions raised by the UNRRA Resolution, the Council passed on October 1, 1946, the following Resolution:

THE ECONOMIC AND SOCIAL COUNCIL

TAKING NOTE OF the following resolution adopted at the Fifth UNRRA Council Session in August 1946: Resolution No. 95 on social welfare activities of UNRRA, relating to the desirability of transferring to the United Nations functions being performed by UNRRA in the field of social welfare exclusive of those relating to displaced persons,

1. REQUESTS the Secretary-General with a view to the assumption by the United Nations of certain urgent and important advisory functions in the field of social welfare carried on by UNRRA, special consideration being given to the needs of children:

(a) to consult immediately with the Director-General of UNRRA;
(b) to undertake such studies and investigations and formulate such recommendations as he may deem necessary to assist in reaching a conclusion concerning measures that might be undertaken by the United Nations;
(c) to submit recommendations to the General Assembly regarding any matters requiring its authorization or special financial provisions;
(d) to take such other action as he deems desirable in the light of the abovementioned consultations, studies and investigations and in the light of any action that may have been taken by the General Assembly;
(e) to report on the action taken to the Social Commission at its first session.

2. REQUESTS the Social Commission at its first session to make recommendations for continued action required to carry on essential functions performed by UNRRA in the field of social welfare.

The General Assembly on December 14 passed a resolution[1] providing for funds for four types of services:

a. expert consultation to governments on welfare services;
b. fellowships for training of officials in social welfare;
c. advice, demonstration and instruction in connection with the manufacture of prosthetic appliances, training of handicapped persons and furnishing demonstration equipment;
d. furnishing technical publications.

The Commission recommended that conferences should be held between the Secretariat and governments receiving UNRRA services and other governments which requested services, on the following points: (1) the number and type of experts requested; (2)

[1] For text of resolution see pp. 161, 162.

selection of candidates for fellowships; (3) local services available to demonstration units; (4) specific type of literature needed and translations required.

The Commission believed that while special consideration should be given to providing advisory social welfare services to those countries which were victims of aggression, and particularly to those which were Members of the United Nations and which had been receiving UNRRA assistance, the basic principle should be that of the need of each country for welfare services. This basic principle was endorsed by the Economic and Social Council.

The Social Commission invited the Temporary Social Welfare Committee to consider:

a. development of criteria for use in reviewing requests from the various governments for advisory welfare services;

b. formulating and recommending to the Social Commission the manner in which the advisory welfare services and activities of a sub-commission on child welfare should be associated with a general long-term program of United Nations activities in the social field, including the question of staff training;

and to submit a report containing its recommendations to the Commission's next session.

It invited the Secretariat:

(a) to deal with urgent work connected with social services, such as assumption of the advisory functions performed in this field by UNRRA (Resolution A/255 adopted by the General Assembly on 14 December 1946).

(b) to study the methods of social welfare administration at present in operation in the various countries, and to report to the Commission thereon.

(c) to furnish advice, information and experts in response to requests from countries, in order to assist them in the organization of the administration of their social services, including the training of social work personnel.

The Economic and Social Council authorized the Secretary-General, in co-operation, where appropriate, with the specialized agencies concerned, within the limits of their importance:

(a) to undertake the functions formerly exercised by the League of Nations in the field of child welfare and social services;

(b) to deal with urgent work connected with social services, such as assumption of the advisory functions performed in this field by UNRRA.

4. Protection of Children and Adolescents

a. Review of Developments in the Field

The Social Commission reviewed new developments in the field of child welfare, and the activities of the League of Nations in this field. It felt that the United Nations should carry on the League child welfare activities, but with a more affirmative approach. The Council approved the recommendation to carry on the child welfare activities of the League pending a more definite recommendation for action by the Social Commission.

The Commission also considered the report of the International Children's Emergency Fund, and, as authorized by the General Assembly, recommended to the Economic and Social Council certain principles for the operation of the Fund.

b. International Children's Emergency Fund

The Council of UNRRA at its August, 1946, meeting in Geneva passed Resolution No. 103 relating to the rehabilitation of the children and adolescents of countries which were victims of aggression. The Council of UNRRA considered that this problem was one of paramount importance for the recovery of these countries and that international assistance in dealing with this problem was desirable. The Council of UNRRA recommended the creation of an International Children's Fund and set up a Standing Committee to prepare the necessary recommendations in agreement with the United Nations.

The Economic and Social Council passed the following resolution on September 30, 1946:

THE ECONOMIC AND SOCIAL COUNCIL, taking note of Resolution 103 adopted at the Fifth Session of the Council of UNRRA in August 1946, which contemplates the creation of an International Children's Emergency Fund to be utilized for the benefit of children and adolescents of countries which were the victims of aggression, and which set up a Standing Committee of the Council of UNRRA to prepare recommendations in agreement with the Economic and Social Council of the United Nations with a view to the establishment of international machinery for the administration of such a fund,

RECOMMENDS

1. That the General Assembly arrange, during the second part of the first session, for the creation of an International Children's

Emergency Fund, subject to the control of the Economic and Social Council. Such fund shall consist of any assets made available by UNRRA and of any voluntary contribution made available by governments, voluntary agencies, individuals and other sources, and shall be utilized to the extent of its available resources for the benefit of children and adolescents of countries which were victims of aggression and in order to assist in their rehabilitation.

2. That the Secretary-General prepare in consultation with the Director-General of UNRRA, the President of the Economic and Social Council, and the UNRRA Standing Committee on the Rehabilitation of Children and Adolescents, a draft resolution for transmission to the General Assembly establishing the necessary international machinery for this purpose.

On the basis of the recommendations of the Council the General Assembly established an International Children's Emergency Fund.[1]

The Executive Board of the Fund, consisting of representatives of Argentina, Australia, Brazil, Byelorussian S.S.R., Canada, China, Colombia, Czechoslovakia, Denmark, Ecuador, France, Greece, Iraq, Netherlands, New Zealand, Norway, Peru, Poland, Sweden, the Ukrainian S.S.R., Union of South Africa, the U.S.S.R., the United Kingdom, the United States and Yugoslavia,[2] held its first meeting on December 19, 1946, and elected as Chairman Dr. Ludwik Rajchman, the representative of Poland.

On January 8, 1947, the Secretary-General, after consultation with the Board, appointed Maurice Pate (United States) as Executive Director of the Fund. The general services of the United Nations Secretariat were placed at the Fund's disposal.

The Executive Board laid down the Fund's tasks as being:

1. To collect funds,
2. To ascertain the needs of children and adolescents,
3. To draw up programs of action.

An initial contribution of $550,000 was made to the Fund through the Director-General of UNRRA. This represented a contribution made by voluntary agencies and private individuals in the United States. The conditions attached to the gift were that it should be used only for the purchase of food for indigent children and adolescents.

It was not possible, until the UNRRA Central Committee met, to estimate the amount which would become available to the Fund from UNRRA resources. The Executive Board felt that the major part of the resources of the Fund would have to come from contributions made directly by governments and decided to make an appeal to governments for financial aid, and also to study, in co-operation with voluntary agencies, other special means for raising funds. The work of voluntary agencies was to be encouraged.

It would be necessary for each government qualified for assistance to submit proposals, together with the necessary information. The Fund would then be able to make recommendations. These recommendations would fall under the headings: (a) food; (b) special assistance to institutions for the benefit of children and adolescents; and (c) training of personnel.

The Board established the following Committees and Sub-Committees: Program Committee; Sub-Committee of representatives of Latin-America; Committee to review the milk problem; Sub-Committee on finance; Sub-Committee to draw up rules of procedure of the Fund.

The Social Commission at its first session noted with approval the report of the Executive Board, and, as provided in the resolution establishing the Fund, made recommendations to the Economic and Social Council on the principles of operation of the Fund.

These principles were adopted by the Economic and Social Council at its fourth session, as follows:

A. Scope of programs

Within the scope of the operations of the Fund, as set forth in the General Assembly resolution No. 59 (I) of 11 December 1946, priorities shall be given to the following types of work:

1. Supplementing the essential food and other supplies needed to alleviate malnutrition and disease in the children of the countries enumerated in paragraph 1 of the General Assembly resolution No. 57 (I) of 11 December 1946, and to safeguard the health of expectant and nursing mothers.

2. Encouraging the re-establishment of children's institutions and services destroyed by the war, aiding in such re-establishment through supplying essential clothing

[1] See resolution, pp. 163, 164.

[2] Switzerland was added to the Executive Board by a decision of the Economic and Social Council on March 29, 1947.

and shoes and the furnishing of cod-liver oil or substitutes, as well as medical supplies.

3. Enlisting the co-operation of the United Nations and the World Health Organization in giving assistance for fellowships for the training of health and welfare personnel for children's work.

B. Relation of emergency measures to existing problems

Emergency measures shall be so developed and administered as to utilize and strengthen the permanent child health and child welfare programmes of the countries receiving assistance and promote effective co-ordination of official and voluntary services.

C. Relation to other activities

The Fund shall maintain close relations with other relief agencies and in particular with the other activities of the United Nations, including appropriate specialized agencies and the Department of Social Affairs especially staff assigned in accordance with the General Assembly resolution with reference to advisory welfare services performed by UNRRA (document A/255).

D. Co-operation with Governments

The Fund shall not engage in any activity in any country except in consultation with, and with the consent of, the Government concerned.

E. Staff

Provision shall be made for the technical staff needed to ensure effective operation of the Fund, and to supply the technical services necessary to achieve its objectives.

F. Information required

Governments requesting assistance will submit proposals giving information required by the Executive Board or a committee thereof, as to need for assistance and methods by which the programme will be carried out. Such proposals should show how the following requirements will be met:

1. Provision for proper and efficient administration of the program.

2. Utilization, so far as possible, of existing official and voluntary agencies, with provision made for co-ordination of the services of all agencies utilized in carrying out the programme for which assistance is requested.

3. Assurance that supplies and services under the programme will be equitably dispensed or distributed on the basis of need without discrimination on the basis of race, creed, nationality status, or political belief.

4. Provision for reports for such periods and containing such information as the Executive Board may require.

G. Reports to the Economic and Social Council

Reports submitted by the International Children's Emergency Fund should include an annual report and interim reports to each session of the Council in 1947 and 1948. So far as possible, these reports shall be considered by the Social Commission prior to their consideration by the Council.

The Economic and Social Council on March 18 elected Switzerland as a member of the Executive Board of the Fund, and approved the allocation to the Fund of the receipts of the "One Day's Pay" Collection.

On May 31 the United States authorized contributions to the Fund up to the amount of $15,000,000, and further contributions up to a maximum of $40,000,000, provided that in the case of amounts above $15,000,000, they did not constitute more than 57 per cent of the aggregate amount contributed to the Fund by governments not receiving assistance from it.

The report of the Program Committee was adopted at the ninth meeting of the Executive Board on June 19, 1947. The Board decided that the following elements should be considered in determining relative needs:

1. The proportion of undernourished children in each country.

2. The number of homeless and orphaned children in each country in need of care.

3. The capacity of a country to meet its own needs out of its currently available resources.

4. The extent and duration of deprivation of the children of each country experienced during the war.

5. The extent of wartime destruction of children's institutions in each country.

6. The extent to which other international relief supplies are available for the same or similar purposes.

The Executive Board also took the following decisions:

1. All countries eligible for assistance under the General Assembly Resolution will, upon application to the Fund and completion of an agreement between the Fund and the government concerned, receive aid from the Fund.

2. The Executive Director was authorized to proceed with the procurement of supplies out of the $560,000 on hand—composed of $550,000 donated to the Fund through the former Director-General of UNRRA, and approximately $10,000 obtained from individual doners.

3. The Executive Director was authorized to procure supplies as soon as the $15,000,000, or any part of it, authorized by the United States Congress, was made available to the Fund, and out of any other sums made available by governments.

4. The Executive Director was authorized to negotiate with applicant governments to provide supplies of milk, fats, cocoa, etc. in the following countries for approximately six months to the following number of children:

Austria	240,000
Albania, Czechoslovakia, Finland, Hungary	240,000
China	700,000
France	70,000
Greece	340,000
Italy	360,000
Poland	700,000
Yugoslavia	600,000
Total	3,250,000

Shipments were to begin as soon as supplies were available, but the total value of supplies was not to exceed 60 per cent of the total dollar value of the resources available to the Fund. The initial distribution was to provide for approximately 200 calories on an average, but this was not to be a precedent for future allocations. The Executive Director was to report to the Program Committee on these shipments and make proposals for any necessary changes arising out of discussions with the recipient governments.

5. Traffic in Women and Children

The Secretariat was instructed to consider suitable measures for an effective campaign against the traffic in women and children and the provisions to be contemplated for the prevention and suppression of prostitution, and to report to the Commission at its next session. It was to get into touch with the *Commission Internationale de la Police Criminelle* with a view to co-ordinating their respective efforts.

The Commission recommended that the necessary steps should be taken to transfer to the United Nations the Conventions of September 30, 1921, and October 11, 1933, for the Suppression of Traffic in Women and Children, and the Convention of September 12, 1923, for the Suppression of the Circulation of and Traffic in Obscene Publications. The Commission recommended that the procedure which had been followed in transferring to the United Nations the functions exercised by the League under Conventions on Narcotic Drugs should be followed.

The Secretariat was also instructed to examine the 1937 draft convention regarding the exploitation of the prostitution of others and make any necessary amendments in view of changes in the general situation since 1937. It was also to ascertain from governments whether the convention as amended was likely to meet with their approval. The Commission would consider the proposed amendments at its next session and decide whether the draft convention should be sent to governments.

The Secretariat was also instructed to report on the possibility of implementing the proposal of the League of Nations for the establishment of an Eastern Bureau to take the necessary measures for the suppression of the traffic in women and children in those areas, and the need for other regional bureaus. These recommendations were adopted by the Economic and Social Council at its fourth session.

6. Prevention of Crime and Treatment of Offenders

The Commission requested the Secretariat to submit a report on the prevention of crime and the treatment of offenders, showing which suggestions were suitable for international action and how they could be carried out. This request was endorsed by the Council. The Commission decided by 11 votes to 1, with 3 abstentions, not to enter into consultations with the International Penal and Penitentiary Commission, as previously recommended by the Council, so long as this Commission had not severed its relations with the Franco government. The Economic and Social Council at its fourth session approved this action of the Social Commission.

7. Assistance to Indigent Foreigners

On the recommendation of the Commission, the Economic and Social Council at its fourth session requested the Secretary-General, within the limits of his resources:

(a) to collect from governments the most recent information regarding their administrative practices with respect to assistance to indigent foreigners;

(b) to report to the Social Commission at a future session on the extent to which the Model Convention on Assistance to Indigent Foreigners and Recommendations on Assist-

ance to Indigent Foreigners approved by the Council of the League of Nations at its 101st Session (May 1938) correspond to the exigencies of the present situation and the changes, if any, which should be made.

8. HOUSING AND TOWN PLANNING

The General Assembly on December 14, 1946, recommended to the Economic and Social Council:

> That it instruct the appropriate Commissions to expedite their study of housing problems, with special reference to the organization and unification of international exchanges of information relating, in particular, to town planning principles, building techniques and the climatic, economic and financial, legal and legislative aspects of housing and town planning questions; and to consider the desirability of holding an international conference of experts to advise on the need for establishing an international mechanism to collate such information, lay down guiding principles for new technical research on materials, methods of use and prefabrication, and to define standards capable of general application.

The question was considered by the Economic and Employment Commission and the Social Commission at their first sessions. The Chairmen of the two Commissions arrived at an agreement that the Social Commission should undertake to formulate the demand side of the problem, keeping in mind the importance of viewing housing needs in relation to other urgent needs and working out a priority schedule on a quantitative basis. It would then become the responsibility of the Economic and Employment Commission to consider other economic aspects of housing.

The Economic and Employment Commission deferred consideration of the question pending its consideration by the Social Commission. At its second session the Economic and Employment Commission designated an observer to attend the session of the Social Commission when the discussion of the conference of experts on housing took place.

The Social Commission in its discussions drew a distinction between:

a. the needs of the war-devastated areas whose inhabitants had been brutally deprived of their homes and were therefore entitled to priority rights;

b. the needs of the less developed parts of the world, where extensive town planning and building programs ought to be undertaken and combined with economic and social reform.

The Commission recommended the setting up of a housing and town planning service in the Secretariat, and the calling of an international conference of experts on housing and town planning. The New Zealand representative felt that the convening of an international conference was a premature step, and the Netherlands representative thought that the problem should be dealt with by a regional conference.

The importance of a study of housing problems and the value of an international exchange of opinion on such problems was emphasized in the Council's discussions on the question, but some representatives expressed doubt as to the necessity for setting up a permanent international agency. On the basis of resolutions proposed by France and the United States, the Council at its fourth session adopted the following resolution:

> Taking into account the resolution of the General Assembly of 14 December 1946,[1] on housing and town planning, and the reports of the Social Commission and of the Economic and Employment Commission,
>
> THE ECONOMIC AND SOCIAL COUNCIL
>
> 1. INSTRUCTS the Social Commission in collaboration with the Economic and Employment Commission to continue its study of housing problems in close co-operation with each other and with specialized agencies and other inter-governmental organizations concerned with these problems;
>
> 2. INSTRUCTS the Secretary-General in co-operation with the specialized agencies and inter-governmental organizations to arrange for a study of housing problems for further consideration by the Social Commission in collaboration with the Economic and Employment Commission, and requests him to make the necessary arrangements to provide facilities which will include the collection and dissemination in the appropriate form of information relating to rural and urban housing and town planning and to report thereon to the Social and Economic and Employment Commissions; and
>
> 3. DIRECTS the Secretary-General to submit to the Social Commission a proposal regarding an international conference of experts on housing, including a statement of objectives, scope and composition. In the light of such a proposal the Social Commission in collaboration with the Economic and Employment Commission shall submit recommendations to an early session of the Council as to what further action should be taken.

[1] See pp. 181, 182.

O. FUNDAMENTAL HUMAN RIGHTS

1. Commission on Human Rights

At its first session, the Council established a Commission on Human Rights in nuclear form, to report on the functions and scope of work of the projected Commission on Human Rights. The nuclear Commission fully realized the great importance of the task entrusted to it under the Charter of the United Nations. The examination of documents submitted by Members of the United Nations led to a general discussion on the necessity of achieving and promoting the recognition of human rights and fundamental freedoms for all, in the hope of drawing from the last World War the lessons which would aid the peoples to achieve the highest aspirations of mankind. Moreover, the nuclear Commission paid special attention to plans and suggestions presented to it through hearings by qualified representatives of national and international organizations. It recommended that the full Commission should draft an International Bill of Rights and that the draft, as completed by the full Commission, should be circulated among the Governments of the United Nations for their suggestions.

a. Terms of Reference

The Council considered the recommendations of the nuclear Commission during its second session, and adopted for the full Commission the terms of reference of the "nuclear" Commission with the addition of paragraph (e) below, as follows:

The work of the Commission shall be directed towards submitting proposals, recommendations and reports to the Council regarding:
(a) an international bill of rights;
(b) international declarations or conventions on civil liberties, the status of women, freedom of information and similar matters;
(c) the protection of minorities;
(d) the prevention of discrimination on grounds of race, sex, language or religion;
(e) any other matter concerning human rights not covered by items (a), (b), (c), and (d).

The importance of regional conferences of experts was emphasized by the nuclear Commission, and in this connection reference was made to the Inter-American Conference on Problems of War and Peace held in Mexico City in March 1945. On the recommendation of the nuclear Commission, the Council decided that the full Commission be authorized to call in *ad hoc* working groups of non-governmental experts in specialized fields, or individual experts, without further reference to the Council but with the approval of the President of the Council and the Secretary-General.

On the recommendation of the nuclear Commission, the Council decided that the Secretary-General should be requested to make arrangements for the compilation and publication of a yearbook on law and usage relating to human rights, the collection and publication of information on the activities concerning human rights of all organs of the United Nations, the collection and publication of information concerning human rights arising from the Nürnberg and Tokyo trials of war criminals, and the collection and publication of plans and declarations on human rights by specialized agencies and non-governmental national and international organizations.

The Council also decided that, pending the United Nations should be invited to consider the desirability of establishing information groups or local human rights committees within their respective countries to collaborate with them in furthering the work of the Commission on Human Rights.

The Council also decided that, pending the adoption of an international bill of rights the general principle should be accepted that international treaties involving basic human rights, including to the fullest extent practicable treaties of peace, should conform to the fundamental standards relative to such rights set forth in the Charter.

The nuclear Commission felt that the promotion and observance of human rights as defined in the Charter of the United Nations, could be fulfilled only if provisions were made for the implementation of the observance of human rights and of an international bill of rights. The nuclear Commission suggested that, pending the eventual establishment of an agency of implementation the Commission on Human Rights should be recognized as qualified to aid the appropriate organs of the United Nations. The Council decided to request the Commission on Human Rights "to submit at an early date suggestions regarding the ways and means for the

effective implementation of human rights and fundamental freedoms, with a view to assisting the Economic and Social Council in working out arrangements for such implementation with other appropriate organs of the United Nations."

The Council decided at its second session that the Commission should consist of one representative from each of eighteen Members of the United Nations selected by the Council. At its third session, the Council selected the following States to designate the initial members:

For two years	*For three years*
Byelorussian S.S.R.	Egypt
China	France
Lebanon	India
Panama	Iran
United Kingdom	Ukrainian S.S.R.
Uruguay	U.S.S.R.

For four years
Australia
Belgium
Chile
Philippine Republic
United States
Yugoslavia

b. First Session

The Commission on Human Rights held its first session from January 27 to February 10, 1947, and elected the following as its officers:

Chairman—Mrs. Franklin D. Roosevelt
Vice-Chairman—Dr. P. C. Chang
Rapporteur—Dr. Charles Malik

The Commission considered the question of the International Bill of Human Rights, the membership and functions of the Sub-Commissions on Freedom of Information and of the Press and on Prevention of Discrimination and Protection of Minorities, and the procedure for dealing with communications concerning human rights.

2. INTERNATIONAL BILL OF HUMAN RIGHTS

a. Drafting Group

The Commission decided that the Chairman, with the Vice-Chairman and Rapporteur, should, with the assistance of the Secretariat, formulate a preliminary draft International Bill of Human Rights to be submitted to the Commission at its next session. In drafting the Bill, the Chairman could enlist the co-operation of any member of the Commission, and the Commission could consult experts chosen with the consent of their governments and any person or document it thought relevant to its work. The drafting group was to study an Australian proposal which had been submitted to the Commission for the establishment of an International Court of Human Rights. It was also to take into consideration the views expressed by the Commission on what should be included in the International Bill of Human Rights. These included such personal rights as the right of personal freedom, freedom of religion, of opinion, of speech, information, assembly and association, and safeguards for persons accused of crime; such social rights as the right of security, the right to employment, education, food, medical care and the right to property; and political rights such as the right to citizenship and the right of citizens to participate in the government; and the right to equality without distinction.

Members of the Commission also expressed the view that the constitutions of Member States should be taken into account; that the Bill should be acceptable to all Members of the United Nations; that it should be short, simple, easy to understand and expressive; and that it should be a reaffirmation of the most elementary rights.

The Commission felt that the draft Bill should be submitted to it by the drafting group as a draft resolution for presentation to the General Assembly.

b. Drafting Committee

When the Commission's Report was considered at the fourth session of the Economic and Social Council, certain members expressed the view that the drafting group should be enlarged and should include the representatives of the European countries. The Social Committee of the Council proposed that the members of the Commission for Australia, Chile, China, France and the U.S.S.R. should, with the members for the United States, Lebanon and the United Kingdom, form a Temporary Sub-Commission to draw up a preliminary draft of an International Bill of Human Rights on the basis of documentation supplied by the Secretary-General. The Chairman of the Commission on Human Rights on March 24, 1947, wrote to the President of the Economic and Social Council stating that in

view of the suggestions of the Social Committee she intended to appoint a drafting committee consisting of the members of the Commission for Australia, Chile, China, France, Lebanon, the U.S.S.R., the United Kingdom and the United States.

This was noted with approval by the Economic and Social Council at its fourth session. The Council requested the Secretariat to prepare a documented outline concerning an International Bill of Rights, on the basis of which the Drafting Committee was to draw up its preliminary draft, to be submitted to the second session of the Commission on Human Rights.

The Council decided:

(a) that the draft prepared by the abovementioned drafting committee be submitted to the second session of the Commission on Human Rights; and

(b) that the draft as developed by the Commission on Human Rights be submitted to all States Members of the United Nations for their observations, suggestions and proposals; and

(c) that these observations, suggestions and proposals then be considered as a basis of a re-draft, if necessary by the drafting committee; and

(d) that the resulting draft then be submitted to the Commission on Human Rights for final consideration; and

(e) that the Council consider the proposed international bill of human rights as submitted by the Commission on Human Rights with a view to recommending an international bill of human rights to the General Assembly in 1948; and further

(f) that the Commission on Human Rights invite the officers of the Commission on the Status of Women, the Chairman, the Vice-Chairman and the Rapporteur, to be present and participate without vote in its deliberations when sections of the draft of the intenational bill of human rights concerning the particular rights of women are being considered.

The Council, pursuant to the resolution of the General Assembly of December 11, 1946, decided to transmit to the Drafting Committee of the Commission on Human Rights and to the Commission the Declaration on Fundamental Human Rights and Freedoms presented by the delegation of Panama, and any other draft declarations received from Member States.

It also transmitted a draft resolution submitted by the World Federation of Trade Unions on "Guarantees for the Exercise and Development of Trade Union Rights" and a memorandum and draft resolution submitted by the American Federation of Labor on the Guarantees for the Exercise and Development of Trade Union Rights to the Commission on Human Rights "in order that it may consider those aspects of the subject which might appropriately form part of the bill or declaration on human rights."

c. First Session of Drafting Committee

The Drafting Committee held its first session from June 9 to June 25, 1947. Its discussions were based on a draft outline prepared by the Secretariat, which included the rights mentioned in various national constitutions and in various suggestions for an International Bill of Human Rights. The Committee also had before it a draft bill of rights proposed by the United Kingdom and certain United States proposals for the re-wording of some items appearing in the Secretariat outline. A representative of UNESCO and consultants from the American Federation of Labor and the International Co-operative Alliance attended the Committee's meeting.

Two views were expressed in the Committee on the form which a preliminary draft might take: that it should take the form of a declaration or manifesto; or that there should also be a convention. The Drafting Committee therefore decided to attempt to prepare two documents, one a working paper outlining a declaration or manifesto setting forth general principles, and the second a working paper containing suggestions as to the contents of one or more conventions flowing from these principles to which Member nations might adhere.

A draft declaration containing a preamble and 44 suggested articles was prepared by Professor Cassin at the request of a temporary working group of the Committee, composed of the Chairman and the representatives of France, Lebanon, and the United Kingdom. The draft declaration was then revised by the temporary working group, and after having been considered in detail by the Committee was again revised by Professor Cassin. The Drafting Committee, after further examining the draft, submitted it to the Commission on Human Rights as a working paper for a preliminary draft of an International Manifesto or Declaration on Human Rights.

The representatives of the United Kingdom,

the Lebanon, and the Chairman were asked independently to go over the Secretariat outline and the United Kingdom draft to determine which articles could readily lend themselves to a convention. They agreed that the articles in the convention part of the United Kingdom draft could be submitted to the Commission on Human Rights as forming part of a draft convention, with the addition of the three following subjects:

(a) torture, physical integrity and cruel punishments;

(b) the right to a legal personality; and

(c) the right of asylum.

After discussion, the Drafting Committee suggested that the United Kingdom proposal should form a basis for a draft convention which the Commission on Human Rights might want to elaborate.

The members of the Drafting Committee felt that implementation of the bill might take two forms: (1) some form of punishment of an offending state, the proposals for such punishment ranging from a public request for information concerning the alleged violation to trial before an international tribunal; (2) action on the part of the United Nations and the Member States to educate the peoples of the world with regard to human rights and to create conditions under which respect for and promotion of human rights would be secured. The view was expressed that the only practicable compulsory form of implementation would be an international convention ratified or adhered to by Member Governments. It was thought that the possibility might be studied of creating, within the framework of the United Nations, an organization to receive, sift, examine and deal with communications alleging the violation of human rights, and it was suggested that the Commission on Human Rights might be granted greater responsibility in this field.

3. Sub-Commission on Freedom of Information and of the Press

The Commission on Human Rights at its first session decided to establish a Sub-Commission on Freedom of Information and of the Press, as empowered by the Economic and Social Council.

It recommended to the Council the terms of reference of the Sub-Commission. It decided that the Sub-Commission should be composed of twelve persons, selected by the Commission in consultation with the Secretary-General and subject to the consent of the governments of which the persons were nationals, that not more than one person be selected from any single country, and that the terms of members should be, in the first instance, one year, subject to reconsideration by the Commission before the end of that period. As the Commission had not had time to select the members of the Sub-Commission, it recommended that they should be selected by the Council from lists of persons submitted by such Human Rights Commission members as cared to make nominations, each member nominating not more than twelve persons from Members of the United Nations.

The Council appointed the members of the Sub-Commission, subject to the consent of their governments, and resolved that the functions of the Sub-Commission should be:

(a) In the first instance, to examine what rights, obligations and practices should be included in the concept of freedom of information and to report to the Commission on Human Rights on any issues that may arise from such examination;

(b) To perform any other functions which may be entrusted to it by the Economic and Social Council or by the Commission on Human Rights.

The U.S.S.R. and Czechoslovakian representatives expressed the view that the Sub-Commission should not be composed of experts but of governmental representatives.

Following the General Assembly's resolution on the calling of an International Conference on Freedom of Information[1], the Commission on Human Rights recommended that the Sub-Commission on Freedom of Information and of the Press should submit recommendations regarding the program of that Conference and assist in its preparation.

The Economic and Social Council requested:

the Sub-Commission on Freedom of Information and of the Press:

to prepare, guided by resolution No. 59 (1) of 14 December 1946 of the General Assemby, a draft documented agenda for the Conference on Freedom of Information, and to submit this along with proposals concerning preparations for the Conference to the Commission on Human Rights and to the Council. These proposals shall include suggestions concerning the invitation of States, not Members of the United Nations, and plans whereby appropriate specialized agencies, such as the

[1] See p. 176.

United Nations Educational, Scientific and Cultural Organization, and appropriate non-governmental organizations may assist in the preparation of the Conference and attend it.

The Council decided to transmit to the Sub-Commission the draft agenda for the Conference presented by the delegation of France, and any other similar communications received from Member States. It recommended the Sub-Commission to invite a representative of the International Organization of Journalists to be present as an observer at its meetings for purposes of consultation.

It decided that the decision on the date and place of the Conference be deferred to the fifth session of the Council.

The Sub-Commission on Freedom of Information and of the Press held its first session from May 19 to June 4, 1947.

It recommended that the Conference should be convoked for March or April 1948, and that it be held in Europe. It recommended that the Conference should not be confined to Members of the United Nations, and that non-member States invited should have full rights of participation and voting. It recommended that the four specialized agencies in relationship with the United Nations, the seven inter-governmental organizations with which relationship was contemplated, the eight non-governmental organizations in Category A, and, in Category B, the International Organization of Journalists should be invited to participate in the Conference, the specialized and inter-governmental organizations being granted a status equivalent to that given them by the Economic and Social Council, and the non-governmental organizations being given a status equivalent to that granted by the Economic and Social Council to organizations in Category A.

The Sub-Commission recommended that delegations should be limited to five delegates, from each State, with five alternates, and advisers as required.

It recommended that the Conference should have a general committee (comprising the President of the Conference, the Vice-Presidents and the Chairmen of the principal committees) and four principal committees on which each delegation would be represented. The first would consider the basic tasks of the Press and other media of mass information, the basic principles of information and general problems common to other committees. The second would be a committee on the gathering and international transmission of information. The third would be a committee on implementation of the rights of all peoples to receive accurate and comprehensive information, and the obligations of the press in this connection. The fourth would be a committee on law and continuing machinery.

The Sub-Commission recommended to the Economic and Social Council that the Secretary-General be requested to prepare, in consultation with UNESCO, a written request for information concerning freedom of information, which, after submission to the Commission on Human Rights, would be sent to all Members of the United Nations and all other States invited to the Conference. It recommended that the Secretary-General be requested to prepare the necessary documentation for the Conference.

In the discussions of the formulation of the draft agenda there were fundamental differences of opinion, based on the differences of government controls over the gathering, transmission and dissemination of information. A majority of the Sub-Commission thought that the provisional draft agenda opened the way for wide and useful discussion of all the main points contained in the terms of reference of the Conference, but that all agenda items should be considered only as titles or headings of subjects upon which the Conference might be invited to reach its own conclusions.

Items were listed under the following headings: general discussion on the principles of freedom of information; consideration of certain fundamental principles; measures to facilitate the gathering of information; measures to facilitate international transmission of information; measures to implement the right of all persons and peoples to receive accurate, objective, comprehensive and representative information, and the obligations of the workers of the Press, Radio and Films in this connection; consideration of possible continuing machinery, preferably within the framework of the United Nations, to promote the free flow of true information; consideration of the problems involved in the establishment of information services by governments, groups or persons in order to make information available in countries other than their own; consideration of the possible modes of action by which the recommendations and agreements of the Conference could best be put into effect, whether by resolution of the General Assembly, international conventions, bilateral agree-

ments, acceptance by States of model legislation drafted by the Conference, or other means.

The Sub-Commission began an examination of what rights, obligations and practices should be included in the concept of freedom of information, and adjourned discussion on the question until its next session.

The Sub-Commission requested the Secretary-General to ask the International Telecommunications Union to convey to the Sub-Commission any information it believed would help the work of the Sub-Commission, and to inform the Union that the Sub-Commission hoped the Union would be represented at the International Conference on Freedom of Information.

The Sub-Commission recommended that the Economic and Social Council study as an urgent matter the situation in regard to the shortage of newsprint and consider measures to alleviate it.

4. Sub-Commission on Prevention of Discrimination and Protection of Minorities

The Commission on Human Rights decided to establish a Sub-Commission on Prevention of Discrimination and Protection of Minorities instead of creating separate Sub-Commissions on the Protection of Minorities and on the Prevention of Discrimination, as empowered by the Economic and Social Council. It decided that the functions of the Sub-Commission should be:

(a) In the first instance, to examine what provisions should be adopted in the definition of the principles which are to be applied in the field of the prevention of discrimination on grounds of race, sex, language or religion, and in the field of the protection of minorities, and to make recommendations to the Commission on urgent problems in these fields.

(b) To perform any other functions which may be entrusted to it by the Economic and Social Council or the Commission on Human Rights.

It decided that the Sub-Commission should be composed of twelve persons selected by the Commission in consultation with the Secretary-General and subject to the consent of the governments of which the persons were nationals, that not more than one person should be selected from any single country, and that the terms of office of members should, in the first instance, be two years.

The Commission recommended that, as it had not had time to select the members of the Sub-Commission, they should be chosen by the Economic and Social Council at its fourth session (in consultation with the Secretary-General and subject to the consent of the governments of the countries of which the persons were nationals) from among lists of persons submitted by such Human Rights Commission members as cared to make nominations, each member nominating not more than twelve persons from Members of the United Nations.

The Economic and Social Council appointed the members of the Sub-Commission, subject to the consent of their governments.

The U.S.S.R. and Czechoslovakian representatives expressed the view that the Sub-Commission should not be composed of governmental representatives and criticized the geographical distribution of its membership, in particular that it contained only one representative from the Central European States and four from Western European countries.

5. Communications Concerning Human Rights

The Commission on Human Rights decided to request the Secretary-General to compile a confidential list of communications received concerning human rights before each session of the Commission, and furnish this to members of the Commission on request, enabling them on request to consult the originals. Writers of communications were to be informed that their communications would be brought to the Commission's attention. The Chairman and Vice-Chairman were to meet shortly before each session of the Commission, with one or two co-opted members, to receive communications and to bring to the Commission's attention those which might assist it in its work.

The Economic and Social Council decided to defer consideration of this question until its fifth session.

6. Status of Women

a. Sub-Commission on the Status of Women

At its first session, the Council established a Sub-Commission of the nuclear Commission on Human Rights, on the Status of Women. The functions of the Sub-Commission were to submit proposals, recommendations and reports to the Commission on Human Rights regarding the status of women. The Sub-Commission was also to submit proposals

to the Council, through the Commission on Human Rights, regarding its terms of reference.

There was general agreement among the members that the Sub-Commission should study the status of women in all its aspects and make the broadest possible recommendations to the Commission Human Rights on the scope of the work to be undertaken. Improvements in political, civil, educational, social and economic fields were considered especially important and therefore, the Sub-Commission recommended that these problems should be attacked simultaneously.

The report of the Sub-Commission contained proposals for a program of work which *inter alia* provided for (1) a survey of laws pertaining to the status of women and the practical application of such legislation, (2) polls to sound public opinion, (3) a forum to hear the view of consultative agents, (4) the calling of a United Nations Women's Conference, (5) the international exchange of all categories of manual and intellectual women workers, (6) the collection of records on women's affairs and (7) the creation of a world-wide public opinion through such media as the press, radio, publications, motion pictures.

The Commission on Human Rights made recommendations to the Council for the establishment of a Sub-Commission of fifteen members. It also recommended that a complete and detailed study of legislation concerning the status of women and its practical application be initiated, taking into account all important alterations that had arisen since the first general inquiries made by the League of Nations.

b. Commission on the Status of Women

The Council, having considered at its second session the reports of the nuclear Commission on Human Rights and of the nuclear Sub-Commission on the Status of Women, decided to confer upon the Sub-Commission the status of a full commission to be known as the Commission on the Status of Women.

The Council agreed that:

The functions of the Commission shall be to prepare recommendations and reports to the Economic and Social Council on promoting women's rights in political, economic, social and educational fields. The Commission shall also make recommendations to the Council on urgent problems requiring immediate attention in the field of women's rights.

The Commission may submit proposals to the Council regarding its terms of reference.

The Council referred Sections I and II of the report of the nuclear Sub-Commission, concerning policy and program, to the Commission on the Status of Women for study.

The Council requested the Secretary-General to make arrangements for a complete and detailed study of all legislation concerning the status of women and the practical application of such legislation.

The Council also decided at its second session that the Commission should consist of one representative from each of fifteen Members of the United Nations selected by the Council. At its third session, the Council selected the following States to designate the initial members:

For two years	*For three years*
Australia	Mexico
Byelorussian S.S.R.	Syria
China	U.S.S.R.
Guatemala	United Kingdom
India	United States

For four years

Costa Rica
Denmark
France
Turkey
Venezuela

c. First Session of the Commission

The Commission held its first session from February 10 to February 24, 1947. It elected the following as its officers:

Chairman — Mrs. Bodil Begtrup (Denmark)
Vice-Chairman — Mrs. J. Street (Austrailia)
Rapporteur — Mrs. E. Uralova (Byelorussian S.S.R.)

The Commission made recommendations for the amendment of its terms of reference. On the basis of these recommendations the Council decided that its terms of reference should be as follows:

The functions of the Commission shall be to prepare recommendations and reports to the Economic and Social Council on promoting women's rights in political, economic, civil, social and educational fields.

The Commission shall also make recommendations to the Council on urgent problems requiring immediate attention in the field of women's rights with the object of implementing the principle that men and women shall have equal rights, and to develop proposals to give effect to such recommendations.

The Commission recommended a procedure for dealing with communications received concerning the status of women, but the Council decided to defer consideration of this question until its next session.

The Commission requested the Economic and Social Council to arrange for the Commission on the Status of Women to be represented by its officers at the session of the Commission on Human Rights when the draft International Bill of Human Rights was being considered, and for copies of the preliminary draft to be circulated to members of the Commission at the same time as to members of the Commission on Human Rights. It also stressed the importance to the Commission on the Status of Women of the work of the Sub-Commission on the Prevention of Discrimination and the Protection of Minorities, and suggested that a representative of the Commission should participate in the work of this Sub-Commission. The Council agreed that the Commission on the Status of Women should be represented at the meetings of the Commission on Human Rights and the Sub-Commission on the Prevention of Discrimination and Protection of Minorities when matters affecting the status of women were discussed.

The Commission decided to adopt as a basis for its future work the sections of the Report of the nuclear Sub-Commission on the Status of Women referring to policy and program. It adopted the following guiding principles for its future work:

Freedom and equality are essential to human development and whereas woman is as much a human being as man, she is, therefore, entitled to share them with him;

Well-being and progress of society depend on the extent to which both men and women are able to develop their personality to the full and are cognizant of their responsibilities to themselves and to each other;

Woman has thus a definite role to play in the building of a free, healthy, prosperous and moral society and that she can fulfil this obligation only as a free and responsible member.

Woman must take an active part in the fight for the total elimination of fascist ideology and for international co-operation directed to the establishment of a democratic peace among the peoples of the world and for the prevention of fresh aggression.

In order to achieve this goal, the purpose of the Commission is to raise the status of women, irrespective of their nationality, race, language or religion, to equality with men in all fields of human enterprise, and to eliminate all discriminations against women in provisions of statutory law and under maxims or rules, or interpretations of customary law.

The Commission also recommended a series of aims under four headings: political, civil, social and economic, and educational.

The Council approved the declaration of principles, but certain members felt that some of the aims as enumerated by the Commission were impracticable and other were too broad. The Council therefore resolved:

(b) to reaffirm that it is the fundamental purpose of the Commission to develop proposals for promoting equal rights for women and eliminating discrimination on grounds of sex in the legal, political, economic, social and educational fields,

(c) to recognize that it is desirable for such proposals to be developed on the basis of all relevant information with as little delay as possible.

Members of the Council also felt that the Commission had neglected to propose a concrete future program of work. It therefore requested the Commission at its next session

to take as its immediate program of work the examination of existing legal and customary disabilities of women as regards political and social rights, and (subect to consultation with the International Labour Organisation) economic rights and also educational opportunities, with a view to framing proposals for action.

On the basis of recommendations made by the Commission, the Economic and Social Council requested the Secretary-General:

1. to consult with the United Nations Educational, Scientific and Cultural Organization on plans for developing the programme of basic education without distinction of sex, race, or creed and to report to the next session of the Commission on its progress and any assistance which the Commission may be able to render in the development of the programme;

2. to invite Member States to reply as early as possible to the questions in part I, paragraph D (relating to education) of the questionnaire on the legal status and treatment of women in order to provide the Commission with data which will enable it to give early consideration to recommendations for possible action to advance the rights of women in the educational field;

3. to invite each Member Government to complete and transmit to him by 1 July 1947, if possible, replies to the following sections of the questionnaire on the legal status and treatment of women: part I, Public Law:

section A, Franchise (and section B. Eligibility to hold public office), to indicate as far as possible any changes in law or practice concerning these matters since the passage of resolution No. 56 (I) of the General Assembly of 11 December 1946;

4. to make a preliminary report on the political rights of women by 1 September 1947 based on the replies of Member Governments to part I of the questionnaire on the legal status and treatment of women and on such information as may be available from other authoritative sources;

5. to prepare a preliminary report to the Commission on the Status of Women based on accounts of pertinent experience from countries where effective programs have already been undertaken in the field of information on use of the franchise, for the benefit of women who have recently acquired the right to vote, and to report on methods by which the Secretariat might act as a centre for the collection of publications in this field and making them available to the Members of the United Nations;

6. to issue part II of the questionnaire on the legal status and treatment of women and to expedite the preparation of such further questionnaires on the economic rights of women as may be considered necessary, after consultation with the International Labour Organisation;

7. to make arrangements for the presence of observers from regional inter-governmental organizations in the field of women's rights at sessions of the Commission on the Status of Women to act in an advisory and informative capacity, and to arrange for the exchange of information between the Commission and these organizations on subjects relating to the status of women;

8. to consider the appointment of a competent woman as Head of the Status of Women Section of the Division of Human Rights as soon as possible.

The Commission had recommended that the Inter-American Women's Commission should be requested to send an observer to the meetings of the Commission on the Status of Women to act in an advisory and informative capacity. The Council, however, after considering the question of this and other organizations, decided to frame its decision in the form given above.

On the recommendation of the Commission, the Economic and Social Council recommended:

1. that UNESCO consider the desirability of paying special attention in its educational, social program to those countries and regions where women have no voice in political affairs and to those countries and regions where women have the franchise but have not been granted full political rights; and further to consider the steps to be taken to promote an effective program of basic education for women in such countries and regions and to send reports on the progress of such a program to the Economic and Social Council for transmission to the Commission on the Status of Women;

2. that the Trusteeship Council be invited to take note of the importance attached by the Council to the inclusion in the questionnaire required by Article 88 of the Charter of questions relating to the status of women, to the nature and form of such questions and to the methods whereby the rights of women in political, economic, social and educational fields may be promoted in the Trust Territories.

The Commission recommended that arrangements should be made for one or more of its members to visit Member States to stimulate interest in the work of the Commission and assist in compiling the information required by the Secretariat. The Commission also recommended a tentative program of regional conferences, the first of which, it suggested, might be held during 1948. The Council decided that further consideration should be given to these two recommendations.

7. Genocide

The General Assembly on December 11, 1946, passed a resolution affirming that genocide was a crime under international law and, *inter alia*, requesting the Economic and Social Council "to undertake the necessary studies, with a view to drawing up a draft convention on the crime of genocide to be submitted to the next regular session of the General Assembly."

The Council felt that the necessary studies should be undertaken in consultation with the Committee for the Codification of International Law established by the General Assembly and with the Commission on Human Rights. In view of the urgency of the question and the heavy program of the Commission on Human Rights, the Council decided to instruct the Secretary-General:

(a) to undertake, with the assistance of experts in the field of international and criminal law, the necessary studies with a view to

drawing up a draft convention in accordance with the resolution of the General Assembly; and

(b) after consultation with the General Assembly Committee on the Development and Codification of International Law and, if feasible, the Commission on Human Rights and, after reference to all Member Governments for comments, to submit to the next session of the Economic and Social Council a draft convention on the crime of genocide.

The Secretariat accordingly submitted a draft convention to the Committee on the Codification of International Law at its first session.[1]

P. CONTROL OF NARCOTICS

1. Commission on Narcotic Drugs

The Council decided at its first session to establish a Commission on Narcotic Drugs, with the following terms of reference:

The Commission shall:

(a) assist the Council in exercising such powers of supervision over the application of international conventions and agreements dealing with narcotic drugs as may be assumed by or conferred on the Council;

(b) carry out such functions entrusted to the League of Nations Advisory Committee on Traffic in Opium and other Dangerous Drugs by the international conventions on narcotic drugs as the Council may find necessary to assume and continue;

(c) advise the Council on all matters pertaining to the control of narcotic drugs, and prepare such draft international conventions as may be necessary;

(d) consider what changes may be required in the existing machinery for the international control of narcotic drugs and submit proposals thereon to the Council;

(e) perform such other functions relating to narcotic drugs as the Council may direct.

The Council requested the following Governments to designate one representative each to constitute the Commission (all for three years):

Canada	Peru
China	Poland
Egypt	Turkey
France	U.S.S.R.
India	United Kingdom
Iran	United States
Mexico	of America
Netherlands	Yugoslavia

The Commission was also authorized by the Council to appoint, in a consultative capacity and without the right to vote, represenatives of the Permanent Central Opium Board and the Supervisory Body, which were created under the terms of the International Conventions on Narcotic Drugs of 1925 and 1931 respectively.

a. First Session

The Commission held its first session from November 27 to December 13, 1946. It elected the following as its officers:

Colonel C. H. L. Sharman (Canada)—Chairman
Dr. S. Tubiasz (Poland)—Vice-Chairman
Dr. Szeming Sze (China) — Rapporteur

In addition to organizational questions, the Commission discussed the following general questions: limitation of production of raw materials, abolition of opium-smoking in the Far East, illicit traffic, drug addiction, re-establishment at its pre-war level of the international control of narcotic drugs, and future narcotics control in Japan and Korea.

The Commission noted the preparatory work for a Conference on the Limitation of the Production of Opium which had been begun in this field by the League of Nations Opium Advisory Committee and continued by the United States Government, but realized that changed circumstances made it necessary to collect further information to continue this preparatory work. It therefore proposed, subject to the approval of the Economic and Social Council, to issue a questionnaire on opium, the questionnaire to be prepared by the Secretariat in the light of the views expressed during the session of the Commission and after the approval of the Chairman, Vice-Chairman and Rapporteur. It proposed to ask the Secretariat to draw up a questionnaire on coca leaves for consideration by the Commission at its next session.

The Economic and Social Council at its fourth session approved the issue of the questionnaire on raw opium prepared by the Commission, and requested the Secretary-General to transmit it to the governments concerned, asking them to communicate the information called for by August 15, 1947. The U.S.S.R. representative made a reservation concern-

[1] See p. 261.

ing the questionnaire on the ground that, since the question of narcotics was a specialized one, it was difficult to judge of the accuracy of a questionnaire which had not been discussed by the Narcotics Commission as a whole. The Council also approved the decision of the Commission to draw up a questionnaire on the coca leaf.

In accordance with the decision of the Council a "Questionnaire on the Limitation and Control of the Cultivation of the Opium Poppy and the Production of Raw Opium and the Control of other Raw Materials used in the Manufacture of Opium Alkaloids" was communicated by the Secretary-General to the governments of 68 countries on April 14, 1947. Copies of the note sent to governments and of the questionnaire were also sent to the Chairman of the Control Council for Germany and to the Political Advisor to the Supreme Commander for Allied Powers in Tokyo with a request for information concerning Germany and Japan.

The Commission reviewed the situation in the Far East as regards opium smoking, which had been changed by the recent abolition of most of the previously existing opium monopolies. Various members of the Commission reported the measures their governments were taking to prohibit smoking. On the recommendation of the Commission, the Economic and Social Council at its fourth session requested the Secretary-General: "to invite, on behalf of the Council, all countries where the use of opium for smoking is still legal, to take immediate steps to prohibit the manufacture of, internal traffic in, and the use of opium for this purpose."

The Commission reviewed in detail the illicit traffic in narcotic drugs throughout the world during and as a result of the war. The Commission heard reports from various members and urged members to bring to its next session reports on illicit traffic similar to those furnished annually to the Opium Advisory Committee. The Secretariat was asked to prepare in printed form quarterly summaries on reports of siezures, communicated by governments under the 1931 Convention, and an annual analytical study of the world trends of illicit traffic. The Secretariat was also requested to communicate with all governments which had not yet ratified the 1936 Convention for the Suppression of Illicit Traffic, with a view to securing their early ratification of this Convention.

The Commission considered addiction to drugs derived from opium and the coca leaf, to cannabis, to new synthetic drugs and to barbiturates. It discussed the social, legal and medical aspects of drug addiction. It approved a questionnaire to be sent to governments on drug addiction. On the recommendation of the Commission, the Council at its fourth session adopted the following resolution:

THE ECONOMIC AND SOCIAL COUNCIL, HAVING NOTED that under the Convention of February 19, 1925 Governments have undertaken to send the Permanent Central Opium Board statistics of drugs, whether synthetic or not, which are brought under control in virtue of article 10 of this Convention,

REQUESTS the Secretary-General to remind the Governments concerned of the obligation above-mentioned, and to ask them to send for the information of the Permanent Central Opium Board and the Supervisory Body, estimates of requirements of these drugs, together with the estimates to be furnished under articles 2 to 5 inclusive of the Convention of 1931.

(1) Re-establishment of Control

The Commission noted that seventeen countries in Europe and five in Asia had not submitted annual reports during all or part of the period 1939-1945, the great majority of these countries having been directly affected by the war, and decided that governments which had not submitted annual reports in recent years should be urged to do so. With regard to those countries which had not yet resumed full collaboration with the international organs of control, it further decided:

(i) to request them to furnish, as soon as possible, information on conditions during the war and on the present state and functioning of their national narcotic administrations;

(ii) to ask them to resume, at the earliest date possible, collaboration with the international organs of control in accordance with the narcotic conventions to which they are parties; and

(iii) to offer them such technical assistance as they may require with a view to re-establishing their national controls at pre-war levels (e.g. in some countries all statistical records, archives, etc., relating to drug control were destroyed).

It was also suggested that members of the Narcotic Division of the United Nations should study on the spot the re-establishment and, if necessary, the improvement of national control in countries directly affected by the war and give such technical advice as the circumstances required.

The Council approved the decision of the Commission to ask the countries directly affected by the war to resume as soon as possible full collaboration with the international organs of control and to offer them any technical advice needed to re-establish national control at pre-war levels.

With a view to assisting it in supervising the application of the conventions and agreements on narcotic drugs the Commission asked the Secretariat to prepare a list of narcotic laws and regulations now in operation in the various countries parties to the Conventions, an annual summary of new laws and regulations and a digest "giving an analytical survey of national legislation in all countries with a view to ascertaining that this legislation is in accordance with the Conventions in force and thus facilitating the more effective application of these Conventions." The Commission also asked the Secretariat to obtain from governments certain information concerning the application of the system of control, and to make a study for further consideration at the next session of the question of adding new drugs to the international list.

The Council noted the opinion of the Commission that the revision of the list of drugs falling within the scope of the Conventions should not be delayed. It approved the Commission's decision to initiate the preparation of a digest of laws.

(2). Conditions in Japan, Korea and Germany

The United States representative made statements in the Commission on Narcotic Drugs regarding conditions found in Japan and Korea by the United States military authorities, showing how no organized control had been exercised over the distribution of narcotic drugs and how illicit traffic had not been suppressed. The Commission took note of the report of the Permanent Central Opium Board that the United States occupying authorities had established a strict centralized supervision of narcotics in Japan and Korea, requesting reports and other information to be furnished in accordance with the narcotics conventions.

A proposal was submitted by the Chinese delegation on the future control of narcotic drugs in Japan with a view to preventing Japan from again becoming a center of illicit traffic. In addition to questions of Japanese import, export and distribution of narcotic drugs, the proposal suggested that a stockpile of narcotic drugs should be established at the proposed Far Eastern Regional Office of the United Nations, or some suitable center designated by the Economic and Social Council on the recommendations of the Commission on Narcotic Drugs and that import of narcotic drugs into Japan should be permitted only from this stockpile. Control measures should be supervised by United Nations inspectors. The Chinese delegation also proposed the establishment of an *ad hoc* committee to study this proposal and the possibility of similar control in Korea, and to recommend how such control could be incorporated in the peace treaties between Japan and the powers concerned and in the agreements for establishing a government in Korea. The Committee should also consider the potentialities of establishing other regional systems of control which might be united within a single global system.

The *ad hoc* committee was established and submitted two alternative proposals. The one provided for a stockpile; the other provided that all imports of narcotic drugs into Japan should receive the prior sanction of an inspectorate appointed by the United Nations. Both proposals were submitted by the Commission to the Economic and Social Council, the majority of members of the Commission being in favor of the second alternative.

The Commission, on the basis of the Chinese proposal, also recommended that the production of raw materials for the purpose of manufacturing narcotic drugs and the manufacture or conversion of narcotic drugs should be prohibited in Japan, that the import of narcotic drugs into Japan should not exceed the total of the estimates of the Supervisory Body for medical and scientific needs and that the export of narcotic substances should be forbidden. The distribution of narcotic drugs within Japan should, the Commission recommended, be controlled by the Japanese Government, which should submit regular reports to the United Nations, and government stocks, except a reserve stock for normal consumption, should be prohibited. Similar control measures were advocated for Korea.

The Economic and Social Council adopted the following resolution:

THE ECONOMIC AND SOCIAL COUNCIL HAVING CONSIDERED the problem of the control of narcotic drugs in Japan, and the recommendations of the Commission on Narcotic Drugs on this subject.

APPROVES the decision of the Commission to approach the competent authorities at Pacific Supreme Headquarters through the proper channels, with the request to supply to the Secretary-General, and through him to the parties to the narcotics conventions, reports and other information to be furnished in accordance with the conventions of 1912, 1925, 1931 and 1936, and

HAVING NOTED that the most stringent measures for the control of narcotic drugs should be incorporated in the peace treaties to be concluded with Japan,

RECOMMENDS to the Governments responsible for negotiating these treaties that provision should be made in them for the most stringent control in the period after the conclusion of the treaties of all transactions concerning narcotic drugs in Japan, and that to ensure effective operation this control should be under the supervision of such control authorities as may be established by the peace treaties and of the United Nations, whose expert bodies will be available to give such information and advice as may be requested.

The representative of the United States made a statement regarding the steps taken in the United States Zone in Germany for the re-establishment of narcotics control. A Narcotics Control Working Party with representatives from each of the four zones was established on September 23, 1946, to study the question of collecting statistics on narcotic drugs for submission to competent authorities designated by the United Nations. The representatives of the Permanent Central Opium Board drew attention to the necessity of a centralized or co-ordinated control of narcotics in Germany.

On the recommendation of the Commission, the Economic and Social Council requested the Secretary-General on its behalf

....to inform the Governments of France, the Union of Soviet Socialist Republics, the United Kingdom, and the United States of the special importance which the Council attaches to the establishment of an effective control of narcotic drugs in Germany, and to invite them, on behalf of the Council. to recommend to the Allied Control Authority to take the necessary measures at the earliest possible moment for the establishment of an effective control of narcotic drugs throughout Germany.

Following the decision, notes concerning the control of narcotics in Germany and Japan were addressed to the U.S. Secretary of State on May 7, 1947, with the request that he bring the matter before the Allied Control Council for Germany, and the Political Advisor to the Supreme Commander for the Allied Powers, in Tokyo. Tables of the specific obligations undertaken under the Narcotics Conventions by the German and Japanese authorities were annexed.

(3). Appointments to Permanent Central Opium Board

The Commission on Narcotic Drugs at its first session considered the procedure to be followed in making future appointments to the Permanent Central Opium Board. It decided to recommend that the Economic and Social Council should follow a procedure similar to that followed by the League of Nations under Article 19 of the Geneva Convention of February 19, 1925. The Commission suggested that after the entry into force of the amendments to this Convention, the Secretary-General should invite the parties to it each to submit to him the names of two persons satisfying the conditions, which included a technical competence, impartiality and disinterestedness. In making appointments consideration was also to be given to the importance of including on the Central Board, in equitable proportions, persons possessing a knowledge of the drug situation both in the producing and manufacturing countries on the one hand, and in the consuming countries on the other hand, and connected with such countries. Members of the Board might not hold any office putting them in a position of direct dependence on their governments.

In extending the invitations the Secretary-General should also be guided by the Economic and Social Council and General Assembly resolutions regarding Franco Spain.

The Secretary-General should inform governments in full detail of the nature of the appointments and governments should inform candidates of these, and should state the qualifications of their nominees. The Commission suggested that governments should be asked, in nominating candidates, to make a statement that these candidates would normally be able to attend three meetings a year. The list of

candidates should be communicated to members of the Economic and Social Council before the session at which elections were to take place.

The Commission pointed out that governments were not obliged to nominate their own nationals. It drew the attention of the Council to the fact that a certain number of parties to the 1925 Convention were not Members of the United Nations, and that the Council might consider appointing one member of the Board who was a national of a State not a Member of the United Nations. The Commission stated that while geographical considerations should be taken into account, the primary consideration in appointing members of the Board should be the qualifications and technical competence of the candidate. The Chinese member of the Commission pointed out that the number of persons who were not dependent on their governments and who possessed sufficient independent means and leisure to become members of the Board was very limited.

The Commission authorized the Chairman, Vice-Chairman and Rapporteur to forward to the Economic and Social Council one or more nominations for the vacancy on the Permanent Central Opium Board. Professor J. Bougault (France) was nominated.

The Economic and Social Council approved the procedure outlined by the Commission and instructed the Secretary-General to invite the governments concerned to send, so as to reach him by or on August 1, 1947, their nominations in accordance with these provisions. The Council also invited the Secretary-General to study the question of amending or deleting the requirement that members of the Permanent Central Opium Board should not hold any office putting them in a position of direct dependence on their governments. The U.S.S.R. representative expressed the opinion that the composition of the Board should be determined on the same principles as that of the commissions of the Council.

The Council appointed Professor Bougault to the vacant post on the Board.

On April 25, 1947, the Secretary-General wrote to the governments of 65 states requesting them to submit to him by August 1, 1947, the names of two candidates for the Permanent Central Opium Board.

The Council recommended that, in view of the numerous functions which had to be performed, the urgency of the full-establishment of narcotic control and the need for resuming the preparatory work for the limitation of the production of raw materials, the General Assembly should make adequate provisions so that the Commission on Narcotic Drugs and the Secretary-General should be able to discharge efficiently the functions and duties of the United Nations in the field of narcotic drugs.

2. Transfer to the United Nations of the Activities of the League of Nations in the Field of Narcotic Drugs

By resolution of February 12, 1946 the General Assembly decided that:

> ....the (Economic and Social) Council should, on or before the dissolution of the League (of Nations), assume and continue provisionally the work hitherto done by... the Opium Section (of the League of Nations)[1] and the secretaries of the Permanent Central Opium Board and the Supervisory Body[2]..

The General Assembly considers that it would also be desirable for the Secretary-General to engage for the work referred to in paragraph 1 above, on appropriate terms, such members of the experienced personnel by whom it is at present being performed as the Secretary-General may select.

The Council accordingly, by its resolution of February 16, 1946, empowered the Secretary-General, acting in accordance with the above-mentioned resolution of the General Assembly, to take the steps necessary for the provisional assumption and continuance of

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[1] The Opium Section of the League of Nations acted principally as secretariat to the Advisory Committee on the Traffic in Opium and Other Dangerous Drugs; it was responsible for the preparation of international conferences on narcotic drugs and for documents relating to narcotic problems for the Assembly and Council of the League.

[2] These two international control bodies, set up under the 1925 and 1931 Conventions on Narcotic Drugs, met regularly throughout the war and carried on their work of control with the assistance of their respective secretariats. To ensure the continuation of international drug control during the war, centres outside Switzerland had to be created from which the work could be carried on to the fullest extent possible. Thanks to the courtesy and interest of the Government of the United States of America, it was possible to establish, in February, 1941, branch offices of the secretariats of the Permanent Central Board and the Supervisory Body at Washington, D.C., where they functioned until 1946.

the work of the Opium Section of the League and the secretariats of the Permanent Central Opium Board and the Supervisory Body.

In pursuance of the decisions of the General Assembly and the Council, the Secretary-General informed the Secretary-General of the League of Nations that the Commission on Narcotic Drugs of the United Nations had been established and that under its terms of reference it had, *inter alia, to* carry out the functions entrusted to the Advisory Committee on the Traffic in Opium and Other Dangerous Drugs of the League; that a Narcotics Division had been established within the Department of Social Affairs of the United Nations Secretariat, its task, *inter alia,* being to continue the work hitherto done by the Opium Section of the League, and that consequently the Secretary-General had decided to assume, as from August 1, 1946, responsibility for the work of the Opium Section of the League.

The Secretary-General further asked the Secretary-General of the League to give the Narcotics Division of the United Nations such information concerning current work and such other assistance as it might need in carrying out the functions entrusted to it and to request all Governments that were parties to Agreements and Conventions on Narcotic Drugs concluded in 1912, 1925, 1931 and 1936 to address to the Secretary-General of the United Nations all reports and communications which they undertook to furnish under those Agreements and Conventions, except statistics and estimates which, under the 1925 and 1931 Conventions, should continue to be sent to the President of the Permanent Central Opium Board.

The Secretary-General also informed the Secretary-General of the League of Nations of his intention to simplify, within the provisions of the existing Conventions, the administrative machinery of the international drug control by fusing the secretariats of the Permanent Central Opium Board and the Supervisory Body and requesting the secretary of the Board to assume also the secretaryship of the Supervisory Body.

In reply, the Secretary-General of the League informed the Secretary-General that a circular letter had been sent to all governments which were parties to Narcotics Conventions requesting them to address henceforth to the Secretary-General of the United Nations all reports and communications referred to above, and to the President of the Permanent Central Opium Board the statistics and estimates under the 1925 and 1931 Conventions. He further stated that the competent services of the League Secretariat had been instructed to give the Narcotics Division of the United Nations all assistance it might need in the performance of its duties.

The Secretary-General advised the President of the Permanent Central Opium Board and the Chairman of the Supervisory Body of provisional administrative and financial arrangements which he proposed to make in order to ensure the continuance, under the auspices of the United Nations, of the work of these two bodies and their respective secretariats. He also suggested the abovementioned fusion of the two secretariats and, as this measure, if adopted, would affect the staff of the Permanent Central Opium Board, the Secretary-General, following the provisions of Article 20 of the 1925 Convention, requested the President of the Board to inform him whether this arrangement would meet with the approval of the Board. If so, the Secretary-General would request the secretary of the Board to assume also the secretaryship of the Supervisory Body.

In reply, the President of the Permanent Central Opium Board informed the Secretary-General that the measures he proposed in respect of the appointment of the Board's secretary and staff and the fusion of the Board's secretariat with that of the Supervisory Body met with the Board's full approval. In accordance with Article 20 of the 1925 Convention, the President of the Board nominated for appointment by the Secretary-General the secretary and staff of the Board, whereupon the Secretary-General informed the President of the Board of the terms and conditions of appointment to be offered to them. These terms and conditions were accepted by the Board and its staff.

In reply to the Secretary-General's letter concerning the provisional administrative and financial arrangements required to ensure continuance of the Supervisory Body's work, the Chairman of the Supervisory Body stated

that he agreed with the measures proposed by the Secretary-General and with the principle of the fusion of the secretariats of The Permanent Central Opium Board and the Supervisory Body, but he added that this change would need to be carefully worked out in consultation with the two bodies concerned. He also suggested that the fusion should become effective as from January 1, 1947. In the exchange of letters which followed, the Secretary-General assured the Chairman of the Supervisory Body that the two bodies would have an opportunity of working out in consultation the arrangements concerning the fusion of their secretariats; he also stated the reasons which, from an administrative point of view, made it necessary to fuse these secretariats as from September 1, 1946.

Agreements having been reached with the Permanent Central Opium Board and the Supervisory Body on the provisional administrative and financial measures referred to above, the Secretary-General was in a position to report that as from September 1, 1946, all "the steps necessary to the provisional assumption and continuance of the work hitherto done by ... the secretariats of the Permanent Central Opium Board and the Supervisory Body" had been taken in accordance with the resolution of the Economic and Social Council of February 16, 1946.

3. Transfer to the United Nations of Powers and Functions Exercised by the League of Nations Under the Conventions on Narcotic Drugs

On February 12, 1946, the General Assembly decided, with certain reservations, to take the necessary measures to ensure the continued exercise of the functions and powers of a technical and non-political character vested in the League by virtue of international agreements, including those relating to the international control of narcotic drugs,[1] and referred the matter to the Economic and Social Council.

When the Council considered the matter at its third session, it had before it a memorandum prepared by the Secretary-General to which were appended two draft resolutions (one for the Council and one for the General Assembly) as well as the Draft Protocol intended to give effect to the decision taken by the General Assembly on February 12, 1946. Some members took the view that it would be inappropriate for the United Nations to invite the present Spanish Government to become a party to the new Protocol. Other members thought that the right course was not to exclude any country from the system of international control of drugs.

It was generally agreed, however, that if the Council decided to exclude Spain, effect could be given to this intention by adding to the draft resolution to be submitted to the General Assembly a paragraph the effect of which, if passed by the General Assembly, would be to relieve the Council and the Secretary-General from sending any communication on the subject of narcotic drugs to the Franco Government, whether Spain was referred to in the Conventions and Protocols as a contracting party or under any other designation.

On October 3, 1946, the Council adopted its Report to the General Assembly containing its own resolution as well as a draft resolution and a Draft Protocol with Annex for submission to the General Assembly, as follows:

THE ECONOMIC AND SOCIAL COUNCIL

To ensure continuity in the international control of narcotic drugs,

RECOMMENDS that the General Assembly approve the assumption by the United Nations of the functions and powers exercised by the League of Nations in respect of narcotic drugs, as provided in the attached draft Resolution and draft Protocol;

REQUESTS the Secretary-General to inform the Members of the United Nations of this recommendation in order that their representatives at the next Session of the General Assembly may be given authority to sign the Protocol;

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[1] The following four international Conventions and two Agreements relating to narcotic drugs are at present in force:

General Drug Conventions:
(1) The Hague Convention of January 23, 1912.
(2) The Geneva Convention of February 19, 1925.
(3) The Limitation Convention of July 13, 1931.
Special Drug Convention:
(4) The Convention for the Suppression of the Illicit Traffic of June 26, 1936.
Opium-Smoking Agreements:
(5) The Geneva Agreement of February 11, 1925.
(6) The Bangkok Agreement of November 26, 1931.

CONSIDERS that, in view of the Resolution of the General Assembly on the relations of the Members of the United Nations with Spain, adopted on 9 February 1946, the Franco Government should not be invited to become a party to the Protocol;

INVITES the present members of the Permanent Central Board and of the Supervisory Body to continue for the time being in office, to ensure the continuance of the control of narcotic drugs;

REQUESTS that the necessary financial provisions may be made by the General Assembly to enable the Permanent Central Board and the Supervisory Body to carry on their functions under the Conventions; and

INVITES the Commission on Narcotic Drugs to advise the Council as to the procedure to be followed in making future appointments to the Permanent Central Board.

The General Assembly on November 19, 1946, duly approved the Protocol amending the Conventions and Agreements on Narcotic Drugs. Under the Protocol the amendments were to come into force in respect of each international instrument when the majority of the parties to it became parties to the Protocol. The Commission on Narcotic Drugs passed a resolution expressing the hope that Members of the United Nations which had signed the Protocol, subject to approval followed by acceptance, would approve or approve and accept it as soon as possible, and that other Members would become parties to it at an early date. The Commission requested the Economic and Social Council to consider the measures to ensure the participation in the Protocol of parties to the Agreements and Conventions on Narcotic Drugs which were not Members of the United Nations.

On December 11, 1946, representatives of 36 countries signed the Protocol, and it was later signed by representatives of further countries.

The Economic and Social Council at its fourth session adopted the following resolution:

THE ECONOMIC AND SOCIAL COUNCIL

TAKES NOTE of the first report of the Commission on Narcotic Drugs and decides as follows:

HAVING NOTED that forty-nine Members of the United Nations have now signed the Protocol transferring to the United Nations the functions preveiously exercised by the League of Nations under international conventions, agreements and other instruments relating to the narcotic drugs, and

HAVING NOTED that a certain number of parties to such conventions, agreements and other instruments are not Members of the United Nations,

REQUESTS the Secretary-General to invite all those parties to the conventions, agreements and other instruments above-mentioned which are not Members of the United Nations, with the exception of Spain so long as the Franco Government remains in power in that country, to become parties to the said Protocol at an early date.

Invitations to become parties to the Protocol on Narcotic Drugs were sent by the Secretary-General on May 9, 1947, to the governments of thirteen countries.

Q. AUTHORIZATION TO THE COUNCIL TO REQUEST ADVISORY OPINIONS OF THE INTERNATIONAL COURT OF JUSTICE

Article 96, paragraph 2, of the Charter empowers the General Assembly to authorize "other organs of the United Nations and specialized agencies to request advisory opinions of the Court on legal questions arising within the scope of their activities." The Economic and Social Council, as one of the principal organs of the United Nations, and by virtue of the functions and powers conferred upon it under Chapter X of the Charter of the United Nations, has wide responsibilities in diverse fields of economic and social co-operation in the fulfilment of which it may have necessarily to request advisory opinions of the International Court of Justice. In addition, by virtue of the terms of Article 63 of the Charter, the function of co-ordinating the activities of specialized agencies brought into relationship with the United Nations has been conferred upon the Council. To enable the Council to discharge its co-ordinating responsibility adequately, it was felt that it should be authorized to request advisory opinions on all legal questions within its scope, including legal questions concerning mutual relationships of the United Nations and the specialized agencies.

Accordingly, the Council passed the following resolution on September 21, 1946:

THE ECONOMIC AND SOCIAL COUNCIL RECOMMENDS that in accordance with Article 96 (2) the General Assembly authorize the Council to request the International Court of Justice to give an advisory opinion on any legal questions arising within the scope of the activities.

This authorization was granted by the General Assembly on December 11, 1946.

R. EXPERT ASSISTANCE TO MEMBER GOVERNMENTS

In order to give effect to the resolution passed by the General Assembly on December 14, 1946, regarding the provision of expert advice to Member Governments[1] the delegations of Chile, Cuba, India, Lebanon, Peru and Venezuela submitted jointly to the fourth session of the Economic and Social Council a draft resolution instructing the Secretary-General to establish within the Secretariat a section on expert assistance to Member Governments.

The attention of the Council was drawn to the fact that the provision of expert assistance might involve the work of one or more of the commissions of the Council and the specialized agencies, and it was suggested that the Co-ordination Committee[2] might be asked to report to the Council on the question.

The Council decided to instruct the Secretary-General to establish machinery within the Secretariat designed to perform the following services:

1. Assistance to Member Governments in obtaining information on expert personnel, research facilities and other resources that the United Nations and specialized agencies can make available to Member Governments on request, and especially to the less-developed countries for aiding them in their development;

2. Elaboration of plans and programmes for the most efficient utilization of such personnel, facilities and resources;

3. Assistance to Member Governments which seek expert advice in securing, on terms mutually agreed upon, such advice, particularly in the form of teams of experts who would study specific problems and recommend appropriate practical solutions for the consideration of the Member Governments concerned.

It further instructed the Secretary-General to work in close co-operation with the specialized agencies in implementing these instructions and to obtain a report on the subject from the Co-ordination Committee for submission to the Council at its fifth session. The Secretary-General was also to study, in co-operation with the Co-ordination Committee, the general procedures and terms, including financial arrangements, which might be followed by the United Nations and specialized agencies in providing technical assistance to Member Governments.

S. NATIONAL RED CROSS SOCIETIES

On the proposal of the Belgian representative, the Council passed the following resolution on September 21, 1946:

WHEREAS the Economic and Social Council is empowered by Article 62 of the Charter to make recommendations to the General Assembly with respect to international economic, social, cultural, educational, health, and related matters,

AND WHEREAS the work of international solidarity achieved by the National Red Cross societies effectively assists the idea of understanding and peace between nations,

THEREFORE THE ECONOMIC AND SOCIAL COUNCIL RECOMMENDS to the General Assembly that it should draw the attention of Members of United Nations to the fact that the following purposes are of special concern, namely:

1. That the said Members should encourage and promote the establishment and co-operation of duly authorized voluntary national Red Cross and Red Crescent organizations;
2. That at all times the independent and voluntary nature of national Red Cross and Red Crescent societies be respected in all circumstances provided they are recognized by their governments and carry on their work according to the principles of the Geneva and Hague Conventions, and in the humanitarian spirit of the Red Cross;
3. That the necessary steps be taken to ensure that in all circumstances contact may be maintained between the national Red Cross and Red Crescent societies of all countries so as to enable them to carry out their humanitarian task.

These recommendations were approved by the General Assembly on November 19, 1946.

[1] See p. 183.
[2] See p. 546.

T. UNITED NATIONS RESEARCH LABORATORIES

At the third session the French delegation brought forward a proposal regarding the establishment of United Nations research laboratories. Many representatives stressed the fact that in several fields of science international laboratories would greatly add to the effectiveness of scientific research; such international co-operation also would make for equality of means between large and small countries. Several members while in favor of international co-operation in scientific research thought that the establishment of research laboratories should be deferred at present.

The text of the resolution adopted by the Council on October 3, 1946, was as follows:

THE ECONOMIC AND SOCIAL COUNCIL, CONSIDERING

1. That a certain number of research activities can only be conducted in a rational manner on an international scale, and

2. That many branches of scientific research connected with the promotion of human knowledge, and especially with public health, would yield considerably more effective results if they were conducted on an international plane,

INVITES the Secretary-General to consult UNESCO and the other specialized agencies concerned and to submit to the Economic and Social Council, if possible during the next session, a general report on the problem of establishing United Nations Research Laboratories.

U. TRANSLATION OF THE CLASSICS

The General Assembly on December 14, 1946, referred to the Economic and Social Council for reference to the United Nations Educational, Scientific and Cultural Organization the question of the translation of the world's classics into the languages of Members of the United Nations. The Assembly outlined certain principles which it recommended should be taken into consideration by the Economic and Social Council and UNESCO in their study of the question[1].

To give effect to this resolution, the Economic and Social Council at its fourth session passed the following resolution:

THE ECONOMIC AND SOCIAL COUNCIL

TAKING NOTE of the resolution No. 60 (1) of the General Assembly of 14 December 1946 whereby the question of the translation of the world's classics into the languages of the Members of the United Nations was referred to the Economic and Social Council for reference to the United Nations Educational, Cultural, and Scientific Organization, and of the principles recommended therein for consideration in the study of this question; and

CONSIDERING

(a) That the translation of the classics is a project of international concern and of great significance for the promotion of international cultural co-operation;

(b) That the successful implementation of this project is linked closely with all the activities of UNESCO which tend to raise the general level of culture among the people of the world;

(c) That certain nations do not have sufficient facilities and resources for the authentic translation of numerous classics into their languages;

(d) That such translation is greatly conducive to their cultural development;
and

DECIDE TO REQUEST UNESCO to submit by 1 June 1948, to the Economic and Social Council a report giving recommendations for needed action, and including particularly data on objective methods of selection of great books, the needs of various cultural regions, and suggestions for general assistance in translation, publication and distribution.

V. TRANSFER OF CERTAIN NON-POLITICAL FUNCTIONS OF THE LEAGUE OF NATIONS

The General Assembly adopted, on February 12, 1946, a resolution on the "transfer of certain functions, activities and assets of the League of Nations."[2] Section II of that resolution requested the Economic and Social Council to survey the non-political functions and activities of the League other than those belonging to it under international agreements in order to determine which of them should, with such modifications as might be desirable,

[1] For text of resolution see p. 184.
[2] See p. 110 ff.

be assumed. At the same time it was indicated that pending this examination the Council should assume and continue the work of certain League services. The services mentioned were the Economic, Financial and Transit Department, the Health Section, the Opium Section and the Secretariats of the Permanent Central Opium Board and Supervisory Body.

Acting upon these recommendations, the Economic and Social Council on February 16, 1946, requested the Secretary-General to undertake the survey called for by the General Assembly and to take the necessary steps for the provision of assumption and continuance of the work of the League departments mentioned above.

The Economic and Social Council was apprized of the action taken in compliance with these resolutions by a memorandum from the Secretary-General dated September 26, 1936, of which it took note of on October 20, 1946.

This document contained a brief survey of the League committees, commissions, departments and publications relating to economic and social questions. It referred to the action taken by the Secretary-General to assume and to continue, provisionally and with such modifications as were necessary, the work of the League of Nations in those fields. It also mentioned the action taken as regards League activities by various commissions of the United Nations. It stated that "once the Commissions and Secretariat of the United Nations and the specialized agencies are fully organized, it is probable that the Economic and Social activities of the League will have been absorbed..." In conclusion, it suggested that "in such cases where this has not yet been done, the Commissions and specialized agencies should study and, if required, report on conditions under which the functions of the League of Nations formerly exercised within their field of competence, might be assumed, insofar as it is desirable and does not involve any overlapping of activities."

The Report of the Economic and Social Council and the Report of the Secretary-General on the Transfer of Certain Functions and Activities of the League of Nations were submitted to the second part of the first session of the General Assembly. On December 14 the Assembly passed a resolution recognizing that it was desirable for the United Nations to assume and continue the non-political functions and activities of the League described in the Secretary-General's report and authorizing him to assume and continue such activities except those exercised under international agreements or those entrusted to specialized agencies. It authorized the Economic and Social Council to assume and continue, with the same exceptions, the functions of the League committees and commissions.

W. TRANSFER OF THE PROPERTY RIGHTS IN THE INTERNATIONAL INSTITUTE OF INTELLECTUAL CO-OPERATION

The Council passed the following resolution on October 3, 1946:

THE ECONOMIC AND SOCIAL COUNCIL, in view of the future transfer to UNESCO of the functions and activities of the International Institute of Intellectual Co-operation,

RECOMMENDS that:

1. The Preparatory Commission of UNESCO and the Institute be requested to undertake negotiations for the purpose forthwith.

2. The Secretary-General be authorized to study and to report to the next meeting of the General Assembly concerning the conditions under which it will be appropriate to utilize the assets of the League of Nations in the International Institute of Intellectual Co-operation, bearing in mind the respective requirements of the United Nations and of UNESCO.

The General Assembly on November 19 invited the Secretary-General to authorize UNESCO to utilize the assets of the Institute transferred by the League of Nations to the United Nations[1].

[1] For text of the resolution, see pp. 268, 269.

X. SPECIALIZED AGENCIES

1. Committee on Negotiations with Specialized Agencies

The Council appointed a Committee on Negotiations with Specialized Agencies during the first session and directed it:

(a) to enter into negotiations as early as possible with the Food and Agriculture Organization of the United Nations, the International Labour Organisation, the International Monetary Fund, the International Bank for Reconstruction and Development, and the United Nations Educational, Scientific and Cultural Organization;

(b) to submit a report of the negotiations to the second session of the Council, including therein a draft preliminary agreement based upon the negotiations with the above-mentioned agencies;

(c) to arrange for the inclusion in the preliminary draft agreements with each of these agencies of appropriate provisions on the subjects, based on the relevant paragraphs of Chapter III, Section 5, of the Report of the Preparatory Commission.

The Committee was composed of representatives of Belgium, Canada, Chile, China, Colombia, Czechoslovakia, France, Norway, the U.S.S.R., the United Kingdom and the United States, under the chairmanship of the President of the Council.

2. Negotiations with ILO, UNESCO, FAO and PICAO

During the second session of the Council, negotiations took place with the International Labour Organisation, the United Nations Educational, Scientific and Cultural Organization and the Food and Agriculture Organization of the United Nations. As a result the Council passed the following resolution on June 21:

THE ECONOMIC AND SOCIAL COUNCIL,

HAVING CONSIDERED the draft agreements entered into between its Committee on Negotiations with Specialized Agencies and the International Labour Organisation, the United Nations Educational, Scientific and Cultural Organization and the Food and Agriculture Organization of the United Nations,

RECOMMENDS to the General Assembly that these agreements be approved by it.

At the third session, negotiations took place with the Provisional International Civil Aviation Organization, in accordance with a decision taken by the Council at its second session.

Some members of the Council maintained that the negotiations with the Provisional International Civil Aviation Organization should be postponed so long as Spain remained a member of this Organization. They referred to the resolution of the General Assembly of February 9, 1946. The majority of the Council felt, however, that the question of relations between the United Nations and Spain was not involved in the establishment of relationships with the International Civil Aviation Organization and that an agreement should be entered into with that Organization in accordance with Articles 57 and 63 of the Charter.

The Council adopted on October 3, 1946, the resolution quoted in section 5 of this chapter, recommending the approval of the draft agreement negotiated with PICAO by the Assembly.

3. Main Provisions of the Agreements

Provisions were included in the draft agreements in the light of the principles set out in the Report of the Preparatory Commission. The most important of them were as follows:

Reciprocal Representation. The United Nations might send a representative to the meetings of the conferences and executive bodies of specialized agencies, and these in turn might be represented in an official character at the meetings of the organs in which they have an interest.

Admission of States not Members of the United Nations. In the agreement with UNESCO the admission of States not Members of the United Nations to the membership of the Organization was subject to certain procedures which enabled the Economic and Social Council to recommend the rejection of the applications for admission. A similar provision was included in the agreement with PICAO; with the difference that the General Assembly, and not the Economic and Social Council, would review the applications for membership of the Organization.

Proposal of Agenda Items. The Economic and Social Council and the Trusteeship Council undertook to insert in their agenda items proposed by the specialized agencies, and in turn the specialized agencies undertook to insert in the agenda of their respective bodies the items proposed by the United Nations.

Recommendations of the United Nations. Under the agreements, the specialized agencies agreed to submit to their policy-making or executive bodies all formal recommendations which the United Nations might make to them. They agreed to enter into consultation with the United Nations, upon request, with respect to such recommendations, and to report to the United Nations on the action taken

to give effect to such recommendations. This clause provided a principal means by which the United Nations could perform its functions of co-ordination in accordance with Articles 58 and 63 of the Charter.

Exchange of Information and Documents. The fullest and promptest exchange of information and documents was to be made between the United Nations and each agency. The agencies undertook to supply reports to the United Nations including both regular and special reports.

Assistance to the Security Council. The agencies agreed to render assistance to the Security Council in carrying out its decisions.

Assistance to the Trusteeship Council and Co-operation with Regard to Non-Self-Governing Territories. The agencies agreed to co-operate with the Trusteeship Council in carrying out its functions and to co-operate with the United Nations in the discharge of its obligations with respect to the development of the peoples of non-self-governing territories.

Relations with the International Court of Justice. Under the agreements, the specialized agencies were authorized to request advisory opinions of the International Court of Justice on legal questions arising within the scope of their activities other than questions of mutual relations of the organizations and the United Nations or other specialized agencies. The draft agreement with the International Labour Organisation contained a general authorization to request advisory opinions from the International Court of Justice, within the above mentioned limitations, whereas the draft agreement with UNESCO contained a clause providing for the possibility that the Council might withhold the request until the General Assembly has made a final decision.

At the third session the Council decided to include in the draft agreements with the Food and Agriculture Organization of the United Nations and the Provisional International Civil Aviation Organization the same clause for obtaining advisory opinions from the International Court of Justice as was contained in the draft agreement with the International Labour Organisation, and recommended that the General Assembly authorize the Secretary-General to offer to the United Nations Educational, Scientific and Cultural Organization the same clause.

Headquarters and Regional Offices. Since the headquarters of the United Nations Educational, Scientific and Cultural Organization had already been established in Paris, no provision was included in the Agreement with this Organization. With respect to the other three organizations, centralization was recognized as the guiding principle in the eventual determination of their headquarters.

Personnel Arrangements. The agreements stressed the desirability of securing as much uniformity and co-ordination as practicable in matters relating to personnel and administrative services. The draft agreements provided for the development of common personnel standards and methods designed to avoid unjust differences in terms and conditions of employment as well as to avoid competition in the recruitment of personnel and to facilitate interchange of personnel.

Statistical Services. A provision to co-ordinate the statistical services of the United Nations and those of the specialized agencies was included in the agreements on the basis of the recommendations made by the "nuclear" Statistical Commission to the Council.

Budgetary and Financial Arrangements. This article contemplated the establishment of a general budget of the United Nations within which the budget of the specialized agencies would be included. In order to establish this system of "consolidated budgets" as envisaged in the Report of the Preparatory Commission, supplementary agreements would have to be negotiated at a later date. In the meantime, specialized agencies were to enter into consultation with the United Nations in the preparation of their budgets, and were to transmit their proposed budgets annually to the General Assembly for examination and recommendations and to conform as far as practicable to the standards recommended by the United Nations in accordance with Article 17, paragraph 2 of the Charter.

Public Information. In order to co-ordinate the activities of the United Nations Educational, Scientific and Cultural Organization in advancing the mutual knowledge and understanding of people, through all means of mass communication, with the operations of information services of the United Nations, a subsidiary agreement was to be concluded with this Organization.

4. Relations with the International Monetary Fund and the International Bank for Reconstruction and Development

At the request of the International Bank for Reconstruction and Development and the International Monetary Fund, the Council decided, at its second session, to postpone negotiations with these organizations, and instructed the Secretary-General to continue exploratory discussions so as to prepare for negotiations during the third session of the Council. Conversations were entered into with both organizations accordingly on problems involved in the relationships between the United Nations and the International Bank for Reconstruction and Development and the International Monetary Fund. Practical co-operation was established, consisting mainly of mutual attendance at meetings as well as the joint planning of

economic research and statistical work. The International Monetary Fund and the International Bank for Reconstruction and Development informed the Secretary-General of their desire to continue and intensify practical co-operation with the United Nations. They considered, however, that pending further development of their organization and activities, it would be premature to negotiate formal agreements under Article 57 of the Charter; they preferred to wait until experience had more clearly indicated the appropriate character and scope of their future relations with United Nations.

The Committee on Negotiations with Specialized Agencies after a full discussion reached the conclusion that every possible effort should be made to negotiate with the International Monetary Fund and the International Bank for Reconstruction and Development at an early session of the Council draft agreements which should take into account the special characteristics of these institutions and to submit these draft agreements to the second session of the General Assembly in 1947.

5. Resolutions of the Council

The Council passed the following resolutions at its third session:

1. THE ECONOMIC AND SOCIAL COUNCIL

INSTRUCTS the Secretary-General to insert the draft agreement with the FAO, which the Council at its second session recommended for the approval of the General Assembly, an additional article granting the same procedure for obtaining advisory opinions from the International Court of Justice as is specified in Article IX of the draft agreement with the ILO and recommends to the General Assembly that it approve the draft agreement with the Food and Agriculture Organization as amended by the addition of this article.

2. THE ECONOMIC AND SOCIAL COUNCIL

HAVING CONSIDERED the draft agreement entered into between its Committee on Negotiations with Specialized Agencies and the Provisional International Civil Aviation Organization, instructs the Secretary-General to insert in the draft agreement with the ICAO an additional article granting to the ICAO the same procedure for obtaining advisory opinions from the International Court of Justice as is specified in article IX of the draft agreement with the ILO and, recommends to the General Assembly that it approve the draft agreement with the addition of this article.

3. THE ECONOMIC AND SOCIAL COUNCIL

RECOMMENDS to the General Assembly that it authorize the Secretary-General to offer to UNESCO to replace article XI of the draft agreement with that organization, which deals with the question of access to the International Court of Justice, by an article which will extend to UNESCO the same procedure in this respect as is specified in the agreement with the ILO (article IX).

4. THE ECONOMIC AND SOCIAL COUNCIL

DIRECTS the Secretary-General to strengthen and extend working relationships between the United Nations and the International Monetary Fund and the International Bank for Reconstruction and Development and to continue consultations with the representatives of these organizations with a view to initiating formal negotiations as soon as practicable.

5. THE ECONOMIC AND SOCIAL COUNCIL

DIRECTS the Secretary-General to initiate as soon as possible conversations with the Interim Commission of the World Health Organization for the purpose of preparing an agreement to be negotiated at an early session of the Economic and Social Council.

The General Assembly approved the agreements bringing the International Labour Organisation, the Food and Agriculture Organization, the United Nations Educational, Scientific and Cultural Organization and the International Civil Aviation Organization into relationship with the United Nations.[1]

It recommended, however, that the Franco Government of Spain be debarred from membership in the international agencies established by or brought into relationship with the United Nations, and made its approval of the agreement with ICAO contingent on that Organization's compliance with this decision.[2]

The Council at its fourth session authorized the Committee on Negotiations with Specialized Agencies to enter into negotiations with the Universal Postal Union and the International Telecommunications Union with a view to bringing these organizations into relationship with the United Nations as specialized agencies.[3]

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[1] For texts of agreements see Part Two, The Specialized Agencies.

[2] The first Assembly of ICAO voted in May 1947 to expel Franco Spain. Its decision has still to be ratified by its members.

[3] See p. 499.

6. Co-ordination Committee

At its third session the Council passed the following resolution:

THE ECONOMIC AND SOCIAL COUNCIL

Being desirous of discharging effectively its responsibility under the Charter of the United Nations to co-ordinate the activities of the specialized agencies,

1. Undertakes, after reference, if necessary, to an appropriate commission or to an *ad hoc* committee,

(a) To consider and to make recommendations or decisions, as may be suitable, regarding matters referred to it by the Secretary-General from the Committee established under paragraph 2, below, and matters arising outside the area of the agreements between the United Nations and the specialized agencies which are or may become the subject of difference of view between the specialized agencies and the United Nations, or between the specialized agencies, or between the specialized agencies and commissions or other subsidiary organs of the Council, and

(b) To make recommendations concerning ways and means of improving relations between these bodies; and

2. Requests the Secretary-General of the United Nations to establish a standing committee of administrative officers consisting of himself, as chairman, and the corresponding officers of the specialized agencies brought into relationship with the United Nations, for the purpose of taking all appropriate steps, under the leadership of the Secretary-General, to ensure the fullest and most effective implementation of the agreements entered into between the United Nations and the specialized agencies.

This Co-ordination Committee held its first meeting on February 4, 1947, at Lake Success. It was attended by the Secretary-General of the United Nations and the Assistant Secretary-General for Economic Affairs, and by the Directors-General of ILO, FAO and UNESCO.

The Committee discussed questions regarding the implementation of the agreements entered into with the specialized agencies—in particular budgetary and financial arrangements, technical advice to member nations, headquarters and regional offices and co-ordination of conferences.

To follow up agreements reached in the Co-ordination Committee, a Working Committee composed of senior members of the secretariats of the United Nations and of the specialized agencies was established. It first met on February 5. It will report to the Co-ordination Committee.

The Secretary-General reported to the Economic and Social Council on the meeting of the Co-ordination Committee. In his report he stated that inter-agency consultative committees at the secretariat level had been or would be set up on public information, personnel matters, budgetary and financial matters and statistical services. These committees would report to the Co-ordination Committee concerning the agreements which they reached. The Co-ordination Committee agreed that *ad hoc* working groups composed of officials of the United Nations and specialized agencies should be established as occasion arose to consider problems of common concern.

The Secretary-General's report was noted by the Economic and Social Council at its fourth session.

7. Applications by States not Members of the United Nations for Membership in UNESCO

Under the agreement between the United Nations and UNESCO applications submitted by States not Members of the United Nations for membership in UNESCO are transmitted to the Economic and Social Council, which may recommend their rejection. Any such recommendation must be accepted by UNESCO.

Accordingly the Director-General of UNESCO sent to the Secretary-General of the United Nations for submission to the fourth session of the Economic and Social Council applications received from Italy, Austria and Switzerland. The Council voted to approve the admission of these three countries to UNESCO.

The Council decided to defer until its next session consideration of the application of Hungary, which was submitted later.

8. Proposed International Refugee Organization

The General Assembly adopted on February 12, 1946, a resolution recommending that the Economic and Social Council examine the problem of refugees and displaced persons

and report on it to the second part of the first session of the General Assembly, and that the Council establish a special committee for the purpose of carrying out promptly the examination and preparation of the report.[1]

Pursuant to these recommendations, the Council, by a resolution adopted on February 16, 1946, established a Special Committee on Refugees and Displaced Persons, to carry out promptly a thorough examination of the problem and to make a report thereon to the Council at its second session.

The Special Committee met in London from April 8, to June 1, 1946. The Committee first decided on the necessity of establishing an international body to deal with the problem of refugees and displaced persons, such international body to be a specialized agency of non-permanent character. Working through four sub-committees, the Special Committee considered and reported on the following aspects of the problem:

(a) definition of the categories of persons entitled to international protection and assistance;

(b) numbers and location of refugees and displaced persons as well as the conditions preventing speedy repatriation, general problems raised by refugees and displaced persons in the Far East, and ascertainment by enquiry from countries of reception of the possibilities of resettling non-repatriables;

(c) form of the new international body and its relationship to the United Nations, and its constitution and internal administration;

(d) the examination of the various statements and memoranda submitted by private organizations.

The report of the Special Committee on Refugees and Displaced Persons was presented to the Economic and Social Council at its second session in June. The Council concentrated its discussions on the suggestions of the Special Committee for a draft constitution for a new international body to be called the International Refugee Organization, and on the definition of persons coming within the mandate of the new organization, which it was agreed must be an integral part of the constitution.

By resolution of June 21, 1946, the Council recommended to the General Assembly the establishment of a non-permanent organization to be called the International Refugee Organization, a specialized agency to be related to the United Nations. Having in mind the urgency of bringing the International Refugee Organization into being at the earliest possible date, the Council also recommended that the Constitution of IRO as finally adopted by the General Assembly be opened immediately for signature. It urged Members of the United Nations to accord their representatives full power to sign the Constitution.

Having revised the suggestions of the Special Committee for a draft Constitution, the Council requested the Secretary-General to forward the draft Constitution to governments for their comments after drafting such technical clauses as were necessary to complete it from a legal point of view.

The Council further established a Committee on the Finances of the International Refugee Organization to prepare, in the light of the draft Constitution, provisional administrative and operational budgets for the first financial year of the Organization and scales of contributions from Members, having due regard to the exceptionally difficult financial situation of countries formerly under enemy occupation. It decided to review at its third session the comments of Members on the draft Constitution and on the Report of the Committee on the Finances of IRO.

The Council, in view of the urgent importance of making adequate preparation for the advent of the new organization, also recommended by a resolution of June 21, 1946, that the Secretary-General of the United Nations take such steps as might be appropriate to plan in consultation with UNRRA and the Inter-Governmental Committee on Refugees the initiation of the work of IRO.

The Committee on the Finances of IRO met in London from July 6 to 20, 1946. On the basis of an estimated total number of 844,525 European refugees and displaced persons at January 1, 1947, and estimates of the number and location of those likely to be repatriated or resettled during 1947, the Committee prepared a provisional administrative and operational budget for IRO, and recommended provisional scales of contribution to the Administrative budget and parts I and II of the

[1] For text of resolution see pp. 74, 75.

operational budget (large scale resettlement and other than large scale resettlement). Owing to lack of information, it was left to the Council to include in the budget an item for the cost of repatriation of Overseas Chinese. This report was circulated to governments for their comments.

The Council, at its third session, had before it the comments of governments on the draft Constitution, the report of the Committee on the Finances of IRO and a report of the Secretary-General concerning the resolution of the Economic and Social Council relating to the initiation of the work of IRO. Taking into account the recommendations of a Sub-Committee on Refugees, the Council amended the draft Constitution in the light of comments from governments, and agreed to set up a small committee to review the Report of the Committee on the Finances of IRO in the light of observations made by governments and any new information which might be received in the near future. The Council also recommended that Section 3 of the Report of the Committee on the Finances of IRO concerning scales of contributions to the budget of IRO should be referred to the General Assembly in order that the provisional scales of contributions set forth in that document might be reviewed in the light of the report of the Standing Committee on Contributions to be adopted by the General Assembly at the second part of its first session.

The Council appointed an *ad hoc* Committee on Finances. This Committee reviewed the administrative budget proposed by the Committee on the Finances of IRO and recommended its adoption in the same amount ($4,8000,000), but reduced Part I of the provisional operational budget (other than large-scale resettlement) from $193,954,000 to $151,051,000 and Part II of the provisional operational budget (large-scale resettlement) from $60,000,000 to $5,000,000. The reductions were made on the basis of certain factors which modified some of the assumptions underlying the original calculations, i.e. the numbers of persons likely to be resettled and repariated during the first part of operations of IRO; the necessity of bridging the gap between the cost of planned operations and resources likely to be available; and finally the fact that UNRRA was to continue displaced persons operations until June 30, 1947. Furthermore, it included an item in the budget for the cost of repatriation of displaced Overseas Chinese. The report of the *ad hoc* Committee, including the revised budget estimates, which it was agreed should be circulated to governments by the Secretary-General, was approved by the Council on the understanding that all decisions were subject to reference to governments. It was agreed to transmit the report of the Committee on the Finances of the IRO, together with the report of the *ad hoc* Committee, to the General Assembly for final decision.

Differences of emphasis and opinion in the Council characterized the discussions on refugees and displaced persons from the outset. There was no difference of view concerning the necessity of aiding internationally the victims of nazi, fascist and similar regimes. But the extension of such international protection and maintenance to other large groups of persons who for one reason or another were unwilling to return to their countries of nationality or former habitual residence (notably the so-called "political dissidents") was opposed throughout by some Members. This opposition was directed particularly against those who actively participated in hostile activities against a Member of the United Nations.

The debate centered around the prospects and degree of repatriation. The majority tended to take the view that, taking full account of possibilities of repatriation, there would still remain a large remnant of displaced persons who would become for valid reasons the responsibility of IRO and constitute a "hard core" of non-repatriables. The minority, on the other hand, argued that in the absence of hostile propaganda against the countries of origin, with full information given directly by representatives of the countries of origin to their nationals in the camps, and with segregation of those who actively impeded repatriation, especially war criminals, quislings and traitors, the number of non-repatriables would be greatly reduced. The minority also urged that full lists of displaced persons should be furnished to the governments of the countries of origin, arguing that

this would facilitate the screening of undesirables as well as direct communication with relatives in countries of origin.

During the third session of the Council a number of compromise positions were generally accepted. But among the questions upon which no general agreement yet existed was that of the financing of IRO. The Finance Article (Article X) of the draft Constitution contained the principle of the obligatory contribution of members of IRO, not only to the administrative budget (about which no serious difference of opinion existed) but also to the operational budget, including large-scale resettlement. A certain number of governments expressed their strong opposition to the obligatory principle so far as large-scale resettlement projects were concernd, a smaller number extending that opposition to the whole or part of the operational budget as well.

The Council approved the draft Constitution as amended at its third session and transmitted it to the General Assembly.[1] The Council also transmitted to the General Assembly the following resolutions:

THE ECONOMIC AND SOCIAL COUNCIL

TRANSMITS to the General Assembly the report of the *ad hoc* Committee of Finances of the International Refugee Organization.

THE ECONOMIC AND SOCIAL COUNCIL

HAVING reviewed the constitution of the International Refugee Organization in the light of the comments thereon by Members of the United Nations; and

HAVING considered the report of the Committee on the Finances of the International Refugee Organization established under resolution of the Council of 21 June 1946 and the comments thereon of Members of the United Nations; and

HAVING taken into account the draft report of the Secretary-General on the initiation of the work of the IRO; and

CONSIDERING that all possible measures should be taken to expedite the establishment of the International Refugee Organization, to provide for an orderly transfer of functions to it from existing organizations, and to ensure, in the period previous to the coming into effective operation of the Organization, the maximum of effort for the accomplishment of these purposes;

REQUESTS the Secretary-General, pending the establishment of the Preparatory Commission referred to in the annexed interim arrangement, to take such further steps as may be appropriate to plan, in consultation with UNRRA and the IGC, the initiation of the work of the IRO; and

TRANSMITS the following draft resolution to the General Assembly:

THE GENERAL ASSEMBLY,

NOTING that action has been taken pursuant to the resolution concerning refugees and displaced persons adopted by the General Assembly on 12 February 1946, as follows:

(a) The establishment by the Economic and Social Council of a Special Committee on Refugees and Displaced Persons under a resolution of the Council of 16 February 1946;

(b) The making of a report by the special Committee to the second session of the Council;

(c) The adoption of a draft Constitution for an International Refugee Organization and the creation of a Committee on the Finances of the International Refugee Organization by the Council under a resolution of the Council of 21 June 1946;

(d) The circulation to Members of the United Nations for their comments of the draft Constitution and the report of the Committee on Finances;

(e) The final approval by the Council of the constitution and of a provisional budget for the first financial year, the adoption by the Council of an arrangement for a preparatory commission, and the transmittal of both these instruments to the General Assembly, under a resolution of the Council of 3 October 1946;

Having considered the constitution of the International Refugee Organization and the arrangement for a preparatory commission as approved by the Economic and Social Council;

Considering that every effort should be made to provide for the early establishment of the International Refugee Organization and the provision of measures during the interim period designed to facilitate such establishment,

(a) Approves the Constitution of the International Refugee Organization and the Arrangement for a preparatory commission as annexed hereto;

(b) Requests the Secretary-General to open these two instruments for signature and, in the case of the constitution, to open it for signature either with or without reservation as to subsequent acceptance;

[1] See p. 164 ff.

(c) Urges Members of the United Nations to sign these two instruments and, where constitutional procedures permit, to sign the constitution without reservation as to subsequent acceptance;
(d) Authorizes the Secretary-General to make such staff available to the Preparatory Commission as may be deemed necessary and desirable.

The General Assembly approved, in an amended form, the Constitution of the International Refugee Organization, including provisional budgets for administrative and operational expenses.[1]

9. International Health Conference

In accordance with a resolution of the Council of February 15, 1946, a Preparatory Technical Committee consisting of experts appointed in their personal capacities met in Paris in March 1946 to prepare the documentation for an International Health Conference. This resolution envisaged the establishment of a single International Health Organization, and the Technical Preparatory Committee reached agreement on a draft for the constitution of such an organization.[2]

The International Health Conference called by the Council, in accordance with resolutions adopted on February 15 and June 11, 1946, met in New York from June 19 to July 22.

The Conference established the following instruments:

(a) Final Act of the International Health Conference, incorporating a resolution regarding the activities of the League of Nations Health Organization;
(b) Constitution of the World Health Organization;
(c) Arrangement concluded by the Governments represented at the International Health Conference establishing an Interim Commission of the World Health Organization;
(d) Protocol concerning the *Office international d'hygiène publique.*

At its third session, the Council adopted the following resolutions on September 17, 1946:

In accordance with the resolutions of the Council of 15 February and 11 June 1946, the International Health Conference met in New York to establish a single International Health Organization, and adopted the following instruments:

Final act of the International Health Conference.

Constitution of the World Health Organization.

Arrangement concluded by the Governments represented at the International Health Conference establishing an Interim Commission of the World Health Organization.

Protocol Concerning the *Office international d'hygiène publique.*

The Economic and Social Council notes with satisfaction the completion and signature of the Constitution of the World Health Organization, and recognizes the importance of bringing it into effective operation as soon as possible.

The Economic and Social Council also notes with satisfaction the establishment of the Interim Commission of the World Health Organization, and recognizes the desirability of transferring to the Organization or to its Interim Commission as soon as possible the functions and activities of the League of Nations Health Organization and the *Office international d'hygiène publique,* and the health functions performed by UNRRA in respect to the International Sanitary Conventions.

THEREFORE,

The Economic and Social Council requests the General Assembly:

1. To recommend to all Members of the United Nations the acceptance by them of the constitution of the World Health Organization at the earliest possible date;

2. To instruct the Secretary-General to take the necessary steps, as contemplated by the Final Act of the International Health Conference, to effect the transfer of the functions and activities of the League of Nations Health Organization which have been assumed by the United Nations to the Interim Commission of the World Health Organization;

3. To recommend to Members of the United Nations, and in particular those Members parties to the Rome Agreement of 1907 constituting the *Office international d'hygiène publique,* the acceptance by them at the earliest possible date of the Protocol of the International Health Conference concerning the *Office international d'hygiène publique;*

4. In response to the application of the Interim Commission, to approve a grant or loan of $300,000 by the United Nations for the purpose of financing the activities of the

[1] For the text of the Constitution see Part Two, the Specialized Agencies.

[2] For an account of the structure and functions of the World Health Organization and the texts of the Constitution, the Interim Arrangement and the Protocol, see Part Two, the Specialized Agencies.

Interim Commission from the commencement of its work to the end of the financial year 1946, and to approve the inclusion of $1,000,000 in the budget of the United Nations for the financial year 1947 for the purpose of financing through a further grant or loan the activities of the Interim Commission or the World Health Organization during that year;

5. To authorize the Secretary-General to transmit any Assembly recommendations in pursuance under paragraphs 1 and 3 above to all States who, whether Members of the United Nations or not, sent representatives or observers to the International Health Conference.

These recommendations were adopted by the General Assembly on December 14, 1946.

Y. NON-GOVERNMENTAL ORGANIZATION

1. Committee on Arrangements for Consultation with Non-Governmental Organizations

The General Assembly on February 16, 1946, recommended:

(a) that the Economic and Social Council should, as soon as possible, adopt suitable arrangements enabling the World Federation of Trade Unions and the International Co-operative Alliance as well as other international non-governmental organizations whose experience the Economic and Social Council will find necessary to use, to collaborate for purposes of consultation with the Economic and Social Council.

(b) that the Economic and Social Council should likewise adopt as soon as possible suitable arrangements enabling the American Federation of Labor as well as other national and regional non-governmental organizations whose experience the Economic and Social Council will find necessary to use, to collaborate for purposes of consultation with the Economic and Social Council.

The Council took note of this recommendation, and at the first session appointed a Committee consisting of members of the Council for China, Cuba, France, Greece, Lebanon, Peru, the Ukrainian S.S.R., the U.S.S.R., the United Kingdom, the United States, and Yugoslavia, in addition to the President of the Committee.

This Committee was instructed to submit:

(a) detailed proposals to the next session of the Council to implement the recommendation of the General Assembly regarding international, national and regional non-governmental organizations; and

(b) in particular, proposals to implement the recommendation of the General Assembly regarding the organizations specifically mentioned in the resolution.

2. First Report of the Committee

The report of the Committee on Arrangements for Consultation with Non-Governmental Organizations, was adopted by the Council at the second session on June 21, 1946. It stated that arrangements for consultation would be made with a non-governmental organization provided that the organization fulfilled certain requirements. It should be concerned with matters falling within the competence of the Economic and Social Council, its aims and purposes should be in conformity with the Charter of the United Nations, it should represent a substantial proportion of the organized persons within the particular field of interest in which it operated and it should have authority to speak for its members through its authorized representatives.

With regard to national organizations, the report recommended that they should normally present their views through their respective governments or through international non-governmental organizations to which they belonged. However, they might be eligible for consultation if they covered a field not covered by any international organization, or had special experience. In determining the arrangements for consultation, consideration would be given to the degree of assistance which might be expected from an organization in carrying out the tasks set out in Chapter IX of the Charter.

The report provided that the arrangements for consultation would not be such as to grant to non-governmental organizations the same rights of participation accorded to States not members of the Council or to specialized agencies. Consultation would take place, on the one hand, to secure expert information or advice and, on the other hand, to enable organizations which represented important elements of public opinion to express their views. In order to avoid duplication of consultation, particularly with reference to specialized agencies, the Council would take into account the relations between these agencies and non-governmental organizations.

Organizations would be divided into three categories, which were as follows:

(a) Organizations which had a basic interest in most of the activities of the Council, and were closely linked with the economic or social life of the areas which they represented.

(b) Organizations which had a special competence but were concerned specifically with only a few of the fields of activity covered by the Council;

(c) Organizations which were primarily concerned with the development of public opinion and with the dissemination of information.

Organizations in category (a), the report set forth, might send observers to all public meetings of the Council and circulate to members of the Council written communications, and they might be invited by the Council to consult with a standing committee if the Council so desired or the organization requested such consultation. It was also provided that upon recommendation of the standing committee, the Council as a whole might receive representatives of organizations in category (a) for the purpose of hearing their views.

Organizations in category (b) and (c) might also send observers to public meetings of the Council. Their communications, however, would be placed on a list and would be distributed only on the request of a member of the Council. They might be invited by the Council to consult with a committee appointed for that purpose if the Council so desired or the organization specifically requested such consultation.

In pursuance of the General Assembly resolution, the Council decided to place the World Federation of Trade Unions, the International Co-operative Alliance and the American Federation of Labor in category (a).

Organizations in category (a) would normally consult directly with the various commissions themselves. Those in categories (b) and (c) would normally be linked for consultation purposes with a particular commission or commissions and would be free to consult with these organizations either directly or through a committee established for that purpose.

This report, adopted by the Council on June 21, 1946, also set up a new Committee under the same name as the old one but with a smaller membership, being composed of the President and five members of the Council. The five members elected were China, France, the U.S.S.R., the United Kingdom and the United States. The Committee was to be assisted by the Assistant Secretaries-General for Economic and Social Affairs respectively. Its terms of reference, under this decision, were to "review applications for consultative status submitted by non-governmental organizations, and make recommendations to the Council."

3. Second Report of the Committee

The second report of the Committee on Arrangements for Consultation with Non-Governmental Organizations to the Economic and Social Council was approved by the Council on October 1, 1946. In this Report the Committee recommended that the Council should give consultative status to the International Chamber of Commerce under category (a). Certain representatives objected to this proposal on the ground that there was a Spanish branch of the International Chamber of Commerce and that the list of vice-presidents included a Spanish vice-president. The majority, however, assented to the view that these arrangements were only nominal, and the Council approved this recommendation of the Committee.

In view of the numerous applications which had been received, the likelihood that many additional applications would be made, and the need to consider applications as a whole, the Committee came to the conclusion that it should not proceed to make recommendations on the various other applications during the third session of the Council. It recommended that the decision on other applications be postponed until the next session. The Committee proposed that it should meet as a working party between the third and fourth sessions.

The Committee also stated certain general principles (based on the Council's decision of June 21, 1946) which it would follow in its further consideration of the applications received from non-governmental organizations, particularly in regard to organizations having the same views on particular subjects, the periodic review of the grants of consultative status, and the acceptance of national organizations.

After the Committee had completed its work under its original terms of reference the Council decided on September 28 that the Committee, in addition to its function of examining and making recommendations on applications for consultative status submitted by non-governmental organizations, should also be the standing committee to carry on consultations with organizations given consultative status. In accordance with this new function the Committee, on October 2, 1946, consulted with the World Federation of Trade Unions on the arrangements for consultation. After a full exchange of views the President of the World Federation of Trade Unions stated that he would recommend to his Executive Committee that the working arrangements as outlined in the meeting should be put into operation in the hope that they would prove fully satisfactory.

On December 15, 1946, the General Assembly passed a resolution recommending to the Economic and Social Council that it give the World Federation of Trade Unions the right to submit to the Council questions for insertion in the provisional agenda, in accordance with the procedure applicable to specialized agencies. It also expressed agreement with the general principle that all non-governmental organizations in Category (a) should receive equal treatment in respect of consultative arrangements with the Council.[1]

At its fourth session the Economic and Social Council amended its rules of procedure to provide for the submission of questions for insertion in the provisional agenda by non-governmental organizations placed in Category (a).

The amended rules of procedure adopted by the Council provided for an Agenda Committee, composed of the President, the two Vice-Presidents and two other members of the Council, elected at each session, to consider the provisional agenda and make recommendations on it to the Council at the first meeting of each session. Non-governmental organizations in Category (a), as well as Members of the United Nations and specialized agencies which had requested the inclusion of an item in the provisional agenda, were to be entitled to present their views at any meeting of the Agenda Committee at which the inclusion of the item was discussed. The Council elected Norway and Canada as members of the Agenda Committee.

The World Federation of Trade Unions requested that the question of guarantees for the exercise and development of trade union rights should be placed on the agenda of the fourth session of the Economic and Social Council, and submitted a draft resolution on the subject. The American Federation of Labor also submitted a memorandum on the subject, and a resolution amending that of the WFTU.

The Council decided to suspend the application of its newly adopted rule of procedure providing for the reference of such items to the Agenda Committee, and to admit this item to its agenda.

After considerable discussion, the Council adopted a United Kingdom proposal to transmit these documents to the International Labour Organisation with the request that the matter should be considered at the Organisations forthcoming session and a report sent to the Council for consideration at its next session. The U.S.S.R. representative objected to referring the WFTU, which represented many millions of people, to a specialized agency; it should, he thought, have the right to communicate directly with the Council. He proposed that the item should simply be deferred to the Council's next session. The Council, however, decided as above.

The Council also decided to transmit the documents to the Commission on Human Rights in order that the Commission might consider the aspects of the subject which might appropriately form part of the Bill or Declaration on Human Rights.

The Committee on Arrangements for Consultation with Non-Governmental Organizations met on February 25, 26, and 27, 1947, and considered the applications received up to February 4, 1947, from non-governmental organizations for consultative status with the Economic and Social Council.

In addition to its recommendations on individual applications, the Committee made certain general recommendations of principle.

[1] See p. 150.

The Committee's recommendations were adopted, with some amendments by the Council, on March 28, 1947.

The Council resolved:

1. That the international non-governmental organizations should be excluded from relationship under Article 71, if they have legally constituted branches in Spain whose policies are determined and controlled by the Franco Government.

2. That international non-governmental organizations should be eligible for consultative relationship:

(a) If they have only individual members in Spain who are not organized into a legally constituted branch;

(b) If the branches in Spain, though properly constituted, have a purely humanitarian character and their policies are not determined and controlled by the Franco Government;

(c) If such branches are not active at the present time.

The U.S.S.R. representative had proposed that all non-governmental organizations, including organizations or branches located in Spain, should be excluded from consultative status, but after discussion and consideration of various texts the Council adopted the resolution quoted above.

On the recommendation of the Council NGO Committee the Council decided that in the case of certain organizations, consultative arrangements should not be made, since their work appeared to fall entirely within the field of activity of one of the specialized agencies or other inter-governmental organizations. It also decided that decisions should be made first on international non-governmental organizations and that consultative status should, therefore, not be granted to national organizations at the time of its fourth session.

The Council took note of the principle stated in the previous report of the Council NGO Committee that, where possible, organizations having in general the same views on particular subjects should consider the possibility of forming liaison committees to represent them as a whole, and decided that the Liaison Committee of Women's International Organizations should be the recognized consultative body for its eight affiliated organizations on subjects on which there was an identity of view. The Council would, however, make separate arrangements for consultation with the eight organizations because of their special interests and experience in fields other than those covered by the Liaison Committee.

The U.S.S.R. representative objected to certain of the recommendations made by the Committee and proposed that the Council direct the Secretariat to screen applications on the basis of the criteria already adopted by the Council in its resolution of June 21, 1946. The U.S.S.R. representative also proposed that the Secretariat should be directed to send to the Members of the United Nations for information a list of the non-governmental organizations selected by the Council NGO Committe after consultation with the non-governmental organizations, and that the Committee's Report and the comments received from Members should be considered at the Council's next session. Other members of the Council felt that such a procedure was unnecessary as the applications had received careful consideration by the Council NGO Committee, whose function it was to examine them, and information concerning the organizations had been circulated. The U.S.S.R. proposal was not adopted.

4. Organizations Admitted to Consultative Status

The Council admitted the following organizations to consultative status:

Category (a)

- American Federation of Labor
- International Chamber of Commerce
- International Co-operative Alliance
- International Federation of Agricultural Producers
- International Federation of Christian Trade Unions
- Inter-Parliamentary Union.
- World Federation of Trade Unions

Category (b)

- Associated Country Women of the World
- Consultative Council of Jewish Organizations
- Econometric Society
- Inter-American Council of Commerce and Production
- International Abolitionist Federation (on condition that this organization and the International Bureau for the Suppression of Traffic in Women and Children be jointly represented)
- International African Institute
- International Alliance of Women for Equal Rights and Equal Responsibilities

International Bureau for the Suppression of Traffic in Women and Children (on condition that this organization and the International Abolitionist Federation be jointly represented)
International Committee of the Red Cross
International Committee of Schools for Social work
International Council of Women
International Federation of Business and Professional Women
International Federation of Friends of Young Women
International Federation of University Women
International Law Association
International League for the Rights of Man
International Missionary Council
International Organization of Industrial Employers
International Organization of Journalists
International Social Service
International Student Service
International Transport Workers Federation
International Union For Child Welfare
Liaison Committee of Women's International Organizations
Salvation Army
Women's International Democratic Federation
World's Alliance of Young Men's Christian Associations
World Federation of Democratic Youth
World Jewish Congress
World Power Conference
World Women's Christian Temperance Union
World Young Women's Christian Association

Category (c)

International Association of Lions Clubs
Rotary International
World Alliance for International Friendship through the Churches

The Council decided that the applications from the Catholic International Union for Social Service and the International Union of Catholic Women's Leagues, which had been recommended for consultative status in Category (b) by the Council NGO Committee, should be reconsidered at the next session of the Council so that further information could be obtained to show if the two organizations fulfilled the requirements regarding members in Spain. It decided that the application of the Jewish Agency, which had been similarly recommended, should also be reconsidered at the next session so that further information could be obtained to show if it was a national or an international organization. The Council NGO Committee decided to reconsider at a later date a number of applications on which it felt unable to make recommendations because the organizations had been recently organized or because further information concerning them was desired.

ANNEX I

DELEGATIONS TO THE ECONOMIC AND SOCIAL COUNCIL

A. FIRST SESSION

(January 23 to February 18, 1946)

Belgium	
Representative	Fernand Dehousse
Alternate	Roland Lebeau
Canada	
Representative	Paul Martin
Alternate	Louis Rasminsky
Chile	
Representative	G. Vergara
Alternate	Manuel Bianchi
China	
Representative	P. C. Chang
Colombia	
Representative	Lleras Restrepo
Cuba	
Representative	Ramiro Guerra y Sanchez
Alternate	Felipe Pazos
Czechoslovakia	
Representative	Jan Masaryk
Alternate	I. Kerno
France	
Representative	Joseph Paul-Boncour
Alternate	Hervé Alphand
Greece	
Representative	Kyriakos Varvaressos
India	
Representative	Sir A. Ramaswami Mudaliar
Alternate	M. Ikramullah
Lebanon	
Representative	Yussef Bey Salem
Alternate	Nadim Dimechkie
Norway	
Representative	Finn Moe
Alternate	Johan Melander
Peru	
Representative	Alberto Arca Parró

Ukrainian S.S.R.	
Representative	Vasily A. Tarasenko
U.S.S.R.	
Representative	Vasily A. Sergeev
Alternate	Amazasp A. Arutiunian
United Kingdom	
Representative	Philip J. Noel-Baker
Alternate	Hector McNeil
United States	
Representative	John G. Winant
Alternate	Leroy D. Stinebower
Yugoslavia	
Representative	Andrija Stampar
Alternate	Hinko Franic

B. SECOND SESSION

(May 25 to June 21, 1946)

Belgium	
Representative	Fernand Dehousse
Alternates	Roland Lebeau
	Joseph Nisot
Canada	
Representative	Brooke Claxton
Alternates	W. A. Mackintosh
	W. G. Turgeon
Chile	
Representative	Carlos Dávila
China	
Representative	P. C. Chang
Colombia	
Representative	Emilio Toro
Cuba	
Representative	Ramiro Guerra y Sanchez
Czechoslovakia	
Representative	Josef Hanc
Alternate	Ladislav Radimsky
France	
Representative	Alexandre Parodi
Alternate	Hervé Alphand
Greece	
Representative	Alexandre Argyropoulos
Alternate	Vassili Dendramis
India	
Representative	Sir A. Ramaswami Mudaliar
Alternate	S. K. Kirpalani
Lebanon	
Representative	Charles Malik
Alternate	Georges Hakim
Norway	
Representative	Ole Colbjornsen
Peru	
Representative	Alberto Arca Parró
Ukrainian S.S.R.	
Representative	Anatoli Baranovsky
U.S.S.R.	
Representative	Nikolai I. Feonov
Alternate	Alexander P. Morozov
United Kingdom	
Representatives	Philip J. Noel-Baker
	Hector McNeil
Alternate	H. M. Phillips
United States	
Representative	John G. Winant
Alternate	Leroy D. Stinebower
Yugoslavia	
Representative	Andrija Stampar
Alternate	Stane Krasovec

C. THIRD SESSION

(September 11 to October 3, 1946)

Belgium	
Representative	Fernand Dehousse
Alternates	Roland Lebeau
	Joseph Nisot
	Robert Vandeputte
Canada	
Representative	Paul Martin
Alternate	W. A. Mackintosh
Chile	
Representative	Carlos Davila
Alternate	Fausto Soto
China	
Representative	P. C. Chang
Colombia	
Representative	Eduardo Zuleta Angel
Cuba	
Representative	Guillermo Belt
Alternates	Guy Pérez-Cisneros
	Carlos Blanco
	Enrique Pérez-Cisneros
Czechoslovakia	
Representative	Jan Papanek
Alternates	Zdenek Augenthaler
	Ladislav Radimsky
France	
Representative	Alexandre Parodi
Alternates	René Hoffherr
	Pierre Chatenet
Greece	
Representative	Alexandre Argyropoulos
Alternate	Alexandre Loverdos
India	
Representative	Sir A. Ramaswami Mudaliar
Alternates	Sir Girja Shankar Bajpai
	S. K. Kirpalani
Lebanon	
Representative	Charles Malik
Alternate	Georges Hakim
Norway	
Representative	Ole Colbjornsen
Alternate	Wilhelm Thagaard
Peru	
Representative	Alberto Arca Parró
Alternate	Washington Patino
Ukrainian S.S.R.	
Representative	Lev T. Medved
Alternates	D. Stadnik
	N. Golovko
U.S.S.R.	
Representative	Nikolai I. Feonov
Alternate	Alexander P. Morozov
United Kingdom	
Representative	Philip J. Noel-Baker
Alternates	Hector McNeil
	H. M. Phillips
	J. H. Penson
	Sir George Rendel
	George North
	Sir G. Myrddin-Evans
	Sir Sidney Harris
	J. M. Fleming

United States
Representative John G. Winant
Alternate Leroy D. Stinebower
Yugoslavia
Representative Andrija Stampar
Alternates Stane Krasovec
Pavle Lukin
Leo Mates
Beno Habijanic

D. FOURTH SESSION
(February 28 to March 29, 1947)

Byelorussian S.S.R.
Representative L. Kaminsky
Canada
Representative George F. Davidson
Alternate R. G. Riddell
Chile
Representative Hernan Santa Cruz
Alternate Fausto Soto
China
Representative P. C. Chang
Cuba
Representative Guillermo Belt
Representative Enrique Pérez-Cisneros
Czechoslovakia
Representative Jan Papanek
Alternate Ladislav Radimsky
France
Representative Pierre Mendes-France
Alternate W. Baumgartner
India
Representative Sir A. Ramaswami Mudaliar
Alternates S. K. Kirpalani
Mrs. Hansa Mehta
Lebanon
Representative Charles Malik
Alternate Georges Hakim
Netherlands
Representative E. N. van Kleffens
Alternate J. H. van Roijen
New Zealand
Representative Walter Nash
Alternate John S. Reid
Norway
Representative Finn Moe
Alternate Ole Colbjornsen
Peru
Representative Alberto Arca Parró
Turkey
Representative A. R. Turhan
Alternate Bulent Yazici
U.S.S.R.
Representative Alexander P. Morozov
United Kingdom
Representatives Hector McNeil
C. P. Mayhew
Alternate H. M. Phillips
United States
Acting Representative Leroy D. Stinebower
Venezuela
Representative Carlos Eduardo Stolk
Alternate Pedro Zuloaga

SPECIALIZED AGENCIES AND INTER-GOVERNMENTAL ORGANIZATIONS

International Labour Organisation (ILO)
Representative C. Wilfred Jenks
Food and Agriculture Organization (FAO)
Representatives F. L. McDougall
Karl Olsen
United Nations Educational, Scientific and Cultural Organization (UNESCO)
Representatives Jean Thomas
V. Darchambeau
Solomon V. Arnaldo
United Nations Relief and Rehabilitation Administration (UNRRA)
Observers Frank Weisl
Fred Chait
International Monetary Fund
Observers Camille Gutt
B. D. Madan
Gordon Williams
Vander Valk
Gyan-Chand
International Bank for Reconstruction and Development
Observers Leonard B. Rist
John H. Ferguson
Walter Hill
Georges de Fleurieu
W. Glastra
World Health Organization (WHO)
Observer Frank Calderone
European Central Inland Transport Organization (ECITO)
Observer H. H. Kelly

NON-GOVERNMENTAL ORGANIZATIONS

World Federation of Trade Unions (WFTU)
Consultants Louis Saillant
John J. Abt
P. Waldbert
Lena Spiegel
International Co-operative Alliance
Consultants Murray D. Lincoln
Wallace J. Campbell
Helen Fuhrman
American Federation of Labor (A.F. of L.)
Consultant Tony Sender
International Chamber of Commerce
Consultant John R. Minter

Certain Members of the United Nations appointed observers to the Fourth Session of the Council as follows:

Belgium
Observers Roland Lebeau
Jules Wouldbroun
Brazil
Observer Roberto de Oliveira Campos
Greece
Observer Christopher Christides
Constantin Caranikas
Stephen Pesmazoglu
Poland
Observer Stefan Arski

ANNEX II.

MEMBERS OF COMMISSIONS AND COMMITTEES

A. Nuclear Commissions

ECONOMIC AND EMPLOYMENT COMMISSION

Belgium
Representative Fernand van Langenhove
Canada
Representative
William Mackintosh (Chairman)
China
Representative
Ta-Yeh Wu (Vice-Chairman)
Colombia
Representative Luis Angel Arango
Czechoslovakia
Representative Alexander Kunosi
Greece
Representative Miss Rena Zafiriou
U.S.S.R.
Representative A. P. Morozov
United Kingdom
Representative Alexander Loveday
United States
Representative Isador Lubin

TEMPORARY SUB-COMMISSION ON THE ECONOMIC RECONSTRUCTION OF DEVASTATED AREAS

Member Governments

Australia
Belgium
Canada
China (Vice-Chairman)
Czechoslovakia
Ethiopia
France (Chairman) W. Baumgartner
Greece
India
Netherlands
New Zealand
Norway
Peru
Philippines
Poland
Ukrainian S.S.R.
U.S.S.R.
United Kingdom
United States (Rapporteur) Isador Lubin
Yugoslavia

TEMPORARY TRANSPORT AND COMMUNICATIONS COMMISSION

Chile
Representative Alfonso Grez
China
Representative Frank Kefung
Czechoslovakia
Representative
Jiri Velkoborsky (Vice-Chairman)
France
Representative Jean Filippi
India
Representative Sir Gurunath Bewoor
Norway
Representative Leif Hoegh
U. S. S. R.
Representative Nikolac Molyakov
United Kingdom
Representative
Sir H. Osborne Mance (Chairman)
United States
Representative George Baker

STATISTICAL COMMISSION

Brazil
Representative Germano Jardim
China
Representative D. K. Lieu
France
Representative A. Sauvy
India
Representative P. C. Mahalanobis
Norway
Representative M. G. Jahn
U.S.S.R.
Representative Pavel I. Fedosimov
United Kingdom
Representative H. Campion
United States
Representative S. A. Rice (Chairman)

TEMPORARY SOCIAL COMMISSION

Cuba
Representative Ramiro Guerra y Sanchez
Colombia
Representative Gerardo Molina
Czechoslovakia
Representative
Frantisek Kraus (Rapporteur)
France
Representative Henry Hauck (Chairman)
Greece
Representative A. J. Argyropoulos
Peru
Representative Manuel Secane
United Kingdom
Representative
S. W. Harris (Vice-Chairman)
Yugoslavia
Representative Mrs. Kristi Djordjevic

COMMISSION ON HUMAN RIGHTS

Belgium
Representative Fernand Dehousse
China
Representative C. L. Hsia
France
Representative
René Cassin (Vice-Chairman)
India
Representative
K. C. Neogy (Rapporteur)
Norway
Representative Paal Berg
Peru
Representative Victor Raul Haya de la Torre
U.S.S.R.
Representative Alexander Borisov

United States
Representative
Mrs. Franklin D. Roosevelt (Chairman)
Yugoslavia
Representative Dusan Brkish

SUB-COMMISSION ON THE STATUS OF WOMEN

China
Representative Mrs. Way-sung New
Denmark
Representative Mrs. B. Begtrup (Chairman)
Dominican Republic
Representative
Miss M. Bernardino (Vice-Chairman)
France
Representative Mrs. M.-H. LeFaucheux
India
Representative Mrs. Hansa Mehta
Lebanon
Representative
Mrs. A. Jurdak (Rapporteur)
Poland
Representative Miss F. Kalinowska

B. COMMISSIONS AND SUB-COMMISSIONS

ECONOMIC AND EMPLOYMENT COMMISSION
(15 Members)

Australia
Representative
Roland Wilson (Vice-Chairman)
Belgium
Representative Fernand van Langenhove
Brazil
Representative José Nunez Guimaraes
Byelorussian S.S.R.
Representative S. N. Malinine
Canada
Representative John Deutsch
China
Representative Franklin L. Ho
Cuba
Representative Enrique Pérez-Cisneros
Czechoslovakia
Representative Zdenek Augenthaler
France
Representative Jacques Rueff
India
Representative R. K. Nehru
Norway
Representative Ragnar Frisch (Chairman)
Poland
Representative Jacek Rudzinski
United Kingdom
Representative Robert Lowe Hall
U.S.S.R.
Representative
A. P. Morozov (Vice-Chairman)
United States
Representative Isador Lubin (Rapporteur)

SUB-COMMISSION ON EMPLOYMENT AND ECONOMIC STABILITY

Australia
Representative Leslie G. Melville
France
Representative M. Belin
Norway
Representative Ragnar Frisch
Poland
Representative Oscar Lange
United Kingdom
Representative R. F. Harrod
United States
Representative Winfield Riefler
U.S.S.R.
Representative Alexander Danilov

SUB-COMMISSION ON ECONOMIC DEVELOPMENT

Brazil
Representative José Nunez Guimaraes
China
Representative D. K. Lieu
Czechoslovakia
Representative Emanuel Slechta
India
Representative V. K. R. V. Rao
Mexico
Representative Victor Urquidi
United States
Representative Beardsley Ruml
U.S.S.R.
Rperesentative Alexander P. Morozov

TRANSPORT AND COMMUNICATIONS COMMISSION
(15 Members)

Brazil
Representative Renato Azeredo Feio
Chile
Representative Alfonso Grez
China
Representative Hsiao Chin-Yuen
Czechoslovakia
Representative Pavel Baracek-Jacquier
Egypt
Representative Shoukry Bey Abaza
France
Representative Jean Marie Goursat
India
Representative Noor Mohamed Chinoy
Netherlands
Representative
J. J. Oyevaar (Chairman)
Norway
Representative Fredrik Odfjell
Poland
Representative Stanislaw Kuczborski
Union of South Africa
Representative E. C. Smith
United Kingdom
Representative General Sir Osborne Mance
United States
Representative George P. Baker
U.S.S.R.
Representative
N. Y. Bezroukov (Vice-Chairman)
Yugoslavia
Representative Slavko Pezelj

FISCAL COMMISSION

(15 Members)

Belgium
Representative R. Putman (Chairman)
China
Representative Dr. S. K. Fong
Colombia
Representative Dr. Valerio Botero
Alternate
Jorge Ortiz Rodríguez (Vice-Chairman)
Cuba
Representative Dr. José M. Pérez Cubillas
Czechoslovakia
Representative Dr. Karel Czesany
France
Representative Raoul Certeux
India
Representative N. Sunderasan
Lebanon
Representative Georges Hakim
New Zealand
Representative
A R. T. Mackay (Rapporteur)
Poland
Representative S. Trampczynski
United Kingdom
Representative R. G. Hawtrey
Union of South Africa
Representative Seymour Jacklin
Ukrainian S.S.R.
Representative I. Tolkunoff
United States
Representative Edward F. Bartelt
U.S.S.R.
Representative
P. M. Chernyshev (Vice-Chairman)

STATISTICAL COMMISSION

(12 Members)

Canada
Representative
Herbert Marshall (Chairman)
China
Representative D. K. Lieu
France
Representative G. Darmois
India
Representative
Prof. P. C. Mahalanobis (Vice-Chairman)
Mexico
Representative Dr. Josue Saenz
Netherlands
Representative Dr. P. J. Idenburg
Norway
Representative Gunnar Jahn
Turkey
Representative Professor Sefik Inan
United Kingdom
Representative R. G. D. Allen
Ukrainian S.S.R.
Representative V. A. Rabichko
U.S.S.R.
Representative T. S. Malyshev
United States
Representative
Stuart A. Rice (Rapporteur)

SUB-COMMISSION ON STATISTICAL SAMPLING

France
Representative G. Darmois
India
Representative P. C. Mahalanobis
United Kingdom
Representative F. Yates
United States
Representative W. E. Deming
U.S.S.R.
Representative (To be designated)

POPULATION COMMISSION

(12 Members)

Australia
Representative William Douglas Forsyth
Brazil
Representative Dr. Germano Jardim
Canada
Representative J. T. Marshall
China
Representative Dr. Franklin L. Ho
France
Representative Alfred Sauvy
Netherlands
Representative
Jonkheer N. L. J. van Buttingha Wichers
Peru
Representative
Dr. Alberto Arca Parró (Chairman)
Ukrainian S.S.R.
Representative
V. A. Rabichko (Vice-Chairman)
United Kingdom
Representative
Dr. David V. Glass (Rapporteur)
United States
Representative Dr. Philip M. Hauser
U.S.S.R.
Representative I. S. Malyshev
Yugoslavia
Representative Dr. Dolfe Vogelnik

SOCIAL COMMISSION

(18 Members)

Canada
Representative Dr. George F. Davidson
China
Representative Dr. Y. C. Yang
Colombia
Representative Dr. Diego Mejía
Czechoslovakia
Representative
Dr. Frantisek Kraus (Chairman)
Denmark
Representative Miss Alice Bruun
Ecuador
Representative Nicolas Augusto Cañizares
France
Representative Henry Hauck (Rapporteur)
Greece
Representative
Dr. Christopher John Christides
Iraq
Representative Sayid Hashim Jawad

Netherlands
Representative Dr. F. M. G. van Walsem
New Zealand
Representative
Hon. David Wilson (Vice-Chairman)
Peru
Representative Manuel Seoane
Poland
Representative Professor Henryk Altman
Union of South Africa
Representative
Major Dr. Louis M. A. N. van Schalkwyk
United Kingdom
Representative
Oswald Coleman Allen, C.B., C.B.E.
United States
Representative Arthur J. Altmeyer
U.S.S.R.
Representative Alexander P. Morozov
Yugoslavia
Representative Mrs. Krista Djordjevic

COMMISSION ON HUMAN RIGHTS
(18 Members)

Australia
Representative Lt.-Col. William Roy Hodgson
Belgium
Representative Fernand Dehousse
Alternate Roland Lebeau
Byelorussian S.S.R.
Representative T. Kaminsky
Chile
Representative Félix Nieto del Río
China
Representative
Dr. P. C. Chang (Vice-Chairman)
Egypt
Representative Osmar Ebeid
France
Representative Professor René Cassin
India
Representative Mrs. Hansa Mehta
Iran
Representative Ghasseme Ghani
Lebanon
Representative
Dr. Charles Malik (Rapporteur)
Panama
Representative Ricardo J. Alfaro
Alternate Dr. German Gil Guardia
Philippine Republic
Representative Gen. Carlos P. Romulo
Alternate Col. Amado Bautista
Ukrainian S.S.R.
Representative G. L. Stadnik (absent)
United Kingdom
Representative Lord Dukeston
United States
Representative
Mrs. Franklin D. Roosevelt (Chairman)
U.S.S.R.
Representative V. F. Tepliakov
Uruguay
Representative Dr. José A. Mora
Yugoslavia
Representative Vladislav Ribnikar

SUB-COMMISSION ON FREEDOM OF INFORMATION AND OF THE PRESS

Canada
Representative
George V. Ferguson (Rapporteur)
China
Representative P. C. Chang
Czechoslovakia
Representative
Lev Sychrava (Vice-Chairman)
France
Representative André Géraud
Alternate Jean de Montousset
Netherlands
Representative
Dr. G. J. van Heuven Goedhart (Chairman)
Norway
Representative Christen A. R. Christensen
Panama
Representative José Isaac Fabrega (absent)
Philippine Republic
Representative Salvador López
United Kingdom
Representative R. J. Cruikshank
Alternate A. R. K. Mackenzie
United States
Representative Zechariah Chafee
U.S.S.R.
Representative J. M. Lomakin
Uruguay
Representative Roberto Fontaina

SUB-COMMISSION ON PREVENTION OF DISCRIMINATION AND PROTECTION OF MINORITIES

Australia
Representative
William Morris Jutson McNamara
Belgium
Representative Joseph Nisot
China
Representative Dr. C. F. Chang
Ecuador
Representative Arturo Meneses Pallares
France
Representative Samuel Spanien
Haiti
Representative Herard Roy
India
Representative M. R. Masani
Iran
Representative Rezazada Shafaq
Sweden
Representative Erik Enar Ekstrand
United Kingdom
Representative Miss Elizabeth Monroe
United States
Representative Jonathan Daniels
U.S.S.R.
Representative A. P. Borisov

COMMISSION ON THE STATUS OF WOMEN
(15 Members)

Australia
Representative
Mrs. Jessie Mary Grey Street (Vice-Chairman)
Byelorussian S.S.R.
Representative
Mrs. E. I. Uralova (Rapporteur)
China
Representative Mrs. W. S. New
Costa Rica
Representative
Mrs. Graciela Morales F. de Echeverria
Denmark
Representative
Mrs. Bodil Begtrup (Chairman)
France
Representative
Mrs. Marie-Helene Lefaucheux
Guatemala
Representative
Miss Sara Basterrechea Ramirez
India
Representative Begum Hamid Ali
Mexico
Representative
Mrs. Amalia C. de Castillo Ledon
Syria
Representative Mrs. Alice Kandalft Kuzma
Turkey
Representative Miss Mihri Pektas
United Kingdom
Representative Miss Mary Sutherland
United States
Representative Miss Dorothy Kenyon
U.S.S.R.
Representative Mrs. E. A. Popova
Venezuela
Representative Mrs. Isabel de Urdaneta

COMMISSION ON NARCOTIC DRUGS

Canada
Representative
Colonel C. H. L. Sharman (Chairman)
China
Representative Szeming Sze (Rapporteur)
Egypt
Representative Dr. Mahmoud Labib
France
Representative Gaston Bourgois
India
Representative A. Sattanathan
Alternate H. A. Tandon
Iran
Representatives A. G. Ardalan
A. G. Panahy
Mexico
Representative Secundino Ramos y Ramos
Netherlands
Representative J. H. Delgorge
Alternate A. Kruysse
Peru
Representative Dr. Jorge A. Lazarte
Poland
Representative
Dr. Stanislaw Tubiasz (Vice-Chairman)
Turkey
Representative Dr. Cemal Kiper
Alternate Fuat Eren
United Kingdom
Representative Major W. H. Coles
United States
Representative H. J. Anslinger
U.S.S.R.
Representative V. V. Zakusov
Yugoslavia
Representative Stane Krasovec

ECONOMIC COMMISSION FOR EUROPE
(First Session)

Belgium
Representative
Vicomte A. Obert de Thieusies
Byelorussian S.S.R.
Representative A. Chizov
Czechoslovakia
Representative Jan Masaryk
Denmark
Representative E. Waerum (Chairman)
France
Representative André Philip
Greece
Representative A. Verdelis
Luxembourg
Representative Lambert Schaus
Netherlands
Representative Dr. A. B. Speekenbrink
Norway
Representative R. I. B. Skylstad
Poland
Representative
Jacek Rudzinski (Vice-Chairman)
Sweden
Representative Dr. Karin Kock
Turkey
Representative Y. K. Karaosmanoglu
United Kingdom
Representative Hector McNeil
Ukrainian S.S.R.
Representative Vasily Garbusov
United States
Representative W. L. Clayton
U.S.S.R.
Representative Valerian Zorin
Yugoslavia
Representative Leo Mattes

ECONOMIC COMMISSION FOR ASIA AND THE FAR EAST

Australia[1]
Representative D. B. Copland
Alternate A. N. Wootton
China[2]
Representative T. F. Tsiang (Chairman)
Alternate Kan Lee

[1] Professor D. B. Copland attended the session from June 23 to June 25.

[2] Following the election of Dr. T. F. Tsiang as Chairman of the Commission, Dr. Kan Lee served as representative of China.

France
Representative Michel Mornand
Alternates Jean Grosclaude
Gabriel Van Laethem
India
Representative R. K. Nehru
Alternate S. I. Hasan
Netherlands
Representative L. Stark
Alternate S. A. Gompels
Philippine Republic
Representative
Miguel Cuaderno (Vice-Chairman)
Alternate Andres Castillo
Siam
Representative Visutr Arthayukti
U.S.S.R.
Delegate Alexander G. Stetsenko
Alternate Dimitri J. Scherbina
United Kingdom
Representative Andrew Clow
Alternate P. J. H. Stent
United States
Representative Monnett B. Davis
Alternate Donald S. Gilpatric

C. International Children's Emergency Fund

Member Governments

Argentina
Australia
Brazil
Byelorussian S.S.R.
Canada
China
Colombia
Czechoslovakia
Denmark
Ecuador
France
Greece
Iraq
Netherlands
New Zealand
Norway
Peru
Poland
Sweden
Switzerland
Ukrainian S.S.R.
Union of South Africa
U.S.S.R.
United Kingdom
United States
Yugoslavia

D. Committees

The Committee on Negotiations with Inter-Governmental Agencies

The Economic and Social Council designated the members of the Council for Belgium, Canada, Chile, China, Colombia, Czechoslovakia, France, Norway, the U.S.S.R., the United Kingdom, the United States and the President of the Council, to constitute the Negotiating Committee.

The Committee on Arrangements for Consultation with Non-Governmental Organizations

The Economic and Social Council designated the members of the Council for China, Cuba, France, Greece, Lebanon, Peru, the Ukrainian S.S.R., the U.S.S.R., the United Kingdom, the United States, Yugoslavia and the President of the Council to constitute this committee.

The Committee on Refugees and Displaced Persons

Australia
Representative J. D. L. Hood
Alternate A. H. Body
Belgium
Representative J. Schneider
Brazil
Representative Argeu Guimaraes
Byelorussian S.S.R.
Representative Vassily Smoliar
Canada
Representative J. G. Turgeon
Alternate R. G. Riddell
China
Representative T. D. Tsien
Colombia
Representative Indalecio Lievano Aguirre
Alternate Arturo Martinez Herrera
Czechoslovakia
Representative Karel Lisicky
Dominican Republic
Representative Porfirio Herrera-Baez
France
Representative Raymond Bousquet
Alternate Pierre Bideberry
Lebanon
Representative Victor Khouri
Netherlands
Representative Mrs. H. Verwey-Jonker
Alternate B. W. Haveman
New Zealand
Representative W. J. Jordan
Alternate Miss Lorna McPhee
Peru
Representative
Carlos Antonio Ramon Mackenhenie
Poland
Representative Jozef Winiewicz
Alternate Edwars Szturm de Sztrem
Ukrainian S.S.R.
Representative V. G. Bragin
U.S.S.R.
Representative P. F. Ratov
Alternate P. Yerzin
United Kingdom
Representative Hector McNeil
Alternate Sir George Rendel
United States
Representative George L. Warren
Yugoslavia
Representative Ales Bebler
Alternate Veljko Korac

Sir Herbert Emerson, Director of the Intergovernmental Committee on Refugees and Lieut.-General Sir Humfrey Gale, Personal Representative of the Director-General of the United Nations Relief and Rehabilitation Administration, were invited to sit with the Committee in a consultative capacity.

The Technical Preparatory Committee of the International Health Conference

Argentine
Representative Dr. Gregorio Bermann

Belgium	
Representative	Dr. René Sand
Brazil	
Representative	Dr. Geraldo H. de Paula Souza
Canada	
Representative	Major-General G. B. Chisholm
China	
Representative	Dr. P. Z. King
Alternate	Dr. Szeming Sze
Czechoslovakia	
Representative	Dr. Josef Cancik
Egypt	
Representative	Dr. Aly Tewfik Shousha Pasha
France	
Representative	Dr. André Cavaillon
Alternate	Dr. Xavier Leclainche
Greece	
Representative	Dr. Phokion Kopanaris
India	
Representative	Major C. Mani
Alternate	Dr. Chuni Lal Katial
Mexico	
Representative	Dr. Manuel Martinez Baez
Norway	
Representative	Dr. Karl Evang
Poland	
Representative	Dr. Martin Kacprzak
United Kingdom	
Representative	Sir Wilson Jameson
Alternate	Dr. Melville Mackenzie
United States	
Representative	Surgeon-General Thomas Parran
Alternate	Dr. James A. Doull
Yugoslavia	
Representative	Dr. Andrija Stampar

Representatives of the Pan-American Sanitary Bureau, *L'Office international d'hygiène publique*, the League of Nations Health Organization, and UNRRA served in a consultative capacity.

THE PREPARATORY COMMITTEE OF THE INTERNATIONAL CONFERENCE ON TRADE AND EMPLOYMENT

Member Governments

Australia	India
Belgium	Lebanon
Luxembourg	Netherlands
Brazil	New Zealand
Canada	Norway
Chile	South Africa
China	U.S.S.R.
Cuba	United States
Czechoslovakia	United Kingdom
France	

SPECIAL TECHNICAL COMMITTEE ON POST-UNRRA RELIEF NEEDS

Argentina	
Representative	José Eduardo Picerno
Brazil	
Representative	Enrico Penteado
Canada	
Representative	Robert B. Bryce
China	
Representative	Cheng Pao-nan
Denmark	
Representative	Henrik Kauffmann
France	
Representative	René Hoffherr
Poland	
Representative	Edward Iwaszkiewicz
United Kingdom	
Representative	J. Hubert Penson
U.S.S.R.	
Representative	Nikolai I. Feonov
United States	
Representative	Dallas W. Dort

ANNEX III.

RULES OF PROCEDURE OF THE ECONOMIC AND SOCIAL COUNCIL

I. SESSIONS

Rule 1

The Economic and Social Council shall hold at least three sessions a year. One of these sessions shall be held shortly before the opening of the regular session of the General Assembly.

Rule 2

Sessions shall be held at a date fixed by the Council at a previous meeting.

Rule 3

A session of the Council shall also be held within thirty days of the request thereof:

(a) by a majority of its members;

(b) by the General Assembly; or

(c) by the Security Council, acting in pursuance of Article 41 of the Charter.

Rule 4

A session of the Council shall also be held if the Security Council, the Trusteeship Council, or any Member of the United Nations, or a specialized agency[1] requests a session and the President of the Council agrees to the request. If the President does not agree, he shall, within four days of the receipt of the request, inform the other members of the Council of the request and of his refusal and shall at the same time enquire whether or not they support the request for a session. If, within eight days of this enquiry, a majority of the members of the

[1] When the term "specialized agency" is used in these rules, it refers to specialized agencies brought into relationship with the United Nations.

Council explicitly concurs in the request, the President shall summon the Council to meet within the next fifteen days.

Rule 5

The President of the Council, with the concurrence of the Vice-Presidents, may also call a session of the Council and fix the date thereof.

Rule 6

Each session shall be held at the seat of the United Nations unless in pursuance of a previous decision of the Council or at the request of a majority of its members another place is designated.

Rule 7

The President of the Council shall notify the members, through the Secretary-General, of the date of the first meeting of each session. Such notification shall be sent:

(a) at least eight days in advance, when a session is called upon the request of the Security Council acting in pursuance of Article 41 of the Charter;

(b) at least twelve days in advance in cases referred to under Rule 4; and

(c) at least twenty-one days in advance in all other cases.

Rule 8

The Council may decide at any session to adjourn temporarily and resume its meetings at a later date.

II. AGENDA

Rule 9

The provisional agenda for each session shall be drawn up by the Secretary-General in consultation with the President, and shall be communicated to the members of the Council, all other Members of the United Nations, to the specialized agencies and to the non-governmental organizations in Category A[1], together with the notice convening the Council.

Rule 10

The provisional agenda shall include:

(a) all items proposed by the Council at a previous meeting;

(b) all items proposed by any Member of the United Nations;

(c) all items proposed by the General Assembly, the Security Council, the Trusteeship Council, a specialized agency or a non-governmental organization in Category A.

Rule 11

Before the Secretary-General places an item proposed by a specialized agency or a non-governmental organization of the type referred to in Rule 10 upon the provisional agenda, he shall carry out with the agency or organization concerned such preliminary consultation as may be necessary.

Rule 12

The first item on the provisional agenda of any session of the Council shall be the adoption of the agenda.

Rule 13

The Council shall set up an Agenda Committee composed of the President, the two Vice-Presidents and two other members who shall be elected at each session of the Council to hold office until replaced at the next session. The President shall be the chairman of the Agenda Committee.

Rule 14

The Agenda Committee shall prior to each session consider the provisional agenda and make recommendations thereon to the Council at the first meeting of the session, including suggestions as to the inclusion or deferment of items and the order in which they shall be considered. A Member of the United Nations, a specialized agency or a non-governmental organization in Category A, which has requested the inclusion of an item in the provisional agenda, shall be entitled to present its views through its representative at any meeting of the Agenda Committee at which the question of the inclusion of the item is discussed.

Rule 15

The Council may revise the agenda. If the session has been summoned in accordance with Rules 3, 4 and 5, priority shall be given to those items which have occasioned the session.

III. REPRESENTATIVES, ADVISERS AND CREDENTIALS

Rule 16

Each representative on the Council may be accompanied by such alternate representatives and technical advisers as he may require.

Rule 17

The credentials of representatives, and the names of alternate representatives, shall be submitted to the Secretary-General, and the President and the Vice-Presidents shall examine them and submit their report to the Council.

IV. PRESIDENT AND VICE-PRESIDENTS

Rule 18

The Council shall elect a President, a first Vice-President, and a second Vice-President, from among the representatives of its members.

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[1] That is, a non-governmental organization recognized in accordance with paragraph 1 (a) of Part IV of the Report of the Committee on Arrangements for Consultation with Non-Governmental Organizations adopted by the Council on June 21, 1946.

Rule 19

The President and Vice-Presidents shall hold office until their successors are elected at the first meeting of the Council on or after the first of January in each year and shall be eligible for re-election.

Rule 20

If the President is absent from a meeting or any part thereof, the first Vice-President, or in the latter's absence, the second Vice-President shall preside.

Rule 21

If the President ceases to be a representative of a member of the Council or is incapacitated, the first Vice-President shall serve for the unexpired term. If the first Vice-President ceases to be a representative of a member of the Council or is incapacitated, the second Vice-President shall take his place.

Rule 22

A Vice-President acting as President shall have the same powers and duties as the President.

Rule 23

In the case of a Member of the Council which is for the time being represented by the President, an alternate delegate shall at the discretion of the President be permitted to participate in the proceedings and to vote in the Council. In such a case the President should not exercise his right to vote.

V. COMMITTEES OF THE COUNCIL

Rule 24

At each session, the Council may set up such committees as it deems necessary and refer to them any questions on the agenda for study and report. Such committees, composed of members of the Council, may be authorized to sit while the Council is not in session.

VI. SECRETARIAT

Rule 25

The Secretary-General shall act in that capacity in all meetings of the Council. He may authorize a deputy to act in his place at meetings of the Council.

Rule 26

The Secretary-General shall provide and direct the staff required by the Council, its committees and such subsidiary bodies as may be established by it.

Rule 27

The Secretary-General shall be responsible for keeping the members of the Council informed of any questions which may be brought before it for consideration.

Rule 28

The Secretary-General or his deputy may at any time, upon the invitation of the President of the Council or of the Chairman of committees of the Council and subsidiary bodies, make either oral or written statements concerning any question under consideration.

Rule 29

The Secretary-General shall be responsible for all the necessary arrangements for meetings of the Council.

Rule 30

Before any proposal which involves expenditure from United Nations funds is approved by the Council the Secretary-General shall prepare and circulate to members (a) a summary report of the financial implications of the proposals; and (b) estimates of costs involved in each proposal.

VII. LANGUAGES

Rule 31

Chinese, English, French, Russian and Spanish shall be the official languages, and English and French the working languages of the Council.

Rule 32

Speeches made in either of the working languages shall be interpreted into the other working language.

Rule 33

Speeches made in any other of the three official languages shall be interpreted into both working languages.

Rule 34

Any representative may make a speech in a language other than the official languages. In this case he shall himself provide for interpretation into one of the working languages. Interpretation into the other working language by an interpreter of the Secretariat may be based on the interpretation given in the first working language.

Rule 35

Verbatim records shall be drawn up in the working languages. A translation of the whole or part of any verbatim record into any of the other official languages shall be furnished if requested by any delegation.

Rule 36

Summary records shall be drawn up in the working languages. A translation of the whole or part of any summary record into any of the other official languages shall be furnished if requested by any delegation.

Rule 37

The Journal of the Council shall be issued in the working languages.

Rule 38

All resolutions, recommendations and other formal decisions of the Council shall be made available in the official languages.

VIII. VOTING

Rule 39

Each member of the Council shall have one vote.

Rule 40

Decisions of the Council shall be made by a majority of the members present and voting.

Rule 41

The Council shall normally vote by show of hands except that any representative may request a roll call which shall then be taken in the English alphabetical order of the names of the members.

Rule 42

The vote of each member participating in any roll call shall be inserted in the record.

Rule 43

On decisions relating to individuals, a secret ballot shall be taken.

Rule 44

If, when one person or member only is to be elected, no candidate obtains in the first ballot the majority required, a second ballot shall be taken, confined to the two candidates obtaining the largest number of votes. If in the second ballot the votes are equally divided, the President shall decide between the candidates by drawing lots.

Rule 45

When two or more elective places are to be filled at one time under the same conditions, those candidates obtaining in the first ballot the majority required shall be elected. If the number of candidates obtaining such a majority is less than the number of persons or members to be elected, there shall be additional ballots to fill the remaining places, the voting being restricted to the candidates obtaining the greatest number of votes in the first place, the number of candidates being not more than twice as many as the places remaining to be filled.

Rule 46

If a vote is equally divided on matters other than elections, a second vote shall be taken at the next meeting. If this vote also results in equality, the proposal shall be regarded as rejected.

IX. PUBLICITY OF MEETING

Rule 47

The meetings of the Council shall be held in public unless the Council decides otherwise.

Rule 48

At the close of each private meeting, the Council may issue a communiqué through the Secretary-General.

X. RECORDS

Rule 49

Summary records of the meetings of the Council, its committees and subsidiary bodies shall be kept by the Secretariat. They shall be sent as soon as possible to all members participating in the meeting who shall inform the Secretariat not later than twenty-four hours after the circulation of the summary record, of any changes they wish to have made. Summary records of public meetings shall be sent as soon as possible after the close of the session to all Members of the United Nations and to the specialized agencies.

Rule 50

Verbatim records of the meetings of the Council shall be kept by the Secretariat. The verbatim records of public meetings shall be available to the public. The verbatim records of private meetings shall be available, when the Council so decides, to representatives of the Members of the United Nations only.

Rule 51

As soon as possible the text of all resolutions, recommendations and other formal decisions adopted by the Council, its committees and subsidiary bodies, shall be communicated by the Secretary-General to the members of the Council, and as soon as possible after the end of the session, to all Members of the United Nations and to the specialized agencies.

Rule 52

The summary records and relevant documents of private meetings of the Council, its committees and subsidiary bodies, shall be distributed to the Members of the United Nations if the Council so decides.

XI. CONDUCT OF BUSINESS

Rule 53

A majority of the members of the Council shall constitute a quorum.

Rule 54

In addition to exercising the powers conferred upon him elsewhere by these rules, the President shall declare the opening and closing of each meeting of the Council, shall direct the discussion, ensure the observance of these rules, and shall accord the right to speak, put questions, and announce decisions.

Rule 55

During the discussion of any matter, a representative may rise to a point of order, and the point of order shall be immediately decided

by the President in accordance with the Rules of Procedure.

Rule 56

During the discussion of any matter, a representative may move the adjournment of the debate. Any such motion shall have priority in the debate. In addition to the proposer of the motion, one representative may speak in favour of and one against the motion.

Rule 57

The Council may limit the time allowed to each speaker.

Rule 58

A representative may at any time move the closure of the debate whether or not any other representative has signified his wish to speak. If application is made for permission to speak against the closure it may be accorded to not more than two speakers.

Rule 59

The President shall take the sense of the Council on a motion for closure. If the Council is in favour of the closure the President shall declare the closure of the debate.

Rule 60

Resolutions, amendments and substantive motions shall be introduced in writing and handed to the Secretary-General, who shall circulate copies to the representatives twenty-four hours in advance, unless the Council decides otherwise.

Rule 61

Parts of a proposal may be voted on separately if a representative requests that the proposal be divided.

Rule 62

If two or more amendments are moved to a proposal the Council shall first vote on the amendment furthest removed in substance from the original proposal and then on the amendment next furthest removed and so on until all the amendments have been put to the vote.

Rule 63

When an amendment revises, adds to or deletes from, a proposal, the amendment shall be voted on first, and if it is adopted, the amended proposal shall then be voted on.

XII. COMMISSIONS

Rule 64

The Council shall set up such commissions as may be required for the performance of its functions, and shall define the powers and composition of each of them. The Council may authorize commissions to set up subsidiary bodies.

Rule 65

Unless otherwise decided by the Council, each commission shall elect its own officers and adopt its own rules of procedure.

Rule 66

The Rules of Procedure of the Council shall apply to the proceedings of commissions and subsidiary bodies until they adopt their own rules of procedure.

Rule 67

When the report of a commission is under consideration, the Council shall invite the chairman of the commission, or a person designated by him, to participate without vote in the discussion on the report.

XIII. AMENDMENTS AND SUSPENSIONS

Rule 68

Any of these rules may be amended or suspended by the Council, provided the proposed amendments or suspensions are consistent with the Charter.

Rule 69

These rules may not be amended until the Council has received a report on the proposed amendment from a committee of the Council.

Rule 70

A rule of procedure may be suspended by the Council provided that twenty-four hours' notice of the proposal for the suspension has been given. The notice may be waived if no member objects.

STRUCTURE AND FUNCTIONS OF THE INTERNATIONAL TRUSTEESHIP SYSTEM

GENERAL ASSEMBLY

SECURITY COUNCIL

ECONOMIC AND SOCIAL COUNCIL

article 91

The Trusteeship Council shall, when appropriate, avail itself of the assistance of the Economic and Social Council and of the specialized agencies in regard to matters with which they are respectively concerned.

SPECIALIZED AGENCIES

TRUSTEESHIP COUNCIL*

FUNCTIONS

Under authority of General Assembly to: consider reports from administering authorities based on questionnaires formulated by Trusteeship Council; accept and examine petitions; provide for periodic visits to Trust Territories; assist the Security Council in United Nations functions relating to political, economic, social and educational matters in strategic areas under the Trusteeship System; undertake such other actions as are in conformity with terms of Trusteeship Agreements.

article 83

1. All functions of the United Nations relating to strategic areas, including the approval of the terms of the trusteeship agreements and of their alteration or amendment, shall be exercised by the Security Council.

3. The Security Council shall, subject to the provisions of the trusteeship agreements and without prejudice to security considerations, avail itself of the assistance of the Trusteeship Council to perform those functions of the United Nations under the Trusteeship System relating to political, economic, social, and educational matters in the strategic areas.

ADMINISTERING AUTHORITIES

ADMINISTERING AUTHORITY

AUSTRALIA	BELGIUM	FRANCE	NEW ZEALAND	UNITED KINGDOM	UNITED STATES
NEW GUINEA	RUANDA-URUNDI	CAMEROONS, TOGOLAND	WESTERN SAMOA	CAMEROONS, TOGOLAND, TANGANYIKA	MARSHALLS, MARIANAS, CAROLINES

TRUST TERRITORIES

STRATEGIC TRUST TERRITORY

*MEMBERSHIP (Art. 86): Members administering Trust Territories (Australia, Belgium, France, New Zealand, United Kingdom, United States); permanent members of the Security Council not administering Trust Territories (China, USSR); enough other Members elected by General Assembly for 3-year terms to ensure that there is an equal number of Members which administer Trust Territories and those which do not (Iraq, Mexico, elected Dec. 1946)

(Since the strategic area agreement submitted by the United States came into effect in July 1947, two additional non-administering members must be elected by the General Assembly at its second session.)

ISSUED BY UNITED NATIONS DEPARTMENT OF PUBLIC INFORMATION AUGUST, 1947

V. The Trusteeship Council Including the United Nations Functions under Chapter XI of the Charter

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The Charter of the United Nations contains three chapters concerned with the destiny of peoples who have not yet attained their independence or self-government. Chapter XI of the Charter deals with Non-Self-Governing Territories in general, and Chapters XII and XIII deal in particular with the International Trusteeship System, which is applicable to only some of the Non-Self-Governing Territories.

A. INFORMATION FROM NON-SELF-GOVERNING TERRITORIES

1. Provisions of the Charter

Chapter XI, the Declaration Regarding Non-Self-Governing Territories, is a contribution to the general principles of international accountability in respect of peoples who have no full measure of self-government. The Declaration reads:

Article 73

Members of the United Nations which have or assume responsibilities for the administration of territories whose peoples have not yet attained a full measure of self-government recognize the principle that the interests of the inhabitants of these territories are paramount, and accept as a sacred trust the obligation to promote to the utmost, within the system of international peace and security established by the present Charter, the well-being of the inhabitants of these territories, and, to this end:

a. to ensure, with due respect for the culture of the peoples concerned, their political, economic, social, and educational advancement, their just treatment, and their protection against abuses;

b. to develop self-government, to take due account of the political aspirations of the peoples, and to assist them in the progressive development of their free political institutions, according to the particular circumstances of each territory and its peoples and their varying stages of advancement;

c. to further international peace and security;

d. to promote constructive measures of development, to encourage research, and to co-operate with one another and, when and where appropriate, with specialized international bodies with a view to the practical achievement of the social, economic, and scientific purposes set forth in this Article; and

e. to transmit regularly to the Secretary-General for information purposes, subject to such limitation as security and constitutional considerations may require, statistical and other information of a technical nature relating to economic, social, and educational conditions in the territories for which they are respectively responsible other than those territories to which Chapters XII and XIII apply.

Article 74

Members of the United Nations also agree that their policy in respect of the territories to which this Chapter applies, no less than in respect of their metropolitan areas, must be based on the general principle of good-neighbourliness, due account being taken of the interests and well-being of the rest of the world, in social, economic, and commercial matters.

2. The Background of Chapter XI

The history of Chapter XI goes back to the last century, to a gradually developing sense of responsibility on the part of the international community toward those peoples who were not yet independent. The struggle against slavery and the slave trade, growing out of this same sense of responsibility, led to international co-operation in colonial affairs. The Congo Basin Treaties signed at the Berlin Conference of 1885 and the Mandates System established under the League of Nations at the end of the First World War marked new steps in this direction. However, international responsibility remained confined to a mere fourteen territories in Africa, Asia and in the Pacific of which Germany and Turkey had been deprived at the end of the war.

During the Second World War the concept of international responsibility took on more

definite shape. The Atlantic Charter, in 1941, expressed concern for the well-being of "all men of all lands." At the Yalta Conference, in 1945, it was agreed to undertake discussions on the principles and machinery of trusteeship. The United Nations Conference on International Organization held at San Francisco in the spring of 1945 considered articles on dependent territories. Their discussion resulted in the Declaration Regarding Non-Self-Governing Territories which is now an integral part of the Charter of the United Nations.

3. The Implementation of Chapter XI

The General Assembly of the United Nations, during the first part of its first session in London, in February 1946, with a view to implementing the Declaration Regarding Non-Self-Governing Territories, passed unanimously Resolution 9 (I) entitled "Non-Self-Governing Peoples." This drew attention to the fact that the obligations assumed under Chapter XI were already in full force and not contingent upon the conclusion of Trusteeship Agreements or the creation of the Trusteeship Council (Chapters XII and XIII of the Charter). The resolution read:

Non-Self-Governing Peoples

The United Nations, meeting in its first General Assembly, is keenly aware of the problems and political aspirations of the peoples who have not yet attained a full measure of self-government and who are not directly represented here.

Chapters XI, XII and XIII of the Charter recognize the problems of the non-self-governing peoples as of vital concern to the peace and general welfare of the world community.

By Chapter XI, all the Members of the United Nations which have or assume responsibilities for the administration of territories whose peoples have not yet attained a full measure of self-government recognize the principle that the interests of the inhabitants of these territories are paramount. They accept, as a sacred trust, the obligation to promote to the utmost the well-being of the inhabitants of these territories. To that end they accept certain specific obligations, including the obligation to develop self-government and to assist the inhabitants in the progressive development of their free political institutions.

By Chapters XII and XIII, the Charter provides for the establishment of an international trusteeship system, the basic objectives of which are, among others, to promote the political, economic, social and educational advancement of the inhabitants of trust territories, and to promote their progressive development towards self-government or independence.

The General Assembly regrets that the Trusteeship Council cannot be brought into being at this first part of the first session, not because of any lack of desire to do so but because, before the Trusteeship Council can be established, trusteeship agreements must be concluded.

The General Assembly holds the view that any delay in putting into effect the system of international trusteeship prevents the implementation of the principles of the trusteeship system, as declared in the Charter, and deprives the populations of such territories as may be brought under the trusteeship system of the opportunity of enjoying the advantages arising from the implementation of these principles.

With a view to expediting the conclusion of these agreements and the establishment of the Trusteeship Council, the Preparatory Commission recommended that the General Assembly should call on those Members of the United Nations which are now administering territories held under mandate to undertake practical steps, in concert with the other States directly concerned, for the implementation of Article 79 of the Charter.

Without waiting for the recommendation of the Preparatory Commission to be considered by the General Assembly, the Members of the United Nations administering territories held under mandate took the initiative in making declarations in regard to these territories.

Therefore

With Respect to Chapter XI of the Charter, the General Assembly:

1. Draws Attention to the fact that the obligations accepted under Chapter XI of the Charter by all Members of the United Nations are in no way contingent upon the conclusion of trusteeship agreements or upon the bringing into being of the Trusteeship Council and are, therefore, already in full force.

2. Requests the Secretary-General to include in his annual report on the work of the Organization, as provided for in Article 98 of the Charter, a statement summarizing such information as may have been transmitted to him by Members of the United Nations under Article 73 (e) of the Charter relating to economic, social and educational conditions in the territories for which they are responsible other than those to which Chapters XII and XIII apply.

With Respect to Chapters XII and XIII of the Charter, the General Assembly:

3. Welcomes the declarations, made by certain States administering territories now

held under mandate, of an intention to negotiate trusteeship agreements in respect of some of those territories and, in respect of Transjordan, to establish its independence.

4. INVITES the States administering territories now held under mandate to undertake practical steps, in concert with the other States directly concerned, for the implementation of Article 79 of the Charter (which provides for the conclusion of agreements on the terms of trusteeship for each territory to be placed under the trusteeship system), in order to submit these agreements for approval, preferably not later than during the second part of the first session of the General Assembly.

IN CONCLUSION,
THE GENERAL ASSEMBLY:

5. EXPECTS that the realization of the objectives of Chapters XI, XII and XIII will make possible the attainment of the political, economic, social and educational aspirations of non-self-governing peoples.

The General Assembly thus requested the Secretary-General to include in his annual report on the organization a statement summarizing such information as might have been transmitted to him by Members of the United Nations under Article 73 (e) of the Charter relating to economic, social and educational conditions in Non-Self-Governing Territories other than those which might fall under the Trusteeship System as stated in Chapters XII and XIII.

In reply to a letter by the Secretary-General, written in compliance with this directive, a number of Member Governments[1] stated their views regarding certain problems raised in the letter which arose out of the General Assembly's action. The replies received from Members up to September 20, 1946, as well as a general exposition of the problems of transmission and organization of information, were set forth in a report by the Secretary-General which was submitted to the General Assembly during the second part of its first session in New York in October 1946.

These problems of transmission of information under Article 73 (e) were discussed by a Sub-Committee[2] of the Fourth (Trusteeship) Committee of the General Assembly, as well as by the full Committee and by the Assembly itself in plenary session.

It was agreed to refrain, for the time being, from attempting a definition of the term "Non-Self-Governing Territories", but to note the territories which the governments themselves had enumerated as coming within the scope of Chapter XI.

The territories enumerated by the governments were the following:

AUSTRALIA
1. Papua

BELGIUM
2. Belgian Congo

DENMARK
3. Greenland

FRANCE
4. French Equatorial Africa
5. French Establishments in India
6. French Establishments in Oceania
7. French Guiana
8. French Somaliland
9. French West Africa
10. Guadeloupe and Dependencies
11. Indochina
12. Madagascar and Dependencies
13. Martinique
14. Morocco
15. New Caledonia and Dependencies
16. New Hebrides (under Anglo-French Condominium)
17. Reunion
18. St. Pierre and Miquelon
19. Tunisia

NETHERLANDS
20. Curacao
21. Netherlands Indies
22. Surinam

NEW ZEALAND
23. Cook Islands
24. Tokelau Islands

UNITED KINGDOM
25. Aden (Colony and Protectorate)
26. Bahamas
27. Barbados
28. Basutoland
29. Bechuanaland Protectorate
30. Bermuda
31. British Guiana
32. British Honduras
33. Brunei
34. Cyprus
35. Dominica
36. Falkland Islands
37. Fiji
38. Gambia
39. Gibraltar
40. Gilbert and Ellice Islands Colony
41. Gold Coast (Colony and Protectorate)
42. Grenada
43. Hong Kong
44. Jamaica
45. Kenya (Colony and Protectorate)
46. Leeward Islands
47. Malayan Union
48. Malta
49. Mauritius

[1] Australia, Belgium, Brazil, Canada, Costa Rica, Czechoslovakia, the Dominican Republic, Egypt, France, Guatemala, Honduras, India, Mexico, the Netherlands, New Zealand, Norway, Syria, Turkey, the United Kingdom, the U.S.S.R., the United States and Venezuela.

[2] The following were members of the Sub-Committee: Argentina, Australia, Belgium, Brazil, China, Cuba, Denmark, Egypt, France, India, the Netherlands, New Zealand, Norway The Philippines, Poland, Union of South Africa, the U.S.S.R., the United Kingdom and the United States.

50. Nigeria
51. North Borneo
52. Northern Rhodesia
53. Nyasaland
54. Pitcairn Islands
55. St. Helena and Dependencies
56. St. Lucia
57. St. Vincent
58. Sarawak
59. Seychelles
60. Sierra Leone
61. Singapore
62. Solomon Islands Protectorate
63. Somaliland Protectorate
64. Swaziland
65. Trinidad and Tobago
66. Uganda Protectorate
67. Zanzibar Protectorate

UNITED STATES OF AMERICA

68. Alaska
69. American Samoa
70. Guam
71. Hawaii
72. Panama Canal Zone
73. Puerto Rico
74. Virgin Islands

It was further agreed that the information transmitted should reach the Secretary-General by June 30 of each year, and should be of such a nature as to cover economic, social and cultural conditions as requested in Article 73 (e), while information on political progress, although not mandatory, would be desirable and of great importance. Such information was to be summarized, classified and analysed by the Secretary-General, and to be examined by an *ad hoc* committee of representatives of Members transmitting information and of representatives of Members elected by the General Assembly. The *ad hoc* committee, elected for one year, was to be convened by the Secretary-General before the next opening session of the General Assembly.

Resolution 66 (I) adopted by the General Assembly was entitled "Transmission of Information under Article 73 (e) of the Charter." After noting the Territories in respect of which information had been transmitted or promised (see above), it continued as follows:

The value of the association of Non-Self-Governing Territories in the work of the specialized agencies as a means of attaining the objectives of Chapter XI of the Charter has been stressed.

The procedures to be followed by the Organization in connection with the information transmitted by Members regarding Non-Self-Governing Peoples have been carefully examined.

THE GENERAL ASSEMBLY, THEREFORE,

1. INVITES the Members transmitting information to send to the Secretary-General by 30 June of each year the most recent information which is at their disposal;

2. RECOMMENDS that the information transmitted in the course of 1947 by Members of the United Nations under Article 73 (e) of the Charter should be summarized, analysed and classified by the Secretary-General and included in his report to the second session of the General Assembly, in order that, in the light of the experience gained, the General Assembly may be able to decide whether any other procedure may be desirable for dealing with such information in future years;

3. RECOMMENDS that the Secretary-General communicate to the specialized agencies the information transmitted, with a view to making all relevant data available to their expert and deliberative bodies;

4. INVITES the Secretary-General to convene, some weeks before the opening of the second session of the General Assembly, an *ad hoc* Committee composed in equal numbers of representatives of the Members transmitting information under Article 73 (e) of the Charter and of representatives of Members elected, by the General Assembly at this session, on the basis of an equitable geographical distribution;

5. INVITES the Secretary-General to request the Food and Agriculture Organization, the International Labour Organisation, the United Nations Educational, Scientific and Cultural Organization, and the World Health Organization and the International Trade Organization, when constituted, to send representatives in an advisory capacity to the meeting of the *ad hoc* committee;

6. INVITES the *ad hoc* Committee to examine the Secretary-General's summary and analysis of the information transmitted under Article 73 (e) of the Charter with a view to aiding the General Assembly in its consideration of this information, and with a view to making recommendations to the General Assembly regarding the procedures to be followed in the future and the means of ensuring that the advice, expert knowledge and experience of the specialized agencies are used to the best advantage.

The General Assembly then elected Brazil, China, Cuba, Egypt, India, the Philippines, the U.S.S.R. and Uruguay to serve on the *ad hoc* committee together with Australia, Belgium, Denmark, France, the Netherlands, New Zealand, the United Kingdom and the United States, the latter group of States having transmitted or having expressed their intention of

transmitting information in respect of Non-Self-Governing Territories under their jurisdiction.

The *ad hoc* Committee was to meet for the first time before the opening of the second session of the General Assembly of the United Nations in New York in September 1947. The Secretary-General, as directed by the General Assembly, invited the specialized agencies to send representatives who, in an advisory capacity, would attend the meeting.

The task of the *ad hoc* Committee was to be to examine the information transmitted by Member Governments, as summarized and analyzed by the Secretary-General. The Committee was to examine the summaries and analyses with a view to aiding the General Assembly in its own consideration of such information; to recommend procedures to be followed in the future; and to attempt to find the best means of ensuring to Non-Self-Governing Territories the full use of the advice, experience and expert knowledge which the specialized agencies could put at their disposal.

B. THE TRUSTEESHIP COUNCIL

The principles of Chapter XI are applicable to all Territories "whose peoples have not yet attained a full measure of self-government." For some of these Territories, however, wider obligations are provided by the International Trusteeship System as outlined in Chapters XII and XIII of the Charter.

1. Charter Provisions[1] for The International Trusteeship System

The basic objectives of the International Trusteeship System are:

(a) to further international peace and security;

(b) to promote the political, economic, social and educational advancement of the inhabitants of the Trust Territories, and their progressive development towards self-government or independence as may be appropriate to the particular circumstances of each Territory and its peoples and the freely expressed wishes of the peoples concerned, and as may be provided by the terms of each Trusteeship Agreement;

(c) to encourage respect for human rights and for fundamental freedoms for all without distinction as to race, sex, language or religion, and to encourage recognition of the interdependence of the peoples of the world; and

(d) to insure equal treatment in social, economic and commercial matters for all Members of the United Nations and their nationals, and also equal treatment for the latter in the administration of justice, without prejudice to the attainment of the foregoing objectives. . . .

The Trusteeship System applies to such territories in the following categories as may be placed thereunder by means of individual Trusteeship Agreements:

(a) territories now held under mandate;
(b) territories which may be detached from enemy states as a result of the Second World War; and
(c) territories voluntarily placed under the system by States responsible for their administration.

The terms of trusteeship for each territory to be placed under the Trusteeship System, including any alteration or amendment, are to be agreed upon by the States directly concerned, including the mandatory power in the case of territories held under mandate by a Member of the United Nations. They must be approved by the General Assembly or, in the case of strategic areas, by the Security Council. Each Trusteeship Agreement includes the terms under which the Trust Territory is to be administered and designates the authority which will exercise the administration of the Trust Territory. Such authority is called the Administering Authority and may be one or more States or the United Nations itself.

In any Trusteeship Agreement there may be designated a strategic area or areas which may include part or all of the Trust Territory to which the agreement applies. All functions of the United Nations relating to strategic areas, including the approval of the terms of Trusteeship Agreements and of their alteration or amendment, are exercised by the Security Council. The objectives of the Trusteeship System, as prescribed in Article 76 of the Charter, apply equally to the peoples of strategic areas. In performing its functions relating

[1] The main provisions are contained in Chapter XII, Articles 75-85, which establishes an International Trusteeship System; and Chapter XIII, Articles 86-91, which defines the composition, functions and powers, voting and procedure of the Trusteeship Council. Other provisions are to be found in Articles 7, 18, 98, 101 of the Charter.

to political, economic, social and educational matters in the strategic areas, the Security Council, subject to the conditions of the Trusteeship Agreements and without prejudice to security considerations, is to avail itself of the assistance of the Trusteeship Council.

It is the duty of the Administering Authority to ensure that the Trust Territory plays its part in the maintenance of international peace and security. To this end the Administering Authority may make use of volunteer forces, facilities and assistance from the Trust Territory in carrying out its obligations towards the Security Council, as well as for local defence and the maintenance of law and order within the Trust Territory.

The functions of the United Nations with regard to Trusteeship Agreements for all areas not designated as strategic, including the approval of the terms of the Trusteeship Agreements and of their alteration or amendment, are exercised by the General Assembly. The Trusteeship Council, operating under the authority of the General Assembly, assists the General Assembly in carrying out these functions.

2. Charter Provisions for the Trusteeship Council

The Trusteeship Council consists of the following Members of the United Nations:

(a) those Members administering Trust Territories;

(b) such of those permanent members of the Security Council as are not administering Trust Territories; and

(c) as many other Members elected for three-year terms by the General Assembly as may be necessary to ensure that the total number of members of the Trusteeship Council is equally divided between those Members of the United Nations which administer Trust Territories and those which do not.

Each member of the Trusteeship Council designates one specially qualified person to represent it therein.

The principal functions and powers of the Trusteeship Council, under the authority of the General Assembly are:

(a) to consider reports submitted by the Administering Authority;

(b) to accept petitions and examine them in consultation with the Administering Authority;

(c) to provide for periodic visits to the respective Trust Territories at times agreed upon with the Administering Authority; and

(d) to take these and other actions in conformity with the terms of the Trusteeship Agreements.

The Trusteeship Council is to formulate a questionnaire on the political, economic, social and educational advancement of the inhabitants of each Trust Territory, and the Administering Authority for each Trust Territory within the competence of the General Assembly is to make an annual report to the General Assembly upon the basis of such questionnaire.

The voting and procedure of the Trusteeship Council are defined as follows:

Each member of the Trusteeship Council has one vote. Decisions of the Trusteeship Council are made by a majority of the members present and voting.

The Trusteeship Council adopts its own rules of procedure, including the method of selecting its President. The Trusteeship Council meets as required in accordance with its rules, which include provision for the convening of meetings on the request of a majority of its members.

The Trusteeship Council is to avail itself, when appropriate, of the assistance of the Economic and Social Council and of the specialized agencies in regard to matters with which they are respectively concerned.

3. The League of Nations and the Mandates

In accordance with Article 22 of the Covenant of the League of Nations, a number of territories had been placed under mandate in the early years following the First World War. By 1945 some of the territories had achieved independence; the following twelve, however, were still under mandate:

Under mandate to	*Name of territory*
United Kingdom, New Zealand and Australia (administered by Australia)	Nauru[1]
Australia	New Guinea
Belgium	Ruanda-Urundi
France	Cameroons
	Togoland
Japan	Caroline, Marshall and Marianas Islands[2]
New Zealand	Western Samoa
Union of South Africa	South-West Africa[1]
United Kingdom	Cameroons, Togoland, Tanganyika, Palestine[1]

[1] No Trusteeship Agreements exist as yet for these territories.

[2] By 1945, these islands were under United States Naval Administration.

At its final session in Geneva in 1946 the Assembly of the League of Nations discussed the question of the fulfilment by the League of its responsibilities to the peoples of the mandated territories. On April 18, 1946, the Assembly adopted unanimously, with Egypt abstaining, the following resolution:

THE ASSEMBLY,

RECALLING that Article 22 of the Covenant applies to certain territories placed under mandate the principle that the well-being and development of peoples not yet able to stand alone in the strenuous conditions of the modern world form a sacred trust of civilization:

1. EXPRESSES its satisfaction with the manner in which the organs of the League have performed the functions entrusted to them with respect to the Mandates System and in particular pays tribute to the work accomplished by the Mandates Commission;

2. RECALLS the role of the League in assisting Iraq to progress from its status under an "A" Mandate to a condition of complete independence, welcomes the termination of the mandated status of Syria, Lebanon and Transjordan, which have, since the last session of the Assembly, become independent members of the world community;

3. RECOGNIZES that, on the termination of the League's existence, its functions with respect to the mandated territories will come to an end, but notes that Chapters XI, XII and XIII of the Charter of the United Nations embody principles corresponding to those declared in Article 22 of the Covenant of the League;

4. TAKES NOTE of the expressed intentions of the Members of the League now administering territories under mandate to continue to administer them for the well-being and development of the peoples concerned in accordance with the obligations contained in the respective mandates, until other arrangements have been agreed between the United Nations and the respective mandatory Powers.

4. THE INTERIM PERIOD

The meetings of the Executive Committee, the Preparatory Commission and the first part of the first session of the General Assembly of the United Nations all reflected the desire of the Members of the United Nations to set up the Trusteeship Council at the earliest possible date. It was generally recognized that the mandated territories would probably be among the first to be transferred to the International Trusteeship System by means of individual Trusteeship Agreements.

In the resolution on Non-Self-Governing Peoples of February 9, 1946, cited above, the General Assembly expressed regret that the Trusteeship Council could not be brought into being at that time; recognized that any delay in putting into effect the International Trusteeship System would prevent the implementation of the principles of the system and would deprive the populations of the Trust Territories of its advantages; and noted that the Preparatory Commission had recommended that the General Assembly should call upon those Members of the United Nations now administering territories held under mandate to undertake practical steps in concert with the other States directly concerned to place them under the International Trusteeship System. Before the recommendation of the Preparatory Commission had been considered by the General Assembly, several of the mandatory States had in fact declared their intention to negotiate Trusteeship Agreements for the purpose of placing mandated territories under the International Trusteeship System.

The resolution of the General Assembly welcomed these declarations, and invited all the States administering mandated territories to undertake the necessary steps to negotiate the Trusteeship Agreements by means of which the mandated territories would be placed under the International Trusteeship System, with a view to the submission of these agreements for approval, preferably not later than during the second part of the first session of the General Assembly.

In view of the unequivocal expression, in the resolution on Non-Self-Governing Peoples, of the General Assembly's desire that the establishment of the Trusteeship Council should be expedited, letters, dated June 29, 1946, were addressed by the Secretary-General to the States administering territories then held under mandate, i.e., Australia, Belgium, France, New Zealand, the Union of South Africa and the United Kingdom, calling their attention to the resolution.

In reply, the Governments of Australia, Belgium, France, New Zealand and the United Kingdom stated that they had either already prepared draft Trusteeship Agreements, or were in process of preparing the terms of such Agreements, with respect to the mandated territories under their control, and expressed the

hope that they would be able to submit such Trusteeship Agreements to the General Assembly before or during the second part of its first session. The Government of the Union of South Africa requested that a statement on the outcome of its consultations with the peoples of South-West Africa as to the future status of the mandated territory, and as to the implementation to be given to the wishes thus expressed be included in the agenda for the second part of the first session of the General Assembly.

5. Establishment of the Trusteeship Council

The essential conditions for the establishment of the Trusteeship Council and for bringing the International Trusteeship System into operation, as envisaged in Chapters XII and XIII of the Charter, were fulfilled in the course of the second part of the first session of the General Assembly.

a. The First Trust Territories

As a result of the approval by the General Assembly on December 13, 1946, of the eight Trusteeship Agreements which had been submitted by five of the mandatory Powers with regard to territories administered by them under mandate, the International Trusteeship System came into effect. The responsibility for supervising the administration of the first eight Trust Territories was thereby vested in the General Assembly and, under its authority, in the Trusteeship Council.[1]

The Territories thus far placed under Trusteeship by means of individual Trusteeship Agreements are:[2]

a) New Guinea, administered by Australia;

b) Ruanda-Urundi, administered by Belgium;

c) Togoland and Cameroons, administered by France;

d) Western Samoa, administered by New Zealand; and

e) Tanganyika, Togoland and Cameroons, administered by the United Kingdom.

In each of these first eight Trusteeship Agreements a single State was designated as the Administering Authority. It is to be noted, in this connection, that the Charter, in Article 81, also makes provision whereby a Trusteeship Agreement may designate more than one State, or the United Nations itself, as the Administering Authority.

With respect to the first Trust Territories, the former mandatory powers, which had administered them under League of Nations mandates, had proposed Trusteeship Agreements for consideration and approval by the General Assembly, during the second part of its first session. The General Assembly, through its Fourth Committee (Trusteeship) and Sub-Committee 1 of that Committee, examined the proposed Agreements with great care. Numerous proposals for modification of the terms of the Trusteeship Agreements were presented by Members of the United Nations. Some of the suggested modifications were acceptable to the mandatory powers and were incorporated in the Agreements. In some instances the mandatory powers themselves proposed modifications in the light of the discussions in Sub-Committee 1. In other instances, proposed modifications were not acceptable to the mandatory powers and were not included in the Agreements.

A controlling factor in the General Assembly's consideration and approval of the Trusteeship Agreements was the provision in Article 79 of the Charter making it essential that the mandatory power, as a State directly concerned, approve the terms of Trusteeship. Certain of the mandatory powers had submitted proposed Trusteeship Agreements, but they were not obliged to accept any specific modifications thereto. The General Assembly, on the other hand, could propose modifications of the draft Agreements, and could, in its final decision, determine the conditions on which it would approve them. There was no limitation whatsoever on the authority of the General Assembly to approve or reject the proposed Agreements.

With regard to the terms of the eight Agreements already in effect, a number of issues were raised in the course of the General Assembly's discussions. These issues were thoroughly discussed prior to the final approval of

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[1] See pp. 184 ff.

[2] On April 2, 1947 the Security Council approved, after some modification, a draft strategic area Trusteeship Agreement in respect of the Pacific Islands, formerly mandated to Japan, which named the United States of America as the Administering Authority. Due, however, to constitutional requirements, the Agreement could not take effect until it had been approved by the United States Government. See pp. 394 ff.

the Agreements by the General Assembly. The Trusteeship Agreements as finally approved constitute the basic instruments by means of which the International Trusteeship System is applied to the Trust Territories. The administration of the eight Trust Territories thus created is henceforth to be subject to the international supervision provided for in Chapter XII of the Charter.

In general, the terms of the Agreements relate to the following:

(1) Definition of the boundary of each Territory to be placed under the International Trusteeship System.

(2) Designation of the Administering Authority of the Trust Territory.

(3) The obligations of the Administering Authority under Article 76 of the Charter of the United Nations (which sets forth the basic objectives of the International Trusteeship System).

(4) The rights of the Administering Authority in legislation, administration and jurisdiction; in constituting the Trust Territory into a customs, fiscal or administrative union with adjacent territories under the control of the Administering Authority; in establishing naval, military and air bases.

(5) Promotion of the development of political institutions suited to the Trust Territory.

(6) Application of the provisions of general international conventions and recommendations drawn up or to be drawn up by the specialized agencies referred to in Article 57 of the Charter.

(7) Protection of the rights and interests of the inhabitants in land and natural resources.

(8) Equal treatment in social, economic and commercial matters for all Members of the United Nations.

(9) Promotion of the educational and cultural development of the inhabitants.

(10) Assurance of freedom of religion and freedom of speech.

(11) Annual reports to the General Assembly by the Administering Authority on the basis of a questionnaire formulated by the Trusteeship Council in accordance with Article 88 of the Charter.

(12) Approval of the terms of the Agreement and of any alteration or amendment thereof by the General Assembly.

b. The Trusteeship Council

In pursuance of Resolution 64 (1) adopted by the General Assembly on December 14, 1946, the Trusteeship Council was established as a principal organ of the United Nations. It was the last such organ to be established. The Council met at Lake Success for its first session on March 26, 1947.

On the basis of the eight Trusteeship Agreements approved by the General Assembly, the Trusteeship Council came into being with ten members. As at present constituted, five of its members are Administering Authorities, namely, Australia, Belgium, France, New Zealand and the United Kingdom. Three of its members, namely, China, the United States and the U.S.S.R., hold membership in accordance with Article 86 of the Charter, by virtue of being permanent members of the Security Council but did not, at the time of the first meeting, administer Trust Territories. The other two members, Iraq and Mexico, were elected for three-year terms by the General Assembly at the second part of its first session, in accordance with Article 86, paragraph 1 (c), of the Charter.

On January 14, 1947, the Secretary-General notified each of the ten members of the Trusteeship Council of the action taken by the General Assembly in approving the eight Trusteeship Agreements and in adopting the resolution calling for the establishment of the Trusteeship Council. He advised them that the first session would open on March 26, and enclosed the provisional agenda for the first session. Each member of the Council was also requested to communicate to the Secretary-General the name of its representative on the Council, who, in accordance with Article 86 of the Charter, should be "a specially qualified person".

Responses to this letter were received from nine of the ten members of the Council and the

designated representatives of these nine members sat throughout the first session. The U.S.S.R. did not appoint a representative.[1]

All of the Territories which remained under mandate status have now been placed under the Trusteeship System, or are in process of being transferred to it, with the exception of Nauru, Palestine and South-West Africa.

In its resolution on the future status of South-West Africa, adopted on December 14, 1946, the General Assembly recommended that the mandated territory of South-West Africa be placed under the International Trusteeship System and invited the Government of the Union of South Africa to submit for the consideration of the General Assembly a Trusteeship Agreement for that territory.

In respect to Nauru, the representative of Australia, at the 15th plenary meeting of the first part of the General Assembly's first session, announced the intention of his Government to submit a Trusteeship Agreement for this mandated territory. This decision had been concurred in by the Governments of the United Kingdom and of New Zealand, with whom Australia shared the mandate. The Australian representative before the Fourth Committee during the second part of the first session of the General Assembly, reaffirmed the intention of his Government to submit a draft Agreement for Nauru.

A United Nations Special Committee on Palestine was created by a resolution of the General Assembly at its first special session on May 15, 1947.[2] In accordance with its terms of reference, the Committee went to Palestine in June 1947 to "investigate all questions and issues relevant to the problem of Palestine." The report of the Special Committee was to be considered at the second regular session of the General Assembly in September 1947.

6. Operation of the International Trusteeship System

a. The First Session of the Trusteeship Council

The first session of the Trusteeship Council was held from March 26 to April 28, 1947.

At its first and second meetings, the Trusteeship Council elected Francis B. Sayre (United States) as President, and Sir Carl Berendsen (New Zealand) as Vice-President.

It was decided to hold two regular sessions each year: during the latter half of June and during the latter half of November.

(1) Rules of Procedure

The Council gave detailed consideration to the adoption of its own rules of procedure. At its 22nd meeting, by unanimous vote, it adopted a comprehensive set of rules.[3]

These rules of procedure govern the manner in which the Trusteeship Council is to perform its function of international supervision. For this reason the Council studied with special care those of its rules relating to the acceptance and examination of petitions, the consideration of annual reports and the conducting of periodic visits to the Trust Territories.

(2) Provisional Questionnaire

The Trusteeship Council formulated and, at its 25th meeting on April 25, adopted a comprehensive provisional questionnaire, which was to form the basis for the first annual reports to be submitted by the Administering Authorities.

The provisional questionnaire was divided into twelve sections, numerous sub-sections and a statistical appendix. The section headings were: brief introductory description, status of the Territory and its inhabitants, international peace and security; maintenance of law and order, political advancement, economic advancement, social advancement, educational advancement, publications, research, suggestions and recommendations, summary and conclusion.

This provisional questionnaire, which was drawn up on the basis of a detailed consideration of drafts on the subject presented by the delegations of France, the United Kingdom and the United States, and by the Secretariat, was to be revised at the second session of the Council. The Administering Authorities, the Economic and Social Council and the specialized agencies were invited by the Trusteeship Council to present any suggestions which they might have for the revision of sections of the questionnaire which dealt with subjects of special concern to them. To the extent necessary, this basic questionnaire was to be adapted to each of the Trust Territories.

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[1] For a list of representatives to the Trusteeship Council see Annex I.

[2] See pp. 301 ff.

[3] For the Rules of Procedure see Annex II.

(3) Petitions

According to the terms of the Council's Rules of Procedure, petitions may be submitted in writing or, in certain circumstances, orally, and they can be submitted either through the Administering Authorities or directly to the Secretary-General. In all cases the Administering Authority concerned will be called upon to present its comments on the petitions and the Council will take decisions which will, in due course, be communicated to the petitioners.

During its first session, the Trusteeship Council had before it 26 petitions, two of a general nature and the others referring to specific Trust Territories.

(a) Petitions relating to Tanganyika

Twenty-three of the petitions considered by the Trusteeship Council at its first session were from German, Italian or other residents, or former residents, of the Territory of Tanganyika, or from persons interested in their cases. In all of these petitions the plea advanced was that the German or Italian petitioners be allowed to return to or remain in Tanganyika rather than be repatriated to Germany or Italy, as the Administering Authority — the United Kingdom — proposed to do in the case of many of them. The petitioners asked the Trusteeship Council to intervene in order to prevent what they feared to be their imminent deportation, and in some cases pleaded for the restoration of their property.

The Council examined each of the petitions and adopted detailed resolutions setting forth its conclusions. These resolutions, after noting that the individuals to be excluded from the Territory fell into two categories: namely, those who were Axis sympathizers, and those whose conduct had rendered them liable to deportation irrespective of nationality, approved the general policy of the Administering Authority and decided that no action by the Council was called for at that time. The resolutions also took note of declarations made by the Administering Authority that no persons would be excluded from Tanganyika solely on grounds of nationality; that the great majority of the Italian nationals and a considerable number of the Germans would be permitted to remain in or return to Tanganyika; and that no former South African national would be sent to Germany against his will.

(b) Petition relating to Western Samoa

Another petition confronting the Trusteeship Council at its first session was that received from leaders and representatives of Western Samoa requesting that Western Samoa be granted self-government. The petition further requested "that the unnatural division of the islands of the Samoan group enforced by the three powers[1] in the past without the consent of the Samoans be left in abeyance until a meeting could be arranged between Eastern and Western Samoa" and that New Zealand "will see fit to act as Protector and Advisor to Samoa in the same capacity as England is to Tonga." This petition was transmitted through the Government of New Zealand as the Administering Authority.

The representative of New Zealand informed the Trusteeship Council that his Government was not disposed to discuss the merits of this petition without adequate information being made available to the Council on which to base a decision. He proposed that the examination of the substance of the petition by the Council be deferred until a fact-finding mission could go to Western Samoa on behalf of the Council for the purpose of investigating the subject-matter of the petition.

(c) Visiting Mission to Western Samoa

The Council adopted this proposal and established a special three-member mission for the purpose of visiting Western Samoa during the summer of 1947 in order to investigate the subject of the petition. The three members of this mission were Francis B. Sayre (United States), President of the Trusteeship Council, Pierre Ryckmans, representative of Belgium on the Council, and Senator Eduardo Cruz-Coke, of Chile.

The clear intention of the Trusteeship Council was that this visit should not be considered a "periodic" visit under Article 87 (c) of the Charter, but a special one to investigate a petition.

(d) Ewe Petition

A petition from the "All Ewe Conference", relating to the frontiers between the Trust

[1] Great Britain, Germany and the United States.

Territories of Togoland under French administration and Togoland under British administration, was received too late for consideration at the first session of the Trusteeship Council and was to appear on the agenda of its second session.

(e) Petitions relating to the Draft Convention prepared by the International Labour Office

Two of the petitions before the Trusteeship Council received from the International Alliance of Women, Middlesex, England and from St. Joan's Social and Political Alliance, London, did not relate to any specific Trust Territories but offered the general complaint that the section of the draft Convention on Social Policy in Non-Metropolitan Territories, which had been prepared by the International Labour Office for the consideration of the International Labour Conference and which related *inter alia*, to the prohibition by law of discrimination in admission to employment, included no reference to discrimination on grounds of sex. With regard to these petitions, the Trusteeship Council directed the Secretary-General to communicate with the Director-General of the International Labour Office asking him to transmit copies of the petitions to the International Labour Organisation for its information, and requesting that the Council be informed of any action which the International Labour Conference might take on the questions raised in the petitions.

b. Operation of the System of International Supervision of Trust Territories

The international supervision of Trust Territories as contemplated by the Charter is to be carried out primarily by means of three basic functions of the Trusteeship Council, acting under the authority of the General Assembly.

In the first place, each Administering Authority is called upon to submit, for consideration by the Trusteeship Council, annual reports on conditions in the Trust Territories. These reports are to be based on the questionnaires formulated by the Council in accordance with Article 88 of the Charter.

As the first Trust Territories were created by action of the General Assembly in December 1946, the first annual reports will cover the year 1947.

The Government of New Zealand had transmitted, through the Secretary-General, to the Trusteeship Council prior to its first session, two reports on Western Samoa covering the war years 1941 to 1945, and 1945 to 1946 respectively. These reports had been prepared by the Government of New Zealand in accordance with its obligations under the League of Nations mandates system. The reports were not examined by the Trusteeship Council as they were submitted by the Government of New Zealand for information only. As they were not based upon a questionnaire formulated by the Council they were not to be considered as the reports called for under Article 87 of the Charter. The Council expressed its warm appreciation to the Government of New Zealand, however, for its considerate action in making these reports available.

The second means by which the Trusteeship Council performs its supervision of the Trust Territories is by the exercise of its authority to accept petitions and to examine them in consultation with the Administering Authority as provided in Article 87 (b) of the Charter.

The third—an entirely new means of conducting international supervision—is through periodic visits to the Trust Territories. At its 26th meeting on April 28, the Trusteeship Council adopted a resolution recommending to the General Assembly that regular provision be made in the budget of the United Nations for periodic visits to Trust Territories as a recurring item, on the basis of one visiting mission each year.

c. Relations of the Trusteeship Council with the Economic and Social Council and the Security Council

The Charter envisages a close working relationship between the Trusteeship Council and the Economic and Social Council and the specialized agencies, and also between the Trusteeship Council and the Security Council with regard to the functions of the International Trusteeship System relating to non-strategic matters in the strategic Trust Territories.

(1) Relations with the Economic and Social Council

In accordance with Article 91 of the Charter the Economic and Social Council at its fourth session, and the Trusteeship Council at its first

session, adopted resolutions providing for the appointment of separate representative committees of three members each, for the purpose of entering into consultation regarding arrangements for co-operation between the two Councils with regard to matters of common concern.

At its first session the Trusteeship Council, in response to an invitation extended by the President of the Economic and Social Council, also took action resulting in the appointment of a committee of two members to join with representatives of the Economic and Social Council in any future negotiations with intergovernmental organizations to be brought into relationship with the United Nations, with respect to such clauses of the agreements as might concern the Trusteeship Council.

(2) Relations with the Security Council

When the strategic area Trusteeship Agreement approved by the Security Council with regard to the islands formerly under Japanese mandate[1] comes into effect, a working relationship will need to be established between the Trusteeship Council and the Security Council in order to implement paragraph 3 of Article 83 of the Charter. This paragraph provides that the Security Council shall avail itself of the assistance of the Trusteeship Council, subject to the provisions of the Trusteeship Agreements and without prejudice to security considerations, in performing such functions of the United Nations under the Trusteeship System as relate to political, economic, social and educational matters in the strategic areas.

In this connection it is to be noted that this strategic area Trusteeship Agreement states that the provisions of Articles 87 and 88 of the Charter are to be applicable to the Trust Territory, subject only to the limitation that the Administering Authority may determine the extent of their applicability to such of the areas in the Trust Territory as may from time to time be specified by the Authority as closed for security reasons.

ANNEX I

Representatives at the First Session of the Trusteeship Council

The Delegations of the respective Member Governments at the first session of the Trusteeship Council were the following:

Australia	
Representative	Norman J. O. Makin
Belgium	
Representative	Pierre Ryckmans
China	
Representative	Liu Chieh
Alternate	Shuhsi Hsü
France	
Representative	Roger Garreau
Alternate	Henri Laurentie
Iraq	
Representative	Ali Jawdat
Alternate and Advisor	Awni Khalidy
Mexico	
Representative	Luis Padilla Nervo
New Zealand	
Representative	Sir Carl August Berendsen (Vice-President)
Alternate and Advisor	R. B. Taylor
U.S.S.R.	
(*No list received*)	
United Kingdom	
Representative	Ivor Thomas
Alternate	A. H. Poynton
United States of America	
Representative	Francis B. Sayre (President)
Deputy Representative	Benjamin Gerig

ANNEX II

Rules of Procedure of the Trusteeship Council

(As approved at the 22nd meeting of its first session, April 23, 1947)

I. SESSIONS

Rule 1

The Trusteeship Council shall meet in two regular sessions each year. The first of such sessions shall be convened during the latter half of June and the second shall be convened during the latter half of November.

Rule 2

Special sessions shall be held as and where occasion may require, by decision of the Trusteeship Council, or at the request of a majority of its members, or at the request of the General Assembly, or at the request of the Security Council acting in pursuance of the relevant provisions of the Charter.

[1] See pp. 394 ff.

Rule 3

A request for a special session may be made by any member of the Trusteeship Council and shall be addressed to the Secretary-General of the United Nations, who without delay shall communicate the request to the other members of the Trusteeship Council. On notification by the Secretary-General that the majority of the members have concurred, the President of the Trusteeship Council shall request the Secretary-General to call a special session.

Rule 4

The President of the Trusteeship Council shall notify the members of the Council of the date and place of the first meeting of each session through the Secretary-General. Such notification, as a rule, shall be given at least thirty days in advance of the date of the session. Notifications shall also be addressed to the Security Council, to the Economic and Social Council, to such Members of the United Nations as have proposed an item for the agenda, and to such of the specialized agencies as may attend and participate in the meetings of the Trusteeship Council under the terms of the agreements with the United Nations.

Rule 5

A request for an alteration of the date of a regular session may be made by any member of the Trusteeship Council or the Secretary-General and shall be dealt with by a procedure similar to that provided in Rule 3 for a request for a special session.

Rule 6

Each session shall be held at the seat of the United Nations, unless in pursuance of a previous decision of the Trusteeship Council or at the request of a majority of its members another place is designated. A request for a place of meeting other than the seat of the United Nations may be made by any member of the Trusteeship Council or by the Secretary-General and shall be dealt with by a procedure similar to that provided in Rule 3 for a request for a special session.

Rule 7

The Trusteeship Council may decide at any session to adjourn temporarily and resume its meetings at a later date.

II. AGENDA

Rule 8

The provisional agenda for each session of the Trusteeship Council shall be drawn up by the Secretary-General in consultation with the President and shall be communicated to the members and to the specialized agencies referred to in Rule 4 together with the notice summoning the Council.

Rule 9

The provisional agenda shall include consideration of:

(*a*) such annual reports and other documents as may have been submitted by the Administering Authorities;

(*b*) such petitions as may have been presented, a list of which shall be attached;

(*c*) arrangements for and reports on visits to Trust Territories;

(*d*) all items proposed by the Trusteeship Council at a previous session;

(*e*) all items proposed by any Member of the United Nations;

(*f*) all items proposed by the General Assembly, the Security Council, the Economic and Social Council, or a specialized agency under the terms of its agreement with the United Nations; and

(*g*) all items or reports which the President or the Secretary-General may deem necessary to put before the Trusteeship Council.

Rule 10

The first item on the provisional agenda of any meeting of the Trusteeship Council shall be the adoption of the agenda. The Trusteeship Council may revise the agenda and may, as appropriate, add, defer or delete items. During any special session priority shall be given to the consideration of those items for which the session has been called.

III. REPRESENTATION AND CREDENTIALS

Rule 11

Each member of the Trusteeship Council shall designate one specially qualified person to represent it therein.

Rule 12

Members of the United Nations which are not members of the Trusteeship Council but which have proposed items on the agenda of that Council, shall be invited to have present at the appropriate meetings of the Council, representatives who shall be entitled to participate, without vote, in the deliberations on those items.

Rule 13

Representatives of specialized agencies shall be invited to attend meetings of the Trusteeship Council and to participate, without vote, in its deliberations in the circumstances indicated in the respective agreements between the United Nations and the specialized agencies.

Rule 14

1. The credentials of representatives on the Trusteeship Council shall normally be communicated to the Secretary-General not less than twenty-four hours before the meeting at which the representatives will take their seats. The credentials shall be issued either by the Head of the State or by the Minister of Foreign Affairs of the respective member Governments.

2. The credentials shall be examined by the Secretary-General who shall submit a report thereon to the Trusteeship Council for approval.

Rule 15

1. Any Member of the United Nations not a member of the Trusteeship Council, when invited to participate in a meeting or meetings of the Council, shall submit credentials for the representative appointed by it for this purpose in the same manner as provided in Rule 14. The credentials of such a representative shall be communicated to the Secretary-General not less than twenty-four hours before the first meeting which he is to attend.

2. The credentials of representatives referred to in the paragraph immediately preceding and of any representatives appointed in accordance with Rule 74 shall be examined by the Secretary-General who shall submit a report to the Trusteeship Council for approval.

Rule 16

The credentials of representatives of specialized agencies which have been invited to attend meetings of the Trusteeship Council in pursuance of Rule 13 shall be issued by the competent officer of each such specialized agency and shall be subject to the same procedure as defined in Rule 14.

Rule 17

Pending the decision on the credentials of a representative on the Trusteeship Council, such representative shall be seated provisionally and shall enjoy the some rights as he would have if his credentials were found to be in good order.

Rule 18

Each representative on the Trusteeship Council may be accompanied by such alternates and advisors as he may require. An alternate or an advisor may act as a representative when so designated by the representative.

IV. PRESIDENT AND VICE-PRESIDENT

Rule 19

The Trusteeship Council, by secret and separate ballots, shall elect, at the beginning of its regular session in June, a President and a Vice-President from among the representatives of the members of the Trusteeship Council.

Rule 20

The President and Vice-President shall hold office until their respective successors are elected, and shall not be eligible for immediate re-election.

Rule 21

In the absence of the President, the Vice-President shall act as President. In the event that the President for any reason is no longer able to act in that capacity, the Vice-President shall serve as President during the unexpired term. In both cases the Vice-President shall have the same powers and duties as the President.

Rule 22

The President may appoint one of his alternates or advisors to participate in the proceedings and to vote in the Trusteeship Council. In such a case the President shall not exercise his right to vote.

V. SECRETARIAT

Rule 23

The Secretary-General shall act in that capacity at the meetings of the Trusteeship Council and of its committees, sub-committees and such subsidiary bodies as may be established by it. The Secretary-General may authorize a deputy to act in his place.

Rule 24

The Secretary-General shall transmit to the members of the Trusteeship Council all communications which may be addressed to the Council from Members and organs of the United Nations and from specialized agencies. The Secretary-General shall also call to the attention of the Council communications from other sources, except those which are manifestly inconsequential, if they relate to the activities of the Trusteeship Council.

Rule 25

The Secretary-General shall provide and direct the staff required by the Trusteeship Council and such committees, sub-committees and other subsidiary bodies as it may establish.

Rule 26

The Secretary-General, or his deputy acting on his behalf, may at any time, upon the invitation of the President or of the chairman of a committee or a subsidiary body of the Trusteeship Council, make oral or written statements concerning any question under consideration.

Rule 27

The Secretary-General shall be responsible for all the necessary arrangements for meetings and other activities of the Trusteeship Council, its committees, sub-committees and subsidiary bodies.

VI. LANGUAGES

Rule 28

Chinese, English, French, Russian and Spanish shall be the official languages. English and French shall be the working languages of the Trusteeship Council.

Rule 29

Speeches made in one of the working languages shall be interpreted into the other working language.

Rule 30

Speeches made in any of the other three official languages shall be interpreted into both working languages.

Rule 31

Any representative may speak in a language other than the official languages. In such case, he shall himself provide for interpretation into one of the working languages. Interpretation into the other working language by an interpreter of the Secretariat may be based on the interpretation given in the first working language.

Rule 32

Verbatim records of meetings of the Trusteeship Council shall be drawn up in the working languages. A translation of the whole or part of any verbatim record into any of the other official languages shall be furnished if requested by any representative in the Trusteeship Council.

Rule 33

The official records and the *Journal* of the Trusteeship Council shall be issued in the working languages.

Rule 34

All resolutions of the Trusteeship Council shall be made available in the official languages. Other documents originating with the Council shall be made available in any of the official languages at the request of representatives of members of the Council.

Rule 35

Documents of the Trusteeship Council shall, if the Trusteeship Council so decides, be published in any language other than the official languages.

VII. VOTING

Rule 36

Each member of the Trusteeship Council shall have one vote.

Rule 37

Decisions or recommendations of the Trusteeship Council shall be made by a majority of the members present and voting. Members who abstain in particular votes shall not in those instances be counted as voting.

Rule 38

If a vote other than for an election is equally divided, a second vote shall be taken at the next meeting or, by decision of the Trusteeship Council, following a brief recess. Unless at the second vote there is a majority in favour of the proposal, it shall be deemed to be lost.

Rule 39

The Trusteeship Council shall vote by show of hands except that, before a vote is taken, any representative of a member may request a roll-call, which shall then be taken in the English alphabetical order of the names of the members of the Trusteeship Council.

Rule 40

The vote of each member participating in any roll-call shall be inserted in the record.

Rule 41

All elections and all decisions relating to the tenure of office of an individual shall be taken by secret ballot.

Rule 42

When only one person or member is to be elected and no candidate obtains in the first ballot the majority required, a second ballot shall be taken, which shall be confined to the two candidates obtaining the largest number of votes. If in the second ballot the votes are equally divided, the President shall decide between the candidates by drawing lots.

Rule 43

When two or more elective places are to be filled at one time under the same conditions, those candidates obtaining in the first ballot the majority required shall be elected. If the number of candidates obtaining such majority is less than the number of persons or members to be elected, there shall be additional ballots to fill the remaining places, the voting being restricted to the candidates obtaining the greatest number of votes in the previous ballot, the number of candidates being not more than twice as many as the places remaining to be filled.

VIII. PUBLICITY OF MEETINGS

Rule 44

The meetings of the Trusteeship Council and of all of its subsidiary bodies shall be held in public, unless the Council or subsidiary body concerned decides that circumstances require that meetings be held in private.

Rule 45

At the close of private meetings, as may be appropriate, the Trusteeship Council shall issue a communiqué through the Secretary-General.

IX. RECORDS

Rule 46

The verbatim records of all public and private meetings shall be prepared by the Secretariat. They shall be made available in so far as possible within twenty-four hours of the end of the meetings to the representatives who have participated in the meetings.

Rule 47

The representatives who have participated in the meetings shall, within two working days after the distribution of the verbatim records,

inform the Secretary-General of any corrections they wish to have made. Corrections that have been requested shall be considered approved, unless the President is of the opinion that they are sufficiently important to be submitted to the Trusteeship Council for approval.

Rule 48

The verbatim records of public and private meetings in which no corrections have been requested or which have been corrected in accordance with Rule 47 shall be considered as the official records of the Trusteeship Council. The official records of public meetings shall be published by the Secretariat as promptly as possible and communicated to the Members of the United Nations and to the specialized agencies referred to in Rule 4.

Rule 49

The official records of private meetings shall be accessible only to the Members of the United Nations, except that the Trusteeship Council may make public the records of any private meeting at such time and under such conditions as it may decide. When such records relate to strategic areas the Administering Authority concerned may request the Trusteeship Council to confine their availability to the Trusteeship and Security Councils.

X. CONDUCT OF BUSINESS

Rule 50

At any meeting of the Trusteeship Council two-thirds of the members shall constitute a quorum.

Rule 51

In addition to exercising the powers which are conferred upon him elsewhere by these rules, the President shall declare the opening and closing of each meeting, direct the discussions, ensure observance of the rules of procedure, accord the right to speak, put questions and announce decisions. Subject to the rules of procedure, he shall have complete control of the proceedings of any meeting. The President, acting under the authority of the Trusteeship Council, shall represent it as an organ of the United Nations.

Rule 52

Whenever the President of the Trusteeship Council deems that for the proper fulfilment of the responsibilities of the presidency he should not preside over the Trusteeship Council during the consideration of a question with which the member he represents is directly connected, and in particular when annual reports and petitions relating to a Trust Territory of which the member he represents is the Administering Authority, are under consideration, he shall indicate his decision to the Trusteeship Council. The presidency shall then devolve for the purpose of the consideration of that question upon the Vice-President.

Rule 53

No representative may address the Trusteeship Council without having previously obtained the permission of the President. The President shall call upon speakers in the order in which they signify their desire to speak. The chairman of a subsidiary body, or a rapporteur, or the Secretary-General, however, may be accorded precedence. The President may call a speaker to order if his remarks are not relevant to the subject under discussion.

Rule 54

During the discussion of any matter, a representative may rise to a point of order and the point of order shall be immediately decided by the President, in accordance with the rules of procedure.

Rule 55

A representative may appeal from any ruling of the President. The appeal shall be put to the vote without discussion.

Rule 56

1. The following motions shall have precedence in the order named over all resolutions or other motions relative to the subject before the meeting:

(*a*) to suspend the meeting;

(*b*) to adjourn the meeting;

(*c*) to adjourn the meeting to a certain day or hour;

(*d*) for the closure of the debate on any motion or draft resolution, including amendments thereto, or on any amendment or amendments to a motion or draft resolution;

(*e*) to limit the time allowed to each speaker;

(*f*) to refer any matter to a committee, to the Secretary-General or to a rapporteur;

(*g*) to postpone discussion of the question to a certain day or indefinitely; or

(*h*) to amend.

2. Any motion for the suspension or for the simple adjournment of a meeting shall be decided without debate.

3. A motion for closure of debate on a resolution or other motion shall not be considered by the Trusteeship Council until each representative shall have had the opportunity to speak on that resolution or other motion. Debate on a motion for closure of debate shall be limited to one speaker for each side.

Rule 57

Reports, resolutions and other substantive motions or amendments shall be introduced in writing and handed to the Secretary-General. The Secretary-General shall, to the extent possible, circulate copies to the representatives twenty-four hours in advance of the meeting at which they are to be considered. The Trusteeship Council may decide to postpone the

consideration of resolutions and other substantive motions or amendments, the copies of which have not been circulated twenty-four hours in advance.

Rule 58

Resolutions and other motions or amendments proposed by representatives of members on the Trusteeship Council may be put to the vote without having been seconded.

Rule 59

1. Resolutions, motions or amendments may be withdrawn by the representative who introduced them at any time prior to the vote.

2. In a case where a representative withdraws a resolution, motion or amendment prior to the vote, any other representative on the Trusteeship Council may require that it be put to the vote as his resolution, motion or amendment under the same conditions as if the original mover had not withdrawn it.

Rule 60

Parts of a report, resolution, other motion or amendment may be voted on separately at the request of a representative and subject to the will of the Trusteeship Council. The proposal shall then be voted on as a whole.

Rule 61

A proposal to add to or delete from or otherwise revise a part of a resolution or a motion shall be considered as an amendment. An amendment shall be voted on first and if it is adopted, the amended resolution or motion shall then be voted on.

Rule 62

If two or more amendments are moved to a resolution or another motion, the President shall first put to the vote the amendment furthest removed in substance from the resolution or motion and then the amendment next furthest removed, and so on, until all the amendments have been voted upon or an amendment has been approved which, in the opinion of the Trusteeship Council, makes voting on the remaining amendments unnecessary.

Rule 63

If two or more resolutions or other motions relating to an original proposal are introduced, the President shall first put to the vote the resolution or motion furthest removed in substance from the original proposal. If that resolution or motion is rejected, the President shall put to the vote the resolution or motion next furthest removed, and so on, until either all the resolutions or motions have been put to a vote or one or more of them has been adopted, which in the opinion of the Trusteeship Council makes voting on the remaining proposals unnecessary.

Rule 64

A statement of minority views may be appended to a report or recommendation of the Trusteeship Council at the request of any member.

Rule 65

No resolution involving expenditure from United Nations funds shall be approved by the Trusteeship Council unless the Trusteeship Council has before it a report from the Secretary-General on the financial implications of the proposal, together with an estimate of the costs involved in the specific proposal.

XI. COMMITTEES AND RAPPORTEURS

Rule 66

The Trusteeship Council may set up such committees as it deems necessary, define their composition and their terms of reference, and refer to them any questions on the agenda for study and report. The committees may be authorized to sit while the Trusteeship Council is not in session.

Rule 67

The procedure set forth in Rules 28 to 31, 36 to 38, and 51 to 63 inclusive, shall apply to proceedings of committees of the Trusteeship Council. The committees may decide upon the form of the records and adopt such other rules of procedure as may be necessary.

XII. QUESTIONNAIRES

Rule 68

Upon the coming into effect of each Trusteeship agreement, the Trusteeship Council shall transmit to the Administering Authority concerned, through the Secretary-General, such questionnaire as it shall have formulated, in accordance with Article 88 of the Charter, on the political, economic, social and educational advancement of the inhabitants of the Trust Territory involved.

Rule 69

The Trusteeship Council may modify the questionnaires at its discretion.

Rule 70

When, in accordance with Article 91 of the Charter, the Trusteeship Council considers it appropriate to avail itself of the assistance of the Economic and Social Council or of any specialized agency in the preparation of questionnaires, the President of the Trusteeship Council shall transmit through the Secretary-General to the Economic and Social Council or to the specialized agency concerned those sections of the questionnaires with regard to which its advice may be desired.

Rule 71

1. The questionnaire shall be communicated to each Administering Authority at least six months before the expiration of the year covered by the first annual report, and shall remain in force, without specific renewal, from year to year.

2. Any subsequent modifications shall be communicated to the Administering Authority

concerned at least six months before the date fixed for the presentation of the first annual report which is to be based on the modified questionnaire.

XIII. ANNUAL REPORTS OF ADMINISTERING AUTHORITIES

Rule 72

1. The annual report of an Administering Authority prepared on the basis of the questionnaire formulated by the Trusteeship Council shall be submitted to the Secretary-General within four months from the termination of the year to which it refers.

2. Each report of an Administering Authority shall be considered by the Trusteeship Council at the first regular session following the expiration of six weeks from the receipt of the report by the Secretary-General.

3. The Secretary-General shall transmit these reports without delay to the members of the Trusteeship Council.

Rule 73

The Administering Authorities shall furnish to the Secretary-General four hundred copies of each report for a Trust Territory. Copies of each such report shall at the same time be sent directly by the Administering Authority to the members of the Trusteeship Council as a means of expediting the work of the Council.

XIV. EXAMINATION OF ANNUAL REPORTS

Rule 74

In the examination of all annual reports the Administering Authority concerned shall be entitled to designate and to have present a special representative who should be well informed on the territory involved.

Rule 75

The special representative of the Administering Authority may participate without vote in the examination and discussion of a report, except in a discussion directed to specific conclusions concerning it.

XV. PETITIONS

Rule 76

Petitions may be accepted and examined by the Trusteeship Council if they concern the affairs of one or more Trust Territories or the operation of the International Trusteeship System as laid down in the Charter, except that with respect to petitions relating to a strategic area the functions of the Trusteeship Council shall be governed by Article 83 of the Charter and the terms of the relevant Trusteeship agreements.

Rule 77

Petitioners may be inhabitants of Trust Territories or other parties.

Rule 78

Petitions may be presented in writing in accordance with Rules 79 to 86, or orally in accordance with Rules 87 to 91.

Rule 79

A written petition may be in the form of a letter, telegram, memorandum or other document concerning the affairs of one or more Trust Territories or the operation of the International Trusteeship System as laid down in the Charter.

Rule 80

The Trusteeship Council may hear oral presentations in support or elaboration of a previously submitted written petition. Oral presentations shall be confined to the subject-matter of the petition as stated in writing by the petitioners. The Trusteeship Council, in exceptional cases, may also hear orally petitions which have not been previously submitted in writing, provided that the Trusteeship Council and the Administering Authority concerned have been previously informed with regard to their subject-matter.

Rule 81

Normally petitions shall be considered inadmissible if they are directed against judgments of competent courts of the Administering Authority or if they lay before the Council a dispute with which the courts have competence to deal. This rule shall not be interpreted so as to prevent consideration by the Trusteeship Council of petitions against legislation on the grounds of its incompatibility with the provisions of the Charter of the United Nations or of the Trusteeship agreement, irrespective of whether decisions on cases arising under such legislation have previously been given by the courts of the Administering Authority.

Rule 82

Written petitions may be addressed directly to the Secretary-General or may be transmitted to him through the Administering Authority.

Rule 83

Written petitions submitted to the Administering Authority for transmission shall be communicated promptly to the Secretary-General, with or without comments by the Administering Authority, at its discretion, or with an indication that such comments will follow in due course.

Rule 84

Representatives of the Trusteeship Council engaged in periodic visits to Trust Territories or on other official missions authorized by the Council, may accept written petitions, subject to such instructions as may have been received from the Trusteeship Council. Petitions of this kind shall be transmitted promptly to the Secretary-General for circulation to the members of the Council. A copy of each such petition shall be communicated to the competent local authority. Any observations which the visiting representatives may wish to make on the petitions, after consultation with the local representative of the Administering Authority, shall be submitted to the Trusteeship Council.

Rule 85

The Secretary-General shall circulate promptly to the members of the Trusteeship Council all written petitions received by him, except for petitions relating to a strategic area with respect to which the functions of the Trusteeship Council shall be governed by Article 83 of the Charter and the terms of the relevant Trusteeship agreement.

Rule 86

1. Written petitions will normally be placed on the agenda of a regular session provided that they shall have been received by the Administering Authority concerned either directly or through the Secretary-General at least two months before the date of the next following regular session.

2. Any observations on petitions which the Administering Authority desires to have circulated to members of the Trusteeship Council should, wherever possible, be transmitted to the Secretary-General not less than fourteen days before the opening of the session at which such petitions will be considered.

3. The date of receipt of a petition shall be considered as being:

(*a*) in respect of a petition which is presented through the Administering Authority, the date on which the petition is received by the competent local authority in the territory or the metropolitan Government of the Administering Authority, as the case may be, and

(*b*) in respect of a petition not presented through the Administering Authority, the date on which the petition is received by the Administering Authority through the Secretary-General. The Administering Authority concerned shall immediately notify the Secretary-General of the date of receipt of all such petitions.

4. In cases where the Administering Authority may be prepared to consider a written petition at shorter notice than is prescribed by the foregoing rules, or where, in exceptional cases, as a matter of urgency, it may be so decided by the Trusteeship Council in consultation with the Administering Authority concerned, such written petition may be placed on the agenda of a regular session notwithstanding that it has been presented after the due date, or it may be placed on the agenda of a special session.

Rule 87

Requests to present petitions orally or to make oral presentations in support or elaboration of written petitions, in accordance with Rule 80, may be addressed directly to the Secretary-General or may be transmitted to him through the Administering Authority. In the latter case the Administering Authority concerned shall communicate such requests promptly to the Secretary-General.

Rule 88

The Secretary-General shall promptly notify the members of the Trusteeship Council of all requests for oral petitions or oral presentations received by him, except for petitions relating to a strategic area with respect to which the functions of the Trusteeship Council shall be governed by Article 83 of the Charter and the terms of the relevant Trusteeship agreement.

Rule 89

Representatives of the Trusteeship Council engaged in periodic visits to Trust Territories or on other official missions authorized by the Council may receive oral presentations or petitions, subject to such instructions as may have been received from the Trusteeship Council. Such oral presentations or petitions shall be recorded by the visiting mission, and the record shall be transmitted promptly to the Secretary-General for circulation to the members of the Council and to the Administering Authority for comment. A copy of each such record shall be communicated to the competent local authority. Any observations which the visiting representatives may wish to make on the oral presentations or petitions, after consultation with the local representative of the Administering Authority, shall be submitted to the Trusteeship Council.

Rule 90

The Trusteeship Council, at the beginning of each session which includes the consideration of petitions on its agenda, may appoint an *ad hoc* committee on petitions whose membership shall be evenly divided between representatives of members administering Trust Territories and representatives of members having no administering responsibilities. The *ad hoc* committee on petitions shall be empowered to undertake a preliminary examination of the petitions on the agenda. No appraisal of the substance of the petitions shall be made by the *ad hoc* committee.

Rule 91

The Trusteeship Council may designate one or more of its representatives to accept oral petitions the subject-matter of which has been previously communicated to the Trusteeship Council and to the Administering Authority concerned. Oral petitions and oral presentations may be examined either in public or in private, as may be determined, in accordance with Rule 44.

Rule 92

In the examination of all petitions the Administering Authority concerned shall be entitled to designate and to have present a special representative who should be well informed on the territory involved.

Rule 93

The Secretary-General shall inform the Administering Authorities and the petitioners concerned of the actions taken by the Trusteeship Council on each petition, and shall transmit to them the official records of the public meetings at which the petitions were examined.

XVI. VISITS TO TRUST TERRITORIES

Rule 94

The Trusteeship Council, in accordance with the provisions of Article 87 (c) and Article 83, paragraph 3, of the Charter, as the case may be, and with the terms of the respective Trusteeship agreements, shall make provisions for periodic visits to each Trust Territory with a view to achieving the basic objectives of the International Trusteeship System.

Rule 95

The Trusteeship Council, acting in conformity with the terms of the respective Trusteeship agreements, shall define the terms of reference of each visiting mission and shall issue to each mission such special instructions as it may consider appropriate.

Rule 96

The Trusteeship Council shall select the members of each visiting mission who shall preferably be one or more of the representatives on the Council. Each mission may be assisted by experts and by representatives of the local administration. A mission and the individual members thereof shall, while engaged in a visit, act only on the basis of the instructions of the Council and shall be responsible exclusively to it.

Rule 97

The Trusteeship Council may, in agreement with the Administering Authority, conduct special investigations or enquiries when it considers that conditions in a Trust Territory make such action desirable.

Rule 98

All expenses of periodic visits, special investigations and enquiries, including the travel expenses of the visiting missions, shall be borne by the United Nations.

Rule 99

Each visiting mission shall submit to the Trusteeship Council a report on its visit, a copy of which shall be promptly transmitted to the Administering Authority concerned by the Secretary-General. The report may be published by the Council in such form as it may deem appropriate. Observations on each such report by the Council and by the Administering Authority concerned may be similarly published.

XVII. REPORTS OF THE TRUSTEESHIP COUNCIL

Rule 100

The Trusteeship Council shall present annually to the General Assembly a general report on its activities and on the discharge of its responsibilities under the International Trusteeship System. Each such report shall include an annual review of the conditions in each Trust Territory.

Rule 101

1. The sections of the general reports of the Trusteeship Council to the General Assembly relating to conditions in specific Trust Territories, referred to in Rule 100, shall take into account the annual reports of the Administering Authorities, and such other sources of information as may be available, including petitions, reports of visiting missions, and any special investigations or enquiries, as provided for in Rule 97.

2. The general reports shall include, as appropriate, the conclusions of the Trusteeship Council regarding the execution and interpretation of the provisions of Chapters XII and XIII of the Charter and of the Trusteeship agreements, and such suggestions and recommendations concerning each Trust Territory as the Council may decide.

Rule 102

The reports of the Trusteeship Council to the General Assembly provided for in Rules 100 and 101 shall be transmitted through the Secretary-General at least thirty days before the opening of the regular session of the General Assembly.

Rule 103

The Trusteeship Council may designate the President, the Vice-President or another of its members to represent it during the consideration of its reports by the General Assembly.

XVIII. OTHER FUNCTIONS

Rule 104

The Trusteeship Council shall perform such other functions as may be provided for in the Trusteeship agreements, and, in pursuance of the duty imposed upon it by Article 85 of the Charter, may submit to the General Assembly recommendations concerning the functions of the United Nations with regard to Trusteeship agreements, including the approval of the terms of the Trusteeship agreements and of their alteration or amendment. With regard to strategic areas, the Trusteeship Council may similarly perform such functions in so far as it may be requested to do so by the Security Council.

XIX. RELATIONSHIP WITH OTHER BODIES

Rule 105

1. The Trusteeship Council shall, when appropriate, avail itself of the assistance of the Economic and Social Council, of the specialized agencies and of appropriate intergovernmental regional bodies which may be separately established, relating to matters with which they may be concerned.

2. The Secretary-General shall promptly communicate to these bodies the annual reports of the Administering Authorities and such reports and other documents of the Trusteeship Council as may be of special concern to them.

XX. SUSPENSION OF RULES

Rule 106

When the Trusteeship Council is in session, a rule of procedure may be suspended by decision of the Council.

XXI. AMENDMENT

Rule 107

These rules of procedure may be amended by the Trusteeship Council. Normally, a vote shall not be taken until four days after a proposal for amendment has been submitted.

VI. The International Court of Justice

A. PROVISIONS OF THE CHARTER OF THE UNITED NATIONS[1]

The International Court of Justice is the principal judicial organ of the United Nations. It functions in accordance with its Statute, which is based upon the Statute of the Permanent Court of International Justice and forms an integral part of the Charter.

All Members of the United Nations are *ipso facto* parties to the Statute of the International Court of Justice.

A State which is not a Member of the United Nations may become a party to the Statute of the International Court of Justice on conditions to be determined in each case by the General Assembly upon the recommendations of the Security Council.

Each Member of the United Nations undertakes to comply with the decision of the International Court of Justice in any case to which it is a party.

If any party to a case fails to perform the obligations incumbent upon it under a judgment rendered by the Court, the other party may have recourse to the Security Council, which may, if it deems such action necessary, make recommendations or decide upon measures to be taken to give effect to the judgment.

Nothing in the Charter is to prevent Members of the United Nations from entrusting the solution of their differences to other tribunals by virtue of agreements already in existence or which may be concluded in the future.

The General Assembly or the Security Council may request the International Court of Justice to give an advisory opinion on any legal question.

Other organs of the United Nations and specialized agencies, which may at any time be so authorized by the General Assembly, may also request advisory opinions of the Court on legal questions arising within the scope of their activities.

B. PROVISIONS OF THE STATUTE OF THE COURT

1. Organization of the Court

The Court is composed of fifteen members, no two of whom may be nationals of the same State and who are to be "elected regardless of their nationality from among persons of high moral character, who possess the qualifications required in their respective countries for appointment to the highest judicial offices, or are jurisconsults of recognized competence in international law."

Candidates for membership of the Court are nominated by the "national groups" in the Permanent Court of Arbitration.[2] The Secretary-General of the United Nations draws up

[1] This and the following section provide a summary of the provisions of the Charter relating to the International Court of Justice and of the Statute of the Court. Chapter XIV of the Charter defines the position of the Court in the United Nations organization, the obligations of Members of the United Nations with respect to the Court and the relationship between the Court and the other organs of the United Nations. The Statute of the Court is divided into five chapters. Chapter I deals with the organization of the Court, Chapter II defines the competence of the Court, Chapter III sets forth the procedure of the Court, Chapter IV lays down the conditions under which the Court may give advisory opinions and Chapter V contains provisions for amendments to the Statute.

[2] The Permanent Court of Arbitration established under Conventions of 1899 and 1907 consists of a panel of arbitrators from which members are chosen to hear any one case. Each State party to the Conventions may name not more than four persons to be members of the panel. The persons thus appointed constitute "national groups" which compose the panel of the Permanent Court of Arbitration. These "national groups" had been designated to nominate the judges of the Permanent Court of International Justice established in 1920 in conjunction with the League of Nations. Under the Statute of the International Court of Justice they are likewise to nominate the judges of this Court, which supersedes the Permanent Court of International Justice. Members of the United Nations which are not members of the Permanent Court of Arbitration are to appoint national groups for the purpose of nominating the members of the International Court of Justice in the same manner as the national groups of the Permanent Court of Arbitration are appointed.

a list of candidates thus nominated. From this list the General Assembly and the Security Council, voting independently, elect the Members of the Court, an absolute majority in both the Assembly and the Council being required for election.

The members of the Court are elected for nine years and may be re-elected. However, the terms of five judges elected at the first election expire at the end of three years and the terms of five more judges at the end of six years.

The Court elects its own President and Vice-President for three years; they may be re-elected. It appoints its Registrar and such other officers as may be necessary.

The seat of the Court is at The Hague, but this does not prevent the Court from exercising its functions elsewhere whenever the Court considers it desirable. The President and the Registrar reside at the seat of the Court.

The Court remains permanently in session except during judicial vacations. A quorum of nine judges suffices to constitute it.

From time to time the Court may establish one or more chambers of three or more judges which may deal with particular categories of cases,—for example, labor cases and cases relating to transit and communications. The Court forms annually a chamber of five members which may hear and determine cases by summary procedure.

Judges of the same nationality as a party to a case retain their right to sit in the case before the Court. If the Court includes on the bench a judge of the nationality of one of the parties, any other party may choose a person to sit as judge. If the Court includes upon the bench no judge of the nationality of the parties, each of the parties may choose a judge to sit in the case before the Court.

2. Competence of the Court

Only States may be parties in cases before the Court.

The Court is open to States parties to its Statute. The conditions under which the Court shall be open to other States are to be laid down by the Security Council.[1]

The jurisdiction of the Court comprises all cases which the parties refer to it and all matters especially provided for in the Charter of the United Nations or in treaties and conventions in force. To preserve continuity with the work of the Permanent Court of International Justice the Statute further stipulates that whenever a treaty or convention in force provides for reference of a matter to the Permanent Court of International Justice, the matter shall be referred to the International Court of Justice.

The States parties to the Statute may at any time declare that they recognize as compulsory *ipso facto* and without special agreement, in relation to any other State accepting the same obligation, the jurisdiction of the Court in all legal disputes concerning:

(a) the interpretation of a treaty;
(b) any question of international law;
(c) the existence of any fact which, if established, would constitute a breach of international obligation;
(d) the nature or extent of the reparation to be made for the breach of an international obligation.

These declarations may be made (1) unconditionally, (2) on condition of reciprocity on the part of several or certain States, (3) for a certain time.

The Statute of the Permanent Court of International Justice had provided for similar declarations of acceptance of compulsory jurisdiction. The Statute of the International Court of Justice provides that any declarations made under the Statute of the Permanent Court of International Justice, which is still in force, shall be deemed to be acceptance of the compulsory jurisdiction of the International Court of Justice for the period for which they still have to run.

Fifty-six nations had accepted compulsory jurisdiction of the Permanent Court in some form. Sixteen of these acceptances are still in force and are, under the terms of its Statute, transferred to the International Court of Justice. Since the Statute has come into force, China, Denmark, France,[2] Guatemala, the Netherlands, Norway, Sweden, Turkey and the United States have accepted compulsory jurisdiction of the International Court of Justice.[3]

The Court, whose function it is to decide in accordance with international law such disputes as are submitted to it, is to apply:

(a) international conventions, whether general or particular, establishing rules expressly recognized by the contesting States;

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[1] See pp. 410, 411.

[2] France made a declaration but has not yet ratified it.

[3] See Annex II.

(b) international custom, as evidence of a general practice accepted as law;
(c) the general principles of law recognized by civilized nations;
(d) subject to the provisions of Article 59, judicial decisions and the teachings of the most highly qualified publicists of the various nations, as subsidiary means for the determination of rules of law.

The Court may decide a case *ex-oequo et bono*, if the parties agree to this.

3. PROCEDURE OF THE COURT

French and English are the official languages of the International Court of Justice, but any party which so requests is to be authorized to use another language.

Cases may be brought before the Court either by the notification of the special agreement or by a written application addressed to the Registrar. In either case the subject to the dispute and the parties are to be indicated.

The Court has the power to indicate any provisional measures which it considers ought to be taken to preserve the respective rights of either party.

Unless otherwise demanded by the parties, hearings in the Court are to be public. Deliberations of the Court take place in private and remain secret.

All questions before the Court are decided by a majority of judges present. In the event of an equality of votes the President has a casting vote. The judgment is to state the reasons on which it is based and contain the names of the judges who have taken part in the decision. If the judgment does not represent in whole or in part the unanimous opinion of the judges, any judge is entitled to deliver a separate opinion.

Decisions of the Court have no binding force except between the parties and in respect of any particular case. The judgment of the Court is final and without appeal. Revision of a judgment may be made only when it is based "upon the discovery of some fact of such a nature as to be a decisive factor, which fact was, when the judgment was given, unknown to the Court and also to the party claiming revision, always provided that such ignorance was not due to negligence."

In the exercise of its advisory jurisdiction the Court is to be guided by the provisions of the Court applying to contentious cases.

4. AMENDMENT OF THE STATUTE

The Statute of the International Court of Justice can be amended by the same procedure as that used in amending the Charter of the United Nations, subject, however, to any provisions which the General Assembly upon recommendation of the Security Council may adopt concerning the participation of States which are parties to the present Statute but are not Members of the United Nations. The Court may propose such amendments as it deems necessary through written communications to the Secretary-General of the United Nations.

C. ESTABLISHMENT OF THE COURT

The Statute of the International Court of Justice provides that invitations for nominations of candidates must be issued at least three months before elections take place. As the Secretary-General of the United Nations, whose function it is, under Article 5 of the Statute of the Court, to issue the invitations, would not be appointed until the first session of the General Assembly, the Governments which signed the Interim Arrangements at San Francisco agreed that the Preparatory Commission was to issue the invitations. In this way it was made possible to elect the judges of the International Court at the first session of the General Assembly.

Invitations were issued on September 12, 1945, on the instructions of the Executive Committee of the Preparatory Commission, and January 10, 1946, was fixed as the final date for receiving nominations. On January 12, 1946, immediately following the opening meeting of the General Assembly, a list of the candidates nominated for election was submitted to the Assembly and to the Security Council by the Executive Secretary and on February 6 the elections took place.

The judges elected were as follows:

Nine-year Term

Alejandro Alvarez (Chile)
José Philadelpho de Barros Azevedo (Brazil)
Jules Basdevant (France)
José Gustavo Guerrero (El Salvador)
Sir Arnold Duncan McNair (United Kingdom)

Six-year Term

Isidro Fabela Alfaro (Mexico)
Green H. Hackworth (U. S. A.)
Helge Klaestad (Norway)
Sergei Borisovich Krylov (U.S.S.R.)
Charles de Visscher (Belgium)

Three-year Term

Abdel Hamid Badawi Pasha (Egypt)
Hsu Mo (China)
John E. Read (Canada)
Bogdan Winiarski (Poland)
Milovon Zoricic' (Yugoslavia)

On February 10, 1946, the General Assembly adopted a resolution instructing the Secretary-General to take the necessary steps to summon a first meeting of the Court at The Hague as soon as could be arranged. The Secretary-General was to appoint a Secretary and other temporary officers to assist the Court during the period preceding the appointment by the Court of its Registrar and officers. The Secretary-General was also instructed to conduct preliminary negotiations with the Carnegie Foundation in order to fix the conditions on which the premises in the Peace Palace at The Hague could be placed at the Court's disposal.

On February 12, 1946, the General Assembly approved the setting up of a small negotiating committee to assist the Secretary-General in negotiating agreements for the use by the Court of the premises in the Peace Palace. Two agreements concluded accordingly by the Committee with the Carnegie Foundation were approved by the General Assembly on December 11, 1946.[1]

The first meeting of the Court was held on April 3, 1946. On April 6, 1946, the Court elected J. G. Guerrero President and J. Basdevant Vice-President. E. Hambro, who had previously been appointed Acting-Secretary of the Court by the Secretary-General and who had made arrangements for the first meeting of the Court, was chosen as Registrar. On April 18 the Court appointed J. Garnier-Coignet Deputy Registrar.

On April 18, 1946, the official inaugural sitting of the Court was held in the Great Hall of Justice in the Peace Palace. All judges were present with the exception of A. Alvarez (Chile), who was unable to reach the Hague in time. Each of the judges in turn made the solemn declaration, required under Article 20 of the Court's Statute, that he would exercise his powers impartially and conscientiously.

The Court continued to sit until May 6, 1946. On May 3 it formed the Chamber for Summary Procedure provided for in Article 29 of the Statute. The members elected were as follows: J. G. Guerrero, J. Basdevant, Sir Arnold McNair, S. B. Krylov and Hsu Mo. Isidoro Fabela and Charles de Visscher were elected substitute members.

One of the first matters taken up by the Court was the preparation of its rules. The rules as adopted by the Court were based largely on the rules of the Permanent Court of International Justice. As the rules of the Permanent Court had been adopted as recently as 1936 and represented the outcome of experience gained, it was generally agreed that it was not necessary to undertake extensive amendment. Accordingly, the changes introduced were for the most part designed to bring the old rules into conformity with the Statute of the International Court of Justice in those respects in which it differed from the Statute of the Permanent Court.[2]

By a resolution of February 13, 1946, the General Assembly had invited the Court to consider the question of privileges and immunities necessary for the exercise of its functions, both in the country of its seat and elsewhere. Accordingly, the Court adopted a report recommending that Members of the United Nations grant to the judges and the Registrar diplomatic privileges and immunities. Other officials of the Court as well as agents, counsel and advocates of the parties, the Court recommended, should be granted such immunities and privileges as might be necessary for the independent exercise of their functions.

As to the privileges the Court was to enjoy in the Netherlands, the President of the Court, in an exchange of letters with the Netherlands Government of June 26, 1946, reached an agreement which was approved by the General Assembly by a resolution of December 11, 1946. In this resolution the Assembly further recommended to Member Governments that they grant to the judges and officials of the Court the privileges and immunities as suggested by the Court.[3]

[1] See pp. 244 ff.
[2] The text of the Rules of the Court appears on pp. 596 ff.
[3] See pp. 241 ff.

The Court considered the question of staff regulations and instructions for the Registry. It decided to adopt provisionally the regulations and instructions which had been in force for the Permanent Court of International Justice.

By a resolution of February 6, 1946, the General Assembly fixed the salaries of the judges of the Court at 54,000 Netherland florins. The President receives a special allowance of 15,000 Netherland florins annually, and the Vice-President an allowanc of 100 florins for every day on which he acts as President, up to a maximum of 10,000 florins. A request contained in a letter of April 13 from the President of the Court to the Secretary-General of the United Nations that the General Assembly fix the emoluments of the members of the Court in United States dollars instead of Netherland florins was subsequently withdrawn by the President of the Court.[1]

On the basis of a report of the Court of April 11, 1946, the General Assembly by a resolution of December 11, 1946, directed that the salary of the Registrar of the International Court of Justice should be assimilated to that of a top-ranking director of the United Nations Secretariat and should accordingly be fixed at 29,150 Netherland florins. The difference between the salary recommended by the Court (35,000 florins) and the salary approved by the General Assembly (29,150 florins) is to be paid to the Registrar as a non-pensionable allowance.

After consultation between the Registrar of the Court and the Secretary-General of the United Nations, the Secretary-General drew up rules governing reimbursement of travel and subsistence expenses of members of the Court. These rules were approved by the General Assembly on December 11, 1946.[2]

By a resolution of February 6, 1946, the General Assembly instructed the Secretary-General to develop a pension plan for the judges, Registrar and staff of the Court. Taking into consideration the views expressed by the Registrar of the Court in a memorandum of June 13, 1946, a working party established by the Secretary-General drew up a pension scheme for the judges and the staff of the International Court of Justice which the General Assembly approved on December 11, 1946.[3]

The Court adopted its budget for 1946 and 1947 and on the proposal of the Registrar approved the appointment of a certain number of officials to the Registry.

By letter of May 1, 1946, addressed to the Secretary-General, the President of the Court requested that the Court be informed of any decision the Security Council might take regarding access to the Court of States not parties to the Statute. At its 76th meeting on October 15, 1946, the Security Council on the recommendation of its Committee of Experts, resolved that the International Court of Justice should be open to a State not a party to the Court's Statute if such a State accepted the jurisdiction of the Court in accordance with the Charter of the United Nations and the Statute and Rules of the Court, and undertook to comply in good faith with the decisions of the Court.[4]

On October 26, 1946, the Secretary-General received a request from the Swiss Government that it be permitted to become a party to the Statute of the Court. On November 15, 1946, the Security Council, on the basis of a report of its Committee of Experts, recommended to the General Assembly that Switzerland should become a party to the Statute on the date of deposit with the Secretary-General of the United Nations of an instrument containing (a) acceptance of the provisions of the Statute of the Court, (b) acceptance of all the obligations of a Member of the United Nations under Article 94 of the Charter, and (c) an undertaking to contribute to the expenses of the Court. By a resolution of December 11, 1946, the General Assembly adopted the recommendations of the Security Council.[5]

On September 21, 1946, during its third session, the Economic and Social Council adopted a resolution recommending that the General Assembly authorize the Economic and Social Council to request the International Court of Justice to give an advisory opinion on any legal question arising within the scope of its activities. The General Assembly granted this authorization by a resolution of December 11, 1946.

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[1] See pp. 98, 99.
[2] See pp. 238.
[3] See pp. 239 ff.
[4] See pp. 410, 411.
[5] See pp. 411, 12.

D. CORFU CHANNEL DISPUTE

The Security Council on April 9, 1947, recommended that the United Kingdom and the Albanian Governments should immediately refer their dispute over the damaging of two British warships in the Corfu Channel to the International Court of Justice in accordance with the Statute of the Court.[1]

It was announced on May 23, 1947, that the Government of the United Kingdom had filed its application against the Albanian People's Republic in the Corfu Channel case with the International Court of Justice. Notification of the filing of the case was received by the Secretary-General in accordance with Article 40, paragraph 3, of the Statute of the International Court, which provides that the Registrar of the Court shall notify the members of the United Nations through the Secretary-General of any cases filed with the Court.

ANNEX I.

RULES OF COURT
(Adopted on May 6, 1946)

PREAMBLE

The Court,

Having regard to Chapter XIV of the Charter of the United Nations;

Having regard to the Statute of the Court annexed thereto;

Acting in pursuance of Article 30 of the Statute;

Makes the present Rules:

HEADING I.

CONSTITUTION AND WORKING OF THE COURT

Section I. – Constitution of the Court

Judges and Assessors

Article 1

The term of office of members of the Court elected in February 1946, begins to run on the date of their election. In the case of members of the Court elected later, the term of office shall begin to run on the date of the expiry of the term of their predecessors. Nevertheless, in the case of a member elected to fill an occasional vacancy, the term of office shall begin to run on the date of the election.

Article 2

1. Members of the Court elected during the same session of the General Assembly of the United Nations shall take precedence according to seniority of age. Members elected during an earlier session shall take precedence over members elected at a subsequent session. A member of the Court who is re-elected without interval, shall retain his former precedence. Judges chosen under Article 31 of the Statute from outside the Court shall take precedence after the other judges in order of seniority of age.

2. The Vice-President shall take his seat on the right of the President. The other judges shall take their seats on the left and right of the President in the order laid down above.

Article 3

1. Any State which considers that it possesses and which intends to exercise the right to choose a judge under Article 31 of the Statute shall so notify the Registry within the time-limit fixed for the filing of the Memorial or Counter-Memorial, as the case may be, or, when it is a case of summary procedure, the filing of the corresponding pleading. The name of the person chosen to sit as judge shall be stated either at the time of giving the notification above-mentioned or within a time-limit to be fixed by the President. These notifications shall be communicated to the other parties and they may submit their views to the Court with a time-limit to be fixed by the President. If any doubt or objection should arise, the decision shall rest with the Court, if necessary after hearing the parties.

2. If, on receipt of one or more notifications under the terms of the preceding paragraph, the Court finds that there are several parties in the same interest and that none of them has a judge of its nationality upon the Bench, it shall fix a time-limit within which these parties, acting in concert, may choose a judge under Article 31 of the Statute. If, at the expiration of this time-limit, they have not notified their choice, the Court shall nevertheless proceed to examine and adjudicate upon the case.

Article 4

Where one or more of the parties are entitled to choose a judge under Article 31 of the Statute, the Court may sit with a number of judges exceeding the number of members of the Court fixed by the Statute.

Article 5

1. The declaration to be made by every judge in accordance with Article 20 of the Statute shall be as follows:

[1] See pp. 392 ff.

"I solemnly swear that I will perform my duties and exercise my powers as judge honourably, faithfully, impartially and conscientiously."

2. This declaration shall be made at the first public sitting of the Court at which the judge is present after his election or after being chosen under Article 31 of the Statute.

Article 6

For the purpose of applying Article 18 of the Statute the President, or if necessary, the Vice-President, shall convene the members of the Court. The member affected shall be allowed to furnish explanations. When he has done so the question shall be discussed and a vote shall be taken, the member affected not being present. If the members present are unanimous, the Registrar shall issue the notification prescribed in the above-mentioned Article.

Article 7

1. The Court may, either upon its own initiative or upon the request of a party made not later than the end of the written proceedings, decide, for the purpose of a particular case, to appoint assessors to sit with it but without the power to vote.

2. When the Court so decides, the President shall take steps to obtain all the information relevant to the choice of the assessors.

3. The assessors shall be appointed, by secret ballot and by an absolute majority of votes, at a private meeting of the Court.

4. The same functions shall belong to the Chamber provided for by Article 29 of the Statute and to its President, and may be exercised in the same manner.

Article 8

Before entering upon their duties, assessors shall make the following declaration at a public sitting:

"I solemnly declare that I will perform my duties as an assessor honourably, faithfully, impartially and conscientiously, and that I will scrupulously observe all the provisions of the Statute and of the Rules of the Court."

The Presidency

Article 9

1. The Court shall proceed to elect the President and the Vice-President in the course of the month following the date on which the judges elected at the periodic election of members of the Court enter upon their duties. The President and Vice-President thus elected shall take up their duties forthwith. If, at the periodic election, the President is not re-elected a member of the Court, the duties of President shall in the meantime be discharged in accordance with Article II and Article 12, paragraph 2, of these Rules.

2. If the President or the Vice-President should cease to be a member of the Court or should resign the office of President or Vice-President before the expiry of his normal term, an election shall be held for the purpose of appointing a successor for the unexpired portion of the term.

3. The elections referred to in the present Article shall take place by secret ballot. The member of the Court obtaining an absolute majority of votes shall be declared elected.

Article 10

The President shall direct the work and administration of the Court; he shall preside at the meetings of the Court.

Article 11

The Vice-President shall take the place of the President if the latter is unable to fulfil his duties or if the office of President is vacant.

Article 12

1. Provision shall be made to ensure at the seat of the Court the continuous discharge of the duties of the office of President either by the President or the Vice-President.

2. If at the same time both the President and the Vice-President are unable to fulfil their duties, or if both offices are vacant at the same time, the duties of President shall be discharged by the oldest among the members of the Court who have been longest on the Bench.

Article 13

1. If the President is a national of one of the parties to a case brought before the Court, he will abstain from exercising his functions as President in respect of that case. The same rule applies to the Vice-President or to any member of the Court who may be called on to act as President.

2. If a case is begun before a periodic election of members of the Court and continues after such election, the duties of President shall be discharged by the member of the Court who presided when the case was last under examination. If he is unable to sit, the duties of President shall be performed by the newly elected President or, failing him, the newly elected Vice-President, provided that the President or the Vice-President, as the case may be, is qualified to sit in the case. If neither is able to sit, the duties of President shall be performed by the oldest among the members of the Court who have been longest on the Bench.

The Registry

Article 14

1. The Court shall select its Registrar from amongst candidates proposed by members of the Court. The members of the Court shall receive adequate notice of the date on which the list of candidates will be closed so as to enable nominations and information concerning the nationals of distant countries to be received in sufficient time.

2. Nominations must give the necessary particulars regarding the candidates' age, nationality, university qualifications and linguistic

attainments, their present occupation, their practical legal experience and their experience in diplomacy and in the work of international organizations.

3. The election shall be by secret ballot and by an absolute majority of votes.

4. The Registrar shall be elected for a term of seven years. He may be re-elected.

5. If the Registrar should cease to hold his office before the expiration of the term abovementioned, an election shall be held for the purpose of appointing a successor. Such election shall be for a term of seven years.

6. The Court shall appoint a Deputy-Registrar to assist the Registrar, to act as Registrar in his absence and, in the event of his ceasing to hold the office, to perform the duties until a new Registrar shall have been appointed. The Deputy-Registrar shall be appointed under the same conditions and in the same way as the Registrar.

Article 15

1. Before taking up his duties, the Registrar shall make the following declaration at a meeting of the Court:

"I solemnly declare that I will perform the duties incumbent upon me as Registrar of the International Court of Justice in all loyalty, discretion and good conscience."

2. The Deputy-Registrar shall make a similar declaration in the same circumstances.

Article 16

The Registrar is entitled to two months' holiday in each year.

Article 17

1. The officials of the Registry, other than the Deputy-Registrar, shall be appointed by the Court on proposals submitted by the Registrar.

2. Before taking up his duties, each official shall make the following declaration before the President, the Registrar being present:

"I solemnly declare that I will perform the duties incumbent upon me as an official of the International Court of Justice in all loyalty, discretion and good conscience."

Article 18

1. The Court shall prescribe and, when necessary, modify the plan of the organization of the Registry and for this purpose shall request the Registrar to make proposals.

2. The Regulations for the staff of the Registry shall be drawn up having regard to the plan of the organization prescribed by the Court and to the provisions of the Regulations for the staff of the Secretariat of the United Nations to which they shall, as far as possible, conform. Their adoption by the President on the proposal of the Registrar is subject to subsequent approval by the Court.

Article 19

If neither the Registrar nor the Deputy-Registrar can be present or if both these offices are vacant at the same time, the President shall appoint an official of the Registry to act as a substitute for the Registrar for such time as may be necessary.

Article 20

1. The General List of cases submitted to the Court for decision or for advisory opinion shall be prepared and kept up to date by the Registrar on the instructions and subject to the authority of the President. Cases shall be entered in the list and numbered successively according to the date of the receipt of the document bringing the case before the Court.

2. The General List shall contain the following headings:

I. Number in list.
II. Short title.
III. Date of registration.
IV. Registration number.
V. File number in the archives.
VI. Class of case (contentious procedure or advisory opinion).
VII. Parties.
VIII. Interventions.
IX. Method of submission.
X. Date of document instituting proceedings.
XI. Time-limits for filing pleadings.
XII. Prolongation, if any, of time-limits.
XIII. Date of closure of the written proceedings.
XIV. Postponements.
XV. Date of the beginning of the hearing (date of the first public sitting).
XVI. Observations.
XVII. References to earlier or subsequent cases.
XVIII. Result (nature and date).
XIX. Removal from the list (cause and date).
XX. References to publications of the Court relating to the case.

3. The General List shall also contain a space for notes, if any, and spaces for the inscription, above the initials of the President and of the Registrar, of the dates of the entry of the case, of its result, or of its removal from the list, as the case may be.

Article 21

1. The Registrar shall be the regular channel for communications to and from the Court.

2. The Registrar shall ensure that the date of despatch and receipt of all communications and notifications may be readily verified. Communications addressed to the agents of the parties shall be considered as having been addressed to the parties themselves. The date of receipt shall be noted on all documents received

by the Registrar, and a receipt bearing this date and the number under which the document has been registered shall be given to the sender.

3. The Registrar shall, subject to the obligations of secrecy attaching to his official duties, reply to all enquiries concerning the work of the Court, including enquiries from the Press.

4. The Registrar shall publish in the Press all necessary information as to the date and hour fixed for public sittings.

5. The Registrar shall communicate to the government of the country in which the Court, or a Chamber dealing with a case, is sitting, the names, first names and description of the agents, counsel and advocates appointed by each of the parties for the purposes of the case.

Article 22

A collection of the judgments and advisory opinions of the Court, and also of such orders as the Court may decide to include therein, shall be printed and published under the responsibility of the Registrar.

Article 23

1. The Registrar shall be responsible for the archives, the accounts and all administrative work. He shall have the custody of the seals and stamps of the Court. The Registrar or his substitute shall be present at all sittings of the Court and at sittings of the Chambers. The Registrar shall be responsible for drawing up the minutes of the meetings.

2. He shall undertake, in addition, all duties which may be laid upon him by these Rules.

3. Instructions for the Registry shall be drawn up by the Registrar and approved by the President.

The Chambers

Article 24

1. When the Court decides to form one or more of the Chambers provided for in Article 26, paragraph 1, of the Statute, it shall determine the particular category of cases for which each Chamber is formed, its composition, the period for which its members will serve, and the date at which they will enter upon their duties. The Court may in the same way change its competence, its composition, or the method of renewing its membership, or decide upon its dissolution.

2. The Presidents and the members of the Chambers provided for in Article 26, paragraphs 1 and 2, and Article 29 of the Statute, shall be elected by the Court, by secret ballot, and by an absolute majority of votes.

3. The members of the Chamber of Summary Procedure provided for in Article 29 of the Statute shall be elected for one year. The election shall be held within three months after February 6th, and the members thus elected shall enter upon their duties at the expiration of their predecessors' term. If, however, as the result of a periodic election of members of the Court, one or more members of the Chambers will cease to be members of the Court on the ensuing February 6th, an election shall be held in the course of the three months preceding that date to replace them. The judges thus elected shall complete the term of office of their predecessors.

4. The members of a Chamber shall, in conformity with Article 13, paragraph 3, of the Statute, finish any case which they may have begun, though they have ceased to be members of the Chamber.

5. Subject to Article 13, paragraph 1, of these Rules, the President of the Court, if present, shall preside *ex officio* over any Chamber of which he is a member; and the Vice-President of the Court, if present, shall preside *ex officio* over any Chamber of which he is a member and of which the President is not a member, or from which the President, being a member, is absent.

Section 2. – Working of the Court

Article 25

1. In the absence of a special resolution by the Court, the dates and duration of the vacations of the Court are fixed as follows: (*a*) from December 18th to January 7th; (*b*) from the Sunday before Easter to the second Sunday after Easter; (*c*) from July 15th to September 15th. The duties of President shall nevertheless be continuously discharged at the seat of the Court. For this purpose, the President shall either himself maintain contact with the Registrar or shall request the Vice-President to take his place.

2. In case of urgency, the President may at any time convene the members of the Court during the periods mentioned in the preceding paragraph.

3. The public holidays which are customary at the place where the Court is sitting will be observed by the Court.

Article 26

1. Any member of the Court who desires to obtain leave in pursuance of Article 23, paragraph 2, of the Statute, shall send his request to the Registry. The Court shall consider the request, and the date and the duration of the leave which it grants to a judge shall be fixed having regard to what is required to ensure its proper working and to the distance between The Hague and his home.

2. The number of members of the Court on leave at the same time must not exceed two. The President and the Vice-President must not both be absent on leave at the same time.

Article 27

Members of the Court who are prevented by illness or other serious reasons from attending a sitting of the Court to which they have been summoned by the President, shall notify the President who will inform the Court.

Article 28

1. The date and hour of sittings of the Court shall be fixed by the President.

2. The President of the Court shall fix the date for the convening of any Chamber referred to in Articles 26 and 29 of the Statute. The date and hour of the sittings of such Chamber shall be fixed by the President of the Chamber.

3. The Court, or if it is not sitting the President, may fix the place, other than The Hague, where one of the Chambers provided for by Articles 26 and 29 of the Statute shall sit and exercise its functions.

Article 29

If a sitting of the Court has been convened and it is found that there is no quorum, the President shall adjourn the sitting until a quorum has been obtained. Judges chosen under Article 31 of the Statute shall not be taken into account for the calculation of the quorum.

Article 30[1]

1. The Court shall sit in private to deliberate upon disputes which are submitted to it and upon advisory opinions which it is asked to give.

2. Only the judges, and the assessors, if any, shall take part in the deliberations. The Registrar or his substitute shall be present. No other person shall be admitted except in pursuance of a special decision taken by the Court.

3. Every judge who is present at the deliberations shall state his opinion together with the reasons on which it is based.

4. Any judge may request that a question which is to be voted upon shall be drawn up in precise terms in both the official languages and distributed to the Court. Effect shall be given to any such request.

5. The decision of the Court shall be based upon the conclusions concurred in after final discussion by a majority of the judges. The judges shall vote in the order inverse to the order laid down by Article 2 of these Rules.

6. No detailed minutes shall be prepared of the private meetings of the Court for deliberation upon judgments or advisory opinions; the minutes of these meetings are to be considered as confidential and shall record only the subject of the debates, the votes taken, the names of those voting for and against a motion and statements expressly made for insertion in the minutes.

7. Unless otherwise decided by the Court, paragraphs 2, 4 and 5 of this Article shall apply to deliberations by the Court in private upon any administrative matter.

HEADING II.
CONTENTIOUS PROCEEDINGS

Article 31

The rules contained in Sections 1, 2 and 4 of this Heading shall not preclude the adoption by the Court of particular modifications or additions proposed jointly by the parties and considered by the Court to be appropriate to the case and in the circumstances.

Section I. — Procedure Before the Full Court

I. General Rules

Institution of Proceedings

Article 32

1. When a case is brought before the Court by means of a special agreement, Article 40, paragraph 1, of the Statute shall apply.

2. When a case is brought before the Court by means of an application, the application must, as laid down in Article 40, paragraph 1, of the Statute, indicate the party making it, the party against whom the claim is brought and the subject of the dispute. It must also, as far as possible, specify the provision on which the applicant founds the jurisdiction of the Court, state the precise nature of the claim and give a succinct statement of the facts and grounds on which the claim is based, these facts and grounds being developed in the Memorial, to which the evidence will be annexed.

3. The original of an application shall be signed either by the agent of the party submitting it or by the diplomatic representative of that party at the seat of the Court or by a duly authorized person. If the document bears the signature of a person other than the diplomatic representative of that party at the seat of the Court, the signature must be legalized by this diplomatic representative or by the competent authority of the government concerned.

Article 33

1. When a case is brought before the Court by means of an application, the Registrar shall forthwith transmit to the party against whom the claim is made a copy of the application certified as correct.

2. When a case is brought before the Court by means of a special agreement filed by one only of the parties, the Registrar shall forthwith notify the other party that it has been so filed.

Article 34

1. The Registrar shall forthwith transmit to all the members of the Court copies of special agreements or applications submitting a case to the Court.

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[1] On May 6th, 1946, the Court took note of the Resolution of the Permanent Court of International Justice regarding that Court's judicial practice adopted on February 20th, 1931, and revised on March 17th, 1936. (See *Publications of the Permanent Court of International Justice: Acts and Documents concerning the Organization of the Court;* Series D., No. 1, Fourth edition, April 1940, p. 62.) It decided to adopt provisionally the method of deliberation described in that Resolution.

2. He shall also transmit copies: (*a*) to Members of the United Nations through the Secretary-General and (*b*), by means of special arrangements made for this purpose between them and the Registrar, to any other States entitled to appear before the Court.

Article 35

1. When a case is brought before the Court by means of a special agreement, the appointment of the agent or agents of the party or parties filing the special agreement shall be notified at the same time as the special agreement is filed. If the special agreement is filed by one only of the parties, the other party shall, when acknowledging receipt of the notification of the filing of the special agreement or failing this, as soon as possible, inform the Court of the name of its agent.

2. When a case is brought before the Court by means of an application, the application, or the covering letter, shall state the name of the agent of the applicant government.

3. The party against whom the application is made and to whom it is notified shall, when acknowledging receipt of the notification, or failing this, as soon as possible, inform the Court of the name of its agent.

4. Applications to intervene under Article 64 of these Rules, interventions under Article 66 and requests under Article 78 for the revision, or under Article 79 for the interpretation, of a judgment, shall similarly be accompanied by the appointment of an agent.

5. The appointment of an agent must be accompanied by a statement of an address for service at the seat of the Court to which all communications relating to the case should be sent.

Article 36

When a State which is not a party to the Statute is admitted by the Security Council, in pursuance of Article 35 of the Statute, to appear before the Court, it shall satisfy the Court that it has complied with any conditions that may have been prescribed for its admission: the document which evidences this compliance shall be filed in the Registry at the same time as the notification of the appointment of the agent.

Preliminary measures

Article 37

1. In every case submitted to the Court, the President will ascertain the views of the parties with regard to questions of procedure; for this purpose he may summon the agents to meet him as soon as they have been appointed.

2. In the light of the information obtained by the President, the Court will make the necessary orders to determine *inter alia* the number and the order of filing of the pleadings and the time-limits within which they must be filed.

3. So far as possible, in making an order under paragraph 2 of this Article, any agreement between the parties shall be taken into account.

4. The Court may extend any time-limit which has been fixed. It may also, in special circumstances and after giving the agent of the opposing party an opportunity of stating his views, decide that any step taken after the expiration of a time-limit shall be considered as valid.

5. If the Court is not sitting, its powers under this Article shall be exercised by the President but without prejudice to any subsequent decision of the Court.

Article 38

Time-limits shall be fixed by assigning definite dates for the completion of the various steps in the proceedings.

Written Proceedings

Article 39

1. If the parties agree that the proceedings shall be conducted wholly in French, or wholly in English, the pleadings shall be submitted only in the language adopted by the parties.

2. In the absence of an agreement with regard to the language to be used, the pleadings shall be submitted either in French or in English.

3. If in pursuance of Article 39, paragraph 3, of the Statute a language other than French or English is used, a translation into French or English shall be attached to the original of each document submitted.

4. The Registrar is under no obligation to make translations of the pleadings or any documents annexed thereto.

Article 40[1]

1. The original of every pleading shall be signed by the agent and filed in the Registry. It shall be accompanied by a number of printed copies fixed by the President but without prejudice to an increase in that number should the need arise later.

2. When communicating a copy of a pleading to a party in pursuance of Article 43 of the Statute, the Registrar shall certify that it is a correct copy of the original filed in the Registry.

3. All pleadings shall be dated. When a pleading has to be filed by a certain date, it is the date of the receipt of the pleading in the Registry which will be regarded by the Court as the material date.

4. If the Registrar at the request of the agent of a party arranges for the printing, at the cost of that party, of a pleading which it is intended to file with the Court, the text must be sent to the Registry in sufficient time to enable the printed pleading to be filed before the expiry of any time-limit which may apply to it. The printing is done under the responsibility of the party in question.

[1] The agents of the parties are requested to ascertain from the Registry the usual format of the pleadings.

5. The correction of a slip or error in any document which has been filed can be made at any time with the consent of the other party, or by leave of the President.

Article 41

1. If proceedings are instituted by means of a special agreement, the pleadings shall, subject to Article 37 of these Rules, be presented in the order stated below:

a Memorial, by each party within the same time-limit;

a Counter-Memorial, by each party within the same time-limit;

a Reply, by each party within the same time-limit.

2. If proceedings are instituted by means of an application, the pleadings shall, subject to Article 37 of these Rules, be presented in the order stated below:

the Memorial by the applicant;
the Counter-Memorial by the respondent;
the Reply by the applicant;
the Rejoinder by the respondent.

Article 42

1. A Memorial shall contain a statement of the relevant facts, a statement of law, and the submissions.

2. A Counter-Memorial shall contain an admission or denial of the facts stated in the Memorial; any additional facts, if necessary; observations concerning the statement of law in the Memorial; a statement of law in answer thereto; and the submissions.

Article 43

1. There must be annexed to every Memorial and Counter-Memorial and other pleading, copies of all the relevant documents, a list of which shall be given after the submissions. If, on account of the length of a document, extracts only are attached, the document itself or a complete copy of it must, if possible, unless the document has been published and is available to the public, be communicated to the Registrar for the use of the Court and of the other party.

2. Every pleading and every document annexed which is in a language other than French or English, must be accompanied by a translation into one of the official languages of the Court. Nevertheless, in the case of lengthy documents, translations of extracts may be submitted, subject, however, to any subsequent decision by the Court, or, if it is not sitting, by the President.

Article 44

1. The Registrar shall transmit to the judges and to the parties copies of the pleadings and documents annexed in the case, as and when he receives them.

2. The Court, or the President if the Court is not sitting, may, after obtaining the views of the parties, decide that the Registrar shall in a particular case make the pleadings and annexed documents available to the government of any Member of the United Nations or of any State which is entitled to appear before the Court.

3. The Court, or the President if the Court is not sitting, may, with the consent of the parties, authorize the pleadings and annexed documents in regard to a particular case to be made accessible to the public before the termination of the case.

Article 45

Upon the closure of the written proceedings, the case is ready for hearings.

Article 46

1. Subject to the priority provided for by Article 61 of these Rules, cases submitted to the Court will be taken in the order in which they become ready for hearing. When several cases are ready for hearing, the order in which they will be taken is determined by the position which they occupy in the General List.

2. Nevertheless, the Court may, in special circumstances, decide to take a case in priority to other cases which are ready for hearing and which precede it in the General List.

3. If the parties to a case which is ready for hearing are agreed in asking for the case to be put after other cases which are ready for hearing and which follow it in the General List, the President may grant such a postponement: if the parties are not in agreement, the President shall decide whether or not to submit the question to the Court.

Oral Proceedings

Article 47

1. When a case is ready for hearing, the date for the commencement of the oral proceedings shall be fixed by the Court, or by the President if the Court is not sitting.

2. If occasion should arise, the Court or the President, if the Court is not sitting, may decide that the commencement or continuance of the hearings shall be postponed.

Article 48

1. After the closure of the written proceedings no further documents may be submitted to the Court by either party except with the consent of the other party or as provided in paragraph 2 of this Article. The party desiring to produce a new document shall file the original or a certified copy thereof in the Registry, which will be responsible for communicating it to the other party and will inform the Court. The other party shall be held to have given its consent if it does not lodge an objection to the production of the document.

2. Should the other party decline to consent to the production of a new document, the Court, after hearing the parties, may either permit or refuse to permit its production. If

the Court grants permission, the other party shall have an opportunity of commenting upon it and of submitting documents in support of its comments.

Article 49

Without prejudice to the provisions of the Rules concerning the production of documents, each party shall communicate to the Registry, in sufficient time before the commencement of the oral proceedings, information regarding the evidence which it intends to produce or which it intends to request the Court to obtain. This communication shall contain a list of the surnames, first names, descriptions and places of residence of the witnesses and experts whom the party intends to call, with indications in general terms of the point or points to which their evidence will be directed.

Article 50

The Court shall determine whether the parties should present their arguments before or after the production of the evidence; the parties shall, however, retain the right to comment on the evidence given.

Article 51

The order in which the agents, counsel or advocates shall be called upon to speak shall be determined by the Court, unless there is an agreement between the parties on the subject.

Article 52

1. The Court may, during the hearing, put questions to the agents, counsel and advocates, and may ask them for explanations.

2. Each judge has a similar right to put questions, but before exercising it he should make his intention known to the President, who is made responsible by Article 45 of the Statute for the control of the hearing.

3. The agents, counsel and advocates shall be at liberty to answer immediately or at a later date.

Article 53

1. Witnesses and experts shall be examined by the agents, counsel or advocates of the parties under the control of the President. Questions may be put to them by the President and by the judges.

2. Each witness shall make the following declaration before giving his evidence in Court:

> "I solemnly declare upon my honour and conscience that I will speak the truth, the whole truth and nothing but the truth."

3. Each expert shall make the following declaration before making his statement in Court:

> "I solemnly declare upon my honour and conscience that my statement will be in accordance with my sincere belief."

Article 54

The Court may request the parties to call witnesses or experts, or may call for the production of any other evidence on points of fact in regard to which the parties are not in agreement. If need be, the Court shall apply the provisions of Article 44 of the Statute.

Article 55

Witnesses or experts who appear at the instance of the Court shall be paid out of the funds of the Court.

Article 56

The Court, or the President if the Court is not sitting, shall, at the request of one of the parties or on its own initiative, take the necessary steps for the examination of witnesses or experts otherwise than before the Court itself.

Article 57

1. If the Court considers it necessary to arrange for an enquiry or an expert opinion, it shall, after duly hearing the parties, issue an order to this effect, defining the subject of the enquiry or expert opinion, and stating the number and mode of appointment of the persons to hold the enquiry or of the experts and the procedure to be followed.

2. Every report or record of an enquiry and every expert opinion shall be communicated to the parties.

3. At any stage in the proceedings before the termination of the hearing, the Court may, either *proprio motu*, or at the request of one of the parties communicated as provided in Article 49 of these Rules, request a public international organization, pursuant to Article 34 of the Statute, to furnish information relevant to a case before it. The Court shall decide whether such information shall be presented to it orally or in writing.

4. When a public international organization sees fit to furnish, on its own initiative, information relevant to a case before the Court, it shall do so in the form of a Memorial to be filed in the Registry before the closure of the written proceedings. The Court shall retain the right to require such information to be supplemented, either orally or in writing, in the form of answers to any questions which it may see fit to formulate, and also to authorize the parties to comment in writing on the information thus furnished.

5. In the circumstances contemplated by Article 34, paragraph 3, of the Statute, the Registrar, on the instructions of the Court, or of the President if the Court is not sitting, shall proceed as prescribed in that paragraph. The Court, or the President if the Court is not sitting, shall, as from the date on which the Registrar has communicated copies of the written proceedings, fix a time-limit within which the public international organization concerned may submit to the Court its observations in writing. These observations shall be communicated to the parties and may be discussed by them and by the representative of the said organization during the oral proceedings.

Article 58

1. In the absence of any decision to the contrary by the Court, or by the President if the Court is not sitting at the time when the decision has to be made, speeches or statements made before the Court in one of the official languages shall be translated into the other official language; the same rule shall apply in regard to questions and answers. The Registrar shall make the necessary arrangements for this purpose.

2. Whenever, in accordance with Article 39, paragraph 3, of the Statute, a language other than French or English is used, the necessary arrangements for translation into one of the two official languages shall be made by the party concerned: the evidence of witnesses and the statements of experts shall, however, be translated under the supervision of the Court. In the case of witnesses or experts who appear at the instance of the Court, arrangements for translation shall be made by the Registry.

3. The persons making the translations referred to in the preceding paragraph shall make the following declaration in Court:

> "I solemnly declare upon my honour and conscience that my translation will be a complete and faithful rendering of what I am called upon to translate."

Article 59

1. The minutes mentioned in Article 47 of the Statute shall include:

the names of the judges present;
the names of the agents, counsel or advocates present;
the surnames, first names, description and residence of witnesses and experts heard;
a brief record of the evidence produced at the hearing;
declarations made on behalf of the parties;
a brief record of questions put to the parties by the President or by the judges;
any decisions delivered or announced by the Court during the hearing.

2. The minutes of public sittings shall be printed and published.

Article 60

1. At each hearing held by the Court, a shorthand note shall be made under the supervision of the Registrar of the oral proceedings, including the evidence taken, and shall be appended to the minutes referred to in Article 59 of the present Rules. This note, unless it is otherwise decided by the Court, shall contain any interpretations from one official language into the other made in Court by the interpreters.

2. A transcript of the evidence of each witness or expert shall be made available to him in order that mistakes may be corrected under the supervision of the Court.

3. A transcript of speeches or declarations made by agents, counsel or advocates shall be made available to them for correction or revision, under the supervision of the Court.

II. Occasional Rules

Interim Protection

Article 61

1. A request for the indication of interim measures of protection may be filed at any time during the proceedings in the case in connection with which it is made. The request shall specify the case to which it relates, the rights to be protected and the interim measures of which the indication is proposed.

2. A request for the indication of interim measures of protection shall have priority over all other cases. The decision thereon shall be treated as a matter of urgency.

3. If the Court is not sitting, the members shall be convened by the President forthwith. Pending the meeting of the Court and a decision by it, the President shall, if need be, take such measures as may appear to him necessary in order to enable the Court to give an effective decision.

4. The Court may indicate interim measures of protection other than those proposed in the request.

5. The rejection of a request for the indication of interim measures of protection shall not prevent the party which has made it from making a fresh request in the same case based on new facts.

6. The Court may indicate interim measures of protection *proprio motu*. If the Court is not sitting, the President may convene the members in order to submit to the Court the question whether it is expedient to indicate such measures.

7. The Court may at any time by reason of a change in the situation revoke or modify its decision indicating interim measures of protection.

8. The Court shall only indicate interim measures of protection after giving the parties an opportunity of presenting their observations on the subject. The same rule applies when the Court revokes or modifies a decision indicating such measures.

Preliminary Objections

Article 62

1. A preliminary objection must be filed by a party at the latest before the expiry of the time-limit fixed for the delivery of its first pleading.

2. The preliminary objection shall set out the facts and the law on which the objection is based, the submissions and a list of the documents in support; these documents shall be attached; it shall mention any evidence which the party may desire to produce.

3. Upon receipt by the Registrar of a preliminary objection filed by a party, the proceedings on the merits shall be suspended and the Court, or the President if the Court is not sitting, shall fix the time-limit within which the other party may present a written statement of its observations and submissions; documents in support shall be attached and evidence which it is proposed to produce shall be mentioned.

4. Unless otherwise decided by the Court, the further proceedings shall be oral.

5. After hearing the parties the Court shall give its decision on the objection or shall join the objection to the merits. If the Court overrules the objection or joins it to the merits, it shall once more fix time-limits for the further proceedings.

Counter-claims

Article 63

When proceedings have been instituted by means of an application, a counter-claim may be presented in the submissions of the Counter-Memorial, provided that such counter-claim is directly connected with the subject-matter of the application and that it comes within the jurisdiction of the Court. In the event of doubt as to the connection between the question presented by way of counter-claim and the subject-matter of the application the Court shall, after due examination, direct whether or not the question thus presented shall be joined to the original proceedings.

Intervention

Article 64

1. An application for permission to intervene under the terms of Article 62 of the Statute shall be filed in the Registry at latest before the commencement of the oral proceedings.

2. The application shall contain:

a description of the case;

a statement of law and of fact justifying intervention; and

a list of the documents in support of the application; these documents shall be attached.

3. The application shall be communicated to the parties, who shall send to the Registry their observations in writing within a time-limit to be fixed by the Court, or by the President, if the Court is not sitting.

4. The Registrar shall also transmit copies of the application for permission to intervene: (*a*) to Members of the United Nations through the Secretary-General and (*b*), by means of special arrangements made for this purpose between them and the Registrar, to any other States entitled to appear before the Court.

5. The application to intervene shall be placed on the agenda for a hearing, the date and hour of which shall be notified to all concerned. Nevertheless, if the parties have not, in their written observations, opposed the application to intervene, the Court may decide that there shall be no oral argument.

6. The Court will give its decision on the application in the form of a judgment.

Article 65

1. If the Court admits the intervention and if the party intervening expresses a desire to file a Memorial on the merits, the Court shall fix the time-limits within which the Memorial shall be filed and within which the other parties may reply by Counter-Memorials; the same course shall be followed in regard to the Reply and the Rejoinder. If the Court is not sitting, the time-limits shall be fixed by the President.

2. If the Court has not yet given its decision upon the intervention and the application to intervene is not opposed, the President, if the Court is not sitting, may, without prejudice to the decision of the Court on the question whether the application should be granted, fix the time-limits within which the intervening party may file a Memorial on the merits and the other parties may reply by Counter-Memorials.

3. In the cases referred to in the two preceding paragraphs, the time-limits shall, so far as possible, coincide with those already fixed in the case.

Article 66

1. A State which desires to avail itself of the right conferred upon it by Article 63 of the Statute shall file in the Registry a declaration to that effect. This declaration may be filed by a State even though it has not received the notification referred to in that Article.

2. Such declarations shall be communicated to the parties. If any objection or doubt should arise as to whether the intervention is admissible under Article 63 of the Statute, the decision shall rest with the Court.

3. The Registrar shall also transmit copies of the declarations: (*a*) to Members of the United Nations through the Secretary-General and (*b*), by means of special arrangements made for this purpose between them and the Registrar, to any other States entitled to appear before the Court.

4. The Registrar shall take the necessary steps to enable the intervening party to inspect the documents in the case in so far as they relate to the interpretation of the convention in question, and to submit its written observations thereon to the Court within a time-limit to be fixed by the Court or by the President if the Court is not sitting.

5. These observations shall be communicated to the other parties and may be discussed by them in the course of the oral proceedings; in these proceedings the intervening party shall take part.

Appeals to the Court
Article 67

1. When an appeal is made to the Court against a decision given by some other tribunal, the proceedings before the Court shall be governed by the provisions of the Statute and of these Rules.

2. If the document instituting the appeal must be filed within a certain limit of time, the date of the receipt of this document in the Registry will be taken by the Court as the material date.

3. The document instituting the appeal shall contain a precise statement of the grounds of the objections to the decision complained of, and these constitute the subject of the dispute referred to the Court.

4. A certified copy of the decision complained of shall be attached to the document instituting the appeal.

5. It is incumbent upon the parties to produce before the Court any useful and relevant material upon which the decision complained of was rendered.

Settlement and discontinuance
Article 68

If at any time before judgment has been delivered, the parties conclude an agreement as to the settlement of the dispute and so inform the Court in writing, or by mutual agreement inform the Court in writing that they are not going on with the proceedings, the Court, or the President if the Court is not sitting, shall make an order officially recording the conclusion of the settlement or the discontinuance of the proceedings; in either case the order shall direct the removal of the case from the list.

Article 69

1. If in the course of proceedings instituted by means of an application, the applicant informs the Court in writing that it is not going on with the proceedings, and if, at the date on which this communication is received by the Registry, the respondent has not yet taken any step in the proceedings, the Court, or the President if the Court is not sitting, will make an order officially recording the discontinuance of the proceedings and directing the removal of the case from the list. A copy of this order shall be sent by the Registrar to the respondent.

2. If, at the time when the notice of discontinuance is received, the respondent has already taken some step in the proceedings, the Court, or the President if the Court is not sitting, shall fix a time-limit within which the respondent must state whether it opposes the discontinuance of the proceedings. If no objection is made to the discontinuance before the expiration of the time-limit, acquiescence will be presumed and the Court, or the President if the Court is not sitting, will make an order officially recording the discontinuance of the proceedings and directing the removal of the case from the list. If objection is made, the proceedings shall continue.

Section 2—Procedure Before the Chambers
Article 70

Procedure before the Chambers mentioned in Articles 26 and 29 of the Statute shall, subject to the provisions of the Statute and of these Rules relating to the Chambers and to any special rules which the Court may make, be governed by the provisions relating to procedure before the Court.

Article 71

1. When it is desired that a case should be dealt with by one of the Chambers which has been formed in pursuance of Article 26, paragraph 1, or Article 29 of the Statute, a request to this effect should either be made in the document instituting the proceedings or accompany it. Effect will be given to the request if the parties are in agreement.

2. Upon receipt by the Registry of this request, the President of the Court shall communicate it to the members of the Chamber concerned. He shall take such steps as may be necessary to give effect to the provisions of Article 31, paragraph 4, of the Statute.

3. A request for the formation of a Chamber to deal with a particular case as provided for in Article 26, paragraph 2, of the Statute, can be filed at any moment until the closure of the written proceedings. Upon receipt of such a request by the Registry, the President shall ascertain whether the other party assents. When both parties have assented, the President shall ascertain the views of the parties as to the number of judges to constitute the Chamber. The Court shall decide upon the request for the formation of a Chamber in accordance with Article 26, paragraphs 2 and 3, of the Statute and Article 24, paragraphs 2 and 5, of these Rules.

4. The President of the Court shall convene the Chamber at the earliest date compatible with the requirements of the procedure.

5. As soon as the Chamber has met to begin the hearing of the case submitted to it, the powers of the President of the Court shall be exercised in respect of the case by the President of the Chamber.

Article 72

1. The procedure before the Chamber for Summary Procedure shall consist of two parts: written and oral.

2. If the proceedings are instituted by means of a special agreement, the written proceedings shall consist of a single pleading by each party, filed within the same time-limit, the documents in support being annexed. If the proceedings are instituted by means of an application, the written proceedings shall consist of similar pleadings filed in turn, first by the applicant and secondly by the respondent within the time-limits fixed by the President of the Chamber. The Chamber may, nevertheless, whatever may be the method of instituting the

proceedings, if the parties so request, permit the filing of further pleadings; if the Chamber upon its own initiative considers any further pleading to be necessary it may, after hearing the parties, direct that it should be filed.

3. The pleadings shall be communicated by the Registrar to the members of the Chamber and to the opposite party. They shall mention all evidence, other than the documents referred to in the preceding paragraph, which the parties desire to produce.

4. When the case is ready for hearing, the President of the Chamber shall fix a date for the opening of the oral proceedings, unless the parties agree to dispense with them; even if there are no oral proceedings, the Chamber shall retain the right to call upon the parties to supply oral explanations.

5. Witnesses or experts whose names are mentioned in the written proceedings must be available so as to appear before the Chamber when their presence is required.

Article 73

Judgments given by a Chamber will be read at a public sitting of that Chamber.

Section 3 — Judgments

Article 74

1. The judgment shall contain:

a statement whether it has been delivered by the Court or by a Chamber;
the date on which it is delivered;
the names of the judges participating;
the names of the parties;
the names of the agents of the parties;
a summary of the proceedings;
the submissions of the parties;
a statement of the facts;
the reasons in point of law;
the operative provisions of the judgment;
the decision, if any, in regard to costs;
the number of the judges constituting the majority.

2. Any judge may, if he so desires, attach his individual opinion to the judgment, whether he dissents from the majority or not, or a bare statement of his dissent.

Article 75

1. When the judgment has been read in public, one original copy, duly signed and sealed, shall be placed in the Archives of the Court and another shall be forwarded to each of the parties.

2. A copy of the judgment shall be sent by the Registrar to Members of the United Nations and to States entitled to appear before the Court.

Article 76

The judgment shall become binding on the parties on the day on which it is read in open Court.

Article 77

The party in whose favour an order for the payment of the costs has been made shall present his bill of costs within ten days after the judgment has been delivered. The Court shall decide any dispute concerning the bill.

Section 4—Requests for the Revision or Interpretation of a Judgment

Article 78

1. A request for the revision of a judgment shall be made by an application.

The application shall state the judgment of which the revision is desired, and shall contain the particulars necessary to show that the conditions laid down by Article 61 of the Statute are fulfilled, and a list of the documents in support; these documents shall be attached to the application.

2. The request for revision shall be communicated by the Registrar to the other parties. The latter may submit observations within a time-limit to be fixed by the Court, or by the President if the Court is not sitting.

3. If the Court admits the application for a revision, it will determine the written procedure required for examining the merits of the application.

4. If the Court makes the admission of the application conditional upon previous compliance with the judgment to be revised, this condition shall be communicated forthwith to the applicant by the Registrar and proceedings in revision shall be stayed pending receipt by the Court of proof of compliance with the judgment.

Article 79

1. A request to the Court to interpret a judgment which it has given may be made either by the notification of a special agreement between the parties or by an application by one or more of the parties.

2. The special agreement or application shall state the judgment of which an interpretation is requested and shall specify the precise point or points in dispute.

3. If the request for interpretation is made by means of an application, the Registrar shall communicate the application to the other parties, and the latter may submit observations within a time-limit to be fixed by the Court, or by the President if the Court is not sitting.

4. Whether the request be made by special agreement or by application, the Court may invite the parties to furnish further written or oral explanations.

Article 80

If the judgment to be revised or to be interpreted was given by the Court, the request for its revision or interpretation shall be dealt with by the Court. If the judgment was given by one of the Chambers mentioned in Articles 26 or 29 of the Statute, the request for its revision or interpretation shall be dealt with by the same Chamber.

Article 81

The decision of the Court on requests for revision or interpretation shall be given in the form of a judgment.

HEADING III

ADVISORY OPINIONS

Article 82

1. In proceedings in regard to advisory opinions, the Court shall, in addition to the provisions of Article 96 of the Charter and Chapter IV of the Statute, apply the provisions of the Articles which follow. It shall also be guided by the provisions of these Rules which apply in contentious cases to the extent to which it recognizes them to be applicable; for this purpose it shall above all consider whether the request for the advisory opinion relates to a legal question actually pending between two or more States.

2. If the Court is of the opinion that a request for an advisory opinion necessitates an early answer, it shall take the necessary steps to accelerate the procedure.

Article 83

If the advisory opinion is requested upon a legal question actually pending between two or more States, Article 31 of the Statute shall apply, as also the provisions of these Rules concerning the application of that Article.

Article 84

1. Advisory opinions shall be given after deliberation by the Court. They shall mention the number of judges constituting the majority.

2. Any judge may, if he so desires, attach his individual opinion to the advisory opinion of the Court, whether he dissents from the majority or not, or a bare statement of his dissent.

Article 85

1. The Registrar will in due time inform the Secretary-General of the United Nations and the appropriate organ of the institution, if any, which requested the advisory opinion, as to the date and the hour fixed for the sitting to be held for the reading of the opinion.

2. One original copy of the advisory opinion, duly signed and sealed, shall be placed in the archives of the Court and another shall be sent to the Secretariat of the United Nations. Certified copies shall be sent by the Registrar to Members of the United Nations and to the States, specialized agencies and public international organizations directly concerned.

Done at The Hague, this sixth day of May nineteen hundred and forty-six.

(*Signed*) J. G. GUERRERO, President.

(*Signed*) E. HAMBRO, Registrar.

ANNEX II.

STATES ACCEPTING COMPULSORY JURISDICTION

AUSTRALIA

Date of Signature: August 21, 1940.

Date of Deposit of Ratification: Not required.

Effective Until: August 21, 1945, and thereafter until such time as notice of termination may be given.

Conditions: Effective without special convention on condition of reciprocity over all disputes arising after August 18, 1930 (date of ratification of previous declaration by Australia) with regard to situations or facts subsequent to that date other than:

1) disputes in regard to which the parties to the dispute have agreed or shall agree to have recourse to some other method of peaceful settlement;

2) disputes with the Government of any other Member of the League of Nations which is a Member of the British Commonwealth of Nations, all of which disputes shall be settled in such a manner as the parties have agreed or shall agree;

3) disputes with regard to questions which by international law fall exclusively within the jurisdiction of the Commonwealth of Australia;

4) subject to the condition that His Majesty's Government in the Commonwealth of Australia reserve the right to require that proceedings in the Court shall be suspended in respect of any dispute which has been submitted to the Council of the League of Nations;

5) disputes arising out of events occurring at a time when His Majesty's Government in the Commonwealth of Australia were involved in hostilities.

CANADA

Date of Signature: September 20, 1929.

Date of Deposit of Ratification: July 28, 1930.

Effective Until: July 28, 1940, and thereafter until such time as notice may be given of termination.

Conditions: Effective without special convention on condition of reciprocity in all disputes arising after ratification and with regard to situations or facts subsequent to said ratification other than:

1) disputes in regard to which the parties to the dispute have agreed or shall agree to have recourse to some other method of peaceful settlement;

2) disputes with the Government of any other Member of the League of Nations which is a member of the British Commonwealth of Nations, all of which disputes shall be settled in such manner as the parties have agreed or shall agree;

3) disputes with regard to questions which by international law fall exclusively within the jurisdiction of the Dominion of Canada;

4) subject to the condition that His Majesty's Government in Canada reserve the right to require that proceedings in the Court shall be suspended in respect of any dispute which has been submitted to and is under consideration by the Council of the League of Nations;

5) disputes arising out of events occurring during the present war. (Notification of December 8, 1939).

CHINA

Date of Deposit of Ratification: Not required.

Effective Until: 1951 and thereafter until the expiration of a six months' notice of termination.

Conditions: In relation to any State which accepts the same obligation.

COLOMBIA

Date of Signature: January 6, 1932.

Date of Deposit of Ratification: Not required.

Effective Until: Indefinite.

Conditions: Effective without special agreement, on condition of reciprocity, in relation to any other State accepting the same obligation in all disputes arising out of facts subsequent to January 6, 1932.

DENMARK

Date of Signature: December 10, 1946.

Date of Deposit of Ratification: Not required.

Effective Until: December 10, 1956.

Conditions: In relation to any other State accepting the same obligation.

DOMINICAN REPUBLIC

Date of Signature: September 30, 1924.

Date of Deposit of Ratification: February 4, 1933.

Effective Until: Indefinite.

Conditions: Effective without special convention in relation to any other State accepting the same obligation.

EL SALVADOR

Date of Signature: December 18, 1920.

Date of Deposit of Ratification: Not required. The declaration came into force on August 29, 1930, when the Government of El Salvador deposited the ratification of the Protocol of Signature of the Statute of the Permanent Court.

Effective Until: Indefinite.

Conditions: Excluded from the declaration are:

1) disputes or differences concerning points or questions which cannot be submitted to arbitration in accordance with the political Constitution of El Salvador;

2) disputes which arose before the coming into force of the declaration;

3) pecuniary claims made against the Nations.

FRANCE

Date of Signature: February 18, 1947.

Date of Deposit of Ratification: Ratification not yet been received.

Effective Until: Five years after date of ratification and thereafter until notice of termination.

Conditions: Effective without special agreement in relation to any other State accepting the same obligation for all disputes which may arise in respect of facts or situations subsequent to ratification of the present declaration with the exception of:

1) disputes with regard to which the parties may have agreed or may agree to have recourse to another form of peaceful settlement;

2) differences relating to matters which are essentially within the national jurisdiction as understood by the Government of the French Republic.

GUATEMALA

Date of Signature: January 27, 1947.

Date of Deposit of Ratification: Not required.

Effective Until: January 27, 1952.

Conditions: Effective in relation to any other State accepting the same obligation in all legal disputes, except the dispute between England and Guatemala concerning the restoration of the territory of Belize, which the Government of Guatemala would agree to submit to the judgment of the Court, if the case were decided *ex oequo et bono* in accordance with Article 38, paragraph 2 of the Statute of the Court.

HAITI

Date of Signature: September 7, 1921.

Date of Ratification: Not required.

Effective Until: Indefinite.

Conditions: Unconditional.

INDIA

Date of Signature: February 28, 1940.

Date of Deposit of Ratification: Not required.

Effective Until: February 28, 1945, and thereafter until such time as notice may be given to terminate the acceptance.

Conditions: Effective without special convention on condition of reciprocity over all disputes arising after August 13, 1929 (date of ratification of previous declaration by India)

with regard to situations or facts subsequent to that date other than:

1) disputes in regard to which the parties to the dispute have agreed or shall agree to have recourse to some other method of peaceful settlement;

2) disputes with the government of any other Member of the League of Nations which is a member of the British Commonwealth of Nations, all of which disputes shall be settled in such manner as the parties have agreed or shall agree;

3) disputes with regard to questions which by international law fall exclusively within the jurisdiction of India;

4) subject to the condition that the Government of India reserve the right to require that proceedings in the Court shall be suspended in respect of any dispute which has been submitted to and is under consideration by the Council of the League of Nations;

5) disputes arising out of events occurring at a time when the Government of India were involved in hostilities.

IRAN

Date of Signature: October 2, 1930.

Date of Deposit of Ratification: September 19, 1932.

Effective Until: September 19, 1938, and thereafter until notification is given of its abrogation.

Conditions: Effective without special agreement in relation to any other State accepting the same obligation in any disputes arising with regard to situations or facts relating directly or indirectly to the application of treaties or conventions accepted by Persia with the exception of:

1) disputes relating to the territorial status of Persia, including those concerning the rights of sovereignty of Persia over its islands and ports;

2) disputes in regard to which the parties have agreed or shall agree to have recourse to some other method of peaceful settlement;

3) disputes with regard to questions which, by international law, fall exclusively within the jurisdiction of Persia,

4) subject to the condition that Persia reserves the right to require that proceedings in the Court shall be suspended in respect of any dispute which has been submitted to the Council of the League of Nations.

LUXEMBOURG

Date of Signature: September 15, 1930.

Date of Deposit of Ratification: Not required.

Effective Until: September 15, 1935. Unless denounced six months before the expiration of that period, it shall be considered as renewed for a further period of five years and similarly thereafter.

Conditions: Effective without special agreements in relation to any State accepting the same obligation in any dispute arising after the signature of the present declaration with regard to situations or facts subsequent to this signature, except in cases where the parties have agreed or shall agree to have recourse to another procedure or to another method of pacific settlement.

MEXICO

By letter of February 18, 1947, the Mexican Government informed the Secretary-General that the Mexican Government had decided to ask for Federal Legislature for constitutional approval of the recognition by Mexico, as from March 1, 1947, of the jurisdiction of the International Court of Justice in accordance with the provisions of Article 36, paragraph 2, of the Statute of the Court. If the Mexican Senate approved the measure, the Mexican Government would forward the declaration. As of June 30, 1947, no declaration had been received from the Mexican Government.

NETHERLANDS

Effective Until: August 6, 1956, and subsequently until notice of abrogation.

Conditions: Without special agreement in relation to any other State accepting the same obligation in all future disputes with the exception of those in which the parties have agreed, after the entry into force of the Statute of the Permanent Court of International Justice, to have recourse to some other method of pacific settlement.

NEW ZEALAND

Date of Signature: April 1, 1940.

Date of Deposit of Ratification: Not required.

Effective Until: April 1, 1945, and thereafter until notice may be given to terminate the acceptance.

Conditions: Effective without special convention on condition of reciprocity over all disputes arising after March 29, 1930 (date of ratification of a previous declaration by New Zealand) with regard to situations or facts subsequent to that date, other than:

1) disputes in regard to which the parties to the dispute have agreed or shall agree to have recourse to some other method of peaceful settlement;

2) disputes with the government of any other Member of the League of Nations which is a member of the British Commonwealth of Nations, all of which disputes shall be settled in such manner as the parties have agreed or shall agree;

3) disputes with regard to questions which by international law fall exclusively within the jurisdiction of the Dominion of New Zealand;

4) subject to the condition that His Majesty's Government in New Zealand reserve the right to require that proceedings in the Court shall be suspended in respect of any dispute which has been submitted to and is under consideration by the Council of the League of Nations;

5) disputes arising out of events occurring at a time when His Majesty's Government in New Zealand were involved in hostilities.

NICARAGUA

Date of Signature: September 24, 1929.

Date of Deposit of Ratification: Not required. Declaration took effect on November 29, 1939, when the Nicaraguan Government notified the Secretary-General of the League of Nations of Nicaragua's ratification of the Protocol of Signature of the Statute of the Permanent Court.

Effective Until: Indefinite.

Conditions: Unconditional.

NORWAY

Date of Signature: November 16, 1946.

Date of Deposit of Ratification: Not required.

Effective Until: October 3, 1956.

Conditions: Without special agreement in relation to any other State accepting the same obligation.

PANAMA

Date of Signature: October 25, 1921.

Date of Deposit of Ratification: January 14, 1929.

Effective Until: Indefinite.

Conditions: Effective without special convention in relation to any other State accepting the same obligation.

SIAM

Date of Signature: September 20, 1929.

Date of Deposit of Ratification: May 7, 1930.

Effective Until: May 7, 1950.

Conditions: Effective without special convention in relation to any other Member or State which accepted the same obligation in all disputes as to which no other means of pacific settlement is agreed upon between the parties.

SWEDEN

Date of Signature: April 5, 1947.

Date of Deposit of Ratification: Not required.

Effective Until: April 5, 1957.

Conditions: Effective in relation to any other State accepting the same obligation in all disputes which may arise with regard to situations or facts subsequent to this declaration.

TURKEY

Date of Signature: May 22, 1947.

Date of Deposit of Ratification: Not required.

Effective Until: May 22, 1952.

Conditions: Effective without special agreement in relation to any other State accepting the same obligation in all disputes which will arise in the future concerning:

1) the interpretation of a treaty;

2) any question of international law;

3) the existence of any fact, which, if established, would constitute a breach of an international obligation;

4) the nature or extent of the reparation to be made for the breach of an international obligation;

with the exception of:

1) situations previous to this declaration and differences which arise therefrom;

2) disputes for which it may be possible to apply, directly or indirectly, agreements and conventions concluded by Turkey providing for a different method of settling disputes.

UNION OF SOUTH AFRICA

Date of Signature: April 7, 1940.

Date of Ratification: Not required.

Effective Until: Until such time as notice may be given to terminate the acceptance.

Conditions: Effective without special convention on condition of reciprocity over all disputes arising after April 7, 1930 (date of ratification of a previous declaration by South Africa) with regard to situations or facts subsequent to that date other than:

1) disputes in regard to which the parties to the dispute have agreed or shall agree to have recourse to some other method of peaceful settlement;

2) disputes with the Government of any other Member of the League of Nations which is a member of the British Commonwealth of Nations, all of which disputes shall be settled in such manners as the parties have agreed or shall agree;

3) disputes with regard to questions which by international law fall exclusively within the jurisdiction of the Union of South Africa;

4) subject to the condition that His Majesty's Government in the Union of South Africa reserve the right to require that proceedings of the Court shall be suspended in respect of any dispute which has been submitted to and is under consideration by the Council of the League of Nations;

5) disputes arising out of events occurring during any period in which the Union of South Africa is engaged in hostilities as a belligerent.

UNITED KINGDOM

Date of Signature: February 28, 1940.

Date of Deposit of Ratification: Not required.

Effective Until: February 28, 1945, and thereafter until such time as notice may be given to terminate the acceptance.

Conditions: Effective without special convention on condition of reciprocity over all disputes arising after February 5, 1930 (date of ratification of previous declaration by United Kingdom) with regard to situations or facts subsequent to that date, other than:

1) disputes in regard to which the parties to the dispute have agreed or shall agree to have recourse to some other method of peaceful settlement;

2) disputes with the government of any other Member of the League of Nations which is a member of the British Commonwealth of Nations, all of which disputes shall be settled in such manner as the parties have agreed or shall agree;

3) disputes with regard to questions which by international law fall exclusively within the jurisdiction of the United Kingdom;

4) subject to the condition that His Majesty's Government reserve the right to require that proceedings in the Court shall be suspended in respect of any dispute which has been submitted to and is under consideration by the Council of the League of Nations;

5) disputes arising out of events occurring at a time when His Majesty's Government in the United Kingdom were involved in hostilities.

Additional Declaration by United Kingdom Government

Date of Signature: February 13, 1946.
Date of Deposit of Ratification: Not required.
Effective Until: February 13, 1951.
Conditions: Effective without special agreement, in relation to any other State accepting the same obligation in all legal disputes concerning the interpretation, application or validity of any treaty relating to the boundaries of British Honduras, and over any questions arising out of any conclusion which the Court may reach with regard to such treaty.

UNITED STATES

Date of Signature: August 14, 1946.
Date of Deposit of Ratification: Not required.
Effective Until: August 14, 1951, and thereafter until the expiration of six months after notice may be given to terminate this declaration.
Conditions: In all legal disputes arising after the date of signature of the declaration, except:

1) disputes the solution of which the parties shall entrust to other tribunals by virtue of agreements already in existence or which may be concluded in the future; or

2) disputes with regard to matters which are essentially within the domestic jurisdiction of the United States of America as determined by the United States of America; or

3) disputes arising under a multilateral treaty, unless (1) all parties to the treaty affected by the decisions are also parties to the case before the Court, or (2) the United States of America specifically agrees to jurisdiction.

URUGUAY

Date of Signature: January 28, 1921.
Date of Deposit of Ratification: September 27, 1921.
Effective Until: Indefinite.
Conditions: Effective without special convention in relation to any other State accepting the same obligation.

FUNCTIONS OF THE UNITED NATIONS SECRETARIAT

DEPARTMENT OF ECONOMIC AFFAIRS

Deals with general economic, financial, transport and communications questions and statistics.

Undertakes statistical work for other Departments.

DEPARTMENT OF SECURITY COUNCIL AFFAIRS

Serves the Security Council in the fulfillment of its continuous functions under the Charter.

Also serves the General Assembly when it deals with matters relating to the maintenance of peace and security.

DEPARTMENT OF SOCIAL AFFAIRS

Deals with questions concerning health, narcotic drugs, other aspects of social welfare, cultural and educational matters and human rights.

SECRETARY-GENERAL

Maintains relations with members and organs of the United Nations, Specialized Agencies and non-governmental Organizations. Coordinates various departments of Secretariat.

ADMINISTRATIVE AND FINANCIAL SERVICES

Plans and executes budgetary, fiscal and personnel program of United Nations.

Is responsible for collecting contributions from members and for investment of funds.

DEPARTMENT OF TRUSTEESHIP AND INFORMATION FROM NON-SELF-GOVERNING TERRITORIES

Discharges the functions falling upon the Secretariat under Chapters XI, XII, and XIII of the Charter.

CONFERENCE AND GENERAL SERVICES

Makes material arrangements for meetings of the United Nations Organs.

Provides business management services and a library for research. Does editorial work, translating and printing.

DEPARTMENT OF PUBLIC INFORMATION

Plans, facilitates and distributes information on United Nations for whole world by use of all informational media.

Surveys world public opinion concerning the activities of the United Nations.

LEGAL DEPARTMENT

Advises Secretariat and other organs of the United Nations on legal and constitutional matters and the drafting of international agreements.

Is responsible for the registration of treaties.

ISSUED BY U. N. DEPARTMENT OF PUBLIC INFORMATION

VII. The Secretariat

A. THE CHARTER AND THE SECRETARIAT[1]

The Charter establishes the Secretariat as a principal organ of the United Nations.

The Secretariat comprises a Secretary-General and such staff as the United Nations may require.

The Secretary-General acts in that capacity in all meetings of the General Assembly, of the Security Council, of the Economic and Social Council and of the Trusteeship Council, and performs such other functions as are entrusted to him by these organs. The Secretary-General makes an annual report to the General Assembly on the work of the organization.

The Secretary-General may bring to the attention of the Security Council any matter which in his opinion may threaten the maintenance of international peace and security.

The Secretary-General, with the consent of the Security Council, notifies the General Assembly at each session of any matters relative to the maintenance of international peace and security which are being dealt with by the Security Council and similarly notifies the General Assembly, or the Members of the United Nations if the General Assembly is not in session, immediately the Security Council ceases to deal with such matters.

The Secretary-General is to receive from those Members of the United Nations which have responsibilities for the administration of Non-Self-Governing Territories statistical and other information of a technical nature relating to economic, social and educational conditions in such of those Non-Self-Governing Territories as are not placed under the International Trusteeship System.

Every treaty and every international agreement entered into by any Member of the United Nations after the coming into force of the Charter is registered as soon as possible with the Secretariat and published by it.

In the performance of their duties the Secretary-General and the staff may not seek or receive instructions from any government or from any other authority external to the organization. They are to refrain from any action which might reflect on their position as international officials responsible only to the organization. Each Member of the United Nations undertakes to respect the exclusively international character of the responsibilities of the Secretary-General and the staff and not to seek to influence them in the discharge of their responsibilities.

A staff is appointed by the Secretary-General under regulations established by the General Assembly. Appropriate staffs are permanently assigned to the Economic and Social Council, the Trusteeship Council and, as required, to other organs of the United Nations. These staffs form a part of the Secretariat.

The paramount consideration in the employment of the staff and in the determination of the conditions of service is the necessity of securing the highest standards of efficiency, competence and integrity. Due regard is paid to the importance of recruiting the staff on as wide a geographical basis as possible.

B. ADMINISTRATIVE ORGANIZATION OF THE SECRETARIAT

1. The Secretary-General

The Secretary-General is the chief administrative officer of the United Nations. He is appointed by the General Assembly upon the recommendation of the Security Council.

On February 1, 1946, the General Assembly, upon the recommendation of the Security Council, appointed, as the first Secretary-General of the United Nations, Mr. Trygve Lie.

The General Assembly had previously decided, on January 24, 1946, that the terms of the appointment of the Secretary-General should be such as to enable a man of eminence and high attainment to accept and maintain the position,

[1]This section is a summary of the Charter provisions relating to the Secretariat. The main provisions are contained in Chapter XV, Articles 97-101. Other provisions are to be found in Articles 7, 12, 20, 73, 102, 105 of the Charter and Articles 5, 7, 13, 14, 18, 33, 40, 67, 70 of the Statute of the International Court of Justice.

and that the first Secretary-General should be appointed for five years, the appointment being open at the end of that period for a further five-year term. The General Assembly noted that the General Assembly and the Security Council were free to modify the terms of office of future Secretaries-General and that, because the Secretary-General was a confidant of many governments, it was desirable that no Member should offer him, immediately upon retirement, any governmental position and he on his part should refrain from accepting any such position.[1]

2. General Structure of the Secretariat

The General Assembly, on February 13, 1946, resolved that "the Secretary-General shall take immediate steps to establish an administrative organization which will permit of the effective discharge of his administrative and general responsibilities under the Charter and the efficient performance of those functions and services required to meet the needs of the several organs of the United Nations."

The General Assembly decided that the principal units of the Secretariat should be:

(1) Department of Security Council Affairs
(2) Department of Economic Affairs
(3) Department of Social Affairs
(4) Department of Trusteeship and Information from Non-Self-Governing Territories
(5) Department of Public Information
(6) Legal Department
(7) Conference and General Services
(8) Administrative and Financial Services

The General Assembly authorized the Secretary-General to appoint Assistant Secretaries-General and such other officers and staff as might be required and to prescribe their responsibilities and duties.

The Assistant Secretaries-General have responsibility for and supervision of the departments and services. There is always to be one Assistant Secretary-General designated by the Secretary-General to deputize for him when he is absent or unable to perform his functions. The Secretary-General was requested to take whatever steps might be required to ensure co-ordination between the Departments of Economic Affairs and of Social Affairs, the maintenance of appropriate administrative relationships between those Departments and the specialized agencies, and co-ordination of the activities of the other departments and organs.

The Secretary-General was assisted, in the first instance, in dealing with administrative, personnel and budgetary problems, by an Advisory Group of Experts. Details of the Advisory Group's work are contained in its two reports: (1) "First Report of the Advisory Group of Experts on Administrative, Personnel, and Budgetary Questions to the Secretary-General of the United Nations", dated London, March 8, 1946, and (2) "Second Report of the Advisory Group of Experts on Administrative, Personnel, and Budgetary Questions to the Secretary-General of the United Nations", dated Lake Success, October 19, 1946.

In accordance with the recommendations which had been made in the report of the Preparatory Commission, the General Assembly at the second part of its first session elected an Advisory Committee on Administrative and Budgetary Questions with the following terms of reference.[2]

The Advisory Committee shall be responsible for expert examination of the Budget of the United Nations and shall assist the Administrative and Budgetary Committee of the General Assemby. At the commencement of each regular session it shall submit to the General Assembly a detailed report on the Budget for the next financial year and on the accounts of the last financial year. It shall also examine on behalf of the General Assembly the administrative budgets of specialized agencies and proposals for financial and budgetary arrangements with such agencies. It shall perform such other duties as may be assigned to it under the regulations for the financial administration of the United Nations.

The Advisory Committee is advisory to the General Assembly and its Fifth Committee (Administrative and Budgetary). It replaced and superseded the Advisory Group of Experts first appointed, as referred to above, which was advisory to the Secretary-General.

3. Executive Office of the Secretary-General

The Executive Office of the Secretary-General assists the latter in his relationships with Members and with organs of the United Nations, with specialized agencies and with non-governmental organizations. It also assists in forming the policy of the organization and in co-ordinating the activities of the departments of the Secretariat.

These functions require that the Executive Office be responsible for protocol matters, liaison with diplomatic representatives, formal

[1] See p. 82.
[2] See pp. 116, 117.

relationships with non-governmental organizations and the handling of official communications to governments, specialized agencies and non-governmental organizations, prepared by departmental officials.

The Executive Office is responsible for the co-ordination of all substantive work for the General Assembly, the drawing up of the agenda and the supervision of the preparation of all relevant documents; the preparation, in co-operation with the departments, of the Secretary-General's annual and special reports; and the allocation to the appropriate departments of the various responsibilities which are assumed by the Secretary-General in accordance with the decisions taken by the General Assembly.

In the Executive Office there are, among others, an Executive Assistant to the Secretary-General, three Special Advisers to the Secretary-General, an Executive Officer, two Personal Assistants to the Secretary-General, a Chief of Correspondence Unit and a Chief of Protocol and Liaison Section.

4. Department of Security Council Affairs

a. Functions and Organization

This Department serves the Security Council in the fulfilment of its continuous functions under the Charter; assists the Secretary-General in the performance of his responsibilities under Article 99 of the Charter; and provides documentation and other services for the General Assembly when the Assembly considers questions relating to the maintenance of peace and security.

These functions require that the Department arrange for such services as notification of meetings and preparation of agenda for the Security Council, its commissions (including the Atomic Energy Commission) and committees (excluding the Military Staff Committee), and for the First Committee of the General Assembly; and, in co-operation with the Department of Conference and General Services, arranges summary and verbatim records, translation of records and translation of proceedings for the abovementioned bodies.

The Department obtains information and prepares reports with reference to threats to the maintenance of international peace and security and with reference to pacific settlement of disputes and to the general principles of co-operation; provides expert advice to the Security Council on rules of procedure; obtains information and prepares studies on the political aspects of military agreements, and assists in the negotiation of such agreements in co-operation with the secretariat of the Military Staff Committee; prepares studies on the size of armaments and traffic in arms; participates in investigations and advises on the security aspects of Trusteeship Agreements for strategic areas; formulates plans with reference to non-military enforcement measures; and participates with the secretariat of the Military Staff Committee in work related to the application of military enforcement measures.

The Department is organized into the following units:

(1) Office of the Assistant Secretary-General
(2) General Political Division
(3) Enforcement Measures Division
(4) Atomic Energy Commission Group
(5) Administrative and General Division

b. Office of Assistant Secretary-General

The Office of the Assistant Secretary-General plans and directs the work of the Department; the Assistant Secretary-General acts for the Secretary-General, when requested, at meetings of the Security Council and its organs; provides the Secretary-General with such information and services as he may require; and maintains policy liaison with the Secretary-General and other departments and agencies.

c. General Political Division

The General Political Division advises and reports concerning threats to the maintenance of international peace and security, and, in connection therewith, on the relations between States; advises the Secretary-General in connection with the exercise of his power under Article 99 of the Charter, relating to "bringing to the attention of the Security Council any matter which in his opinion may threaten the maintenance of international peace and security"; advises and reports on political developments throughout the world and on the foreign policies of national States; studies the political developments in Trust and Non-Self-Governing Territories; prepares studies and reports in connection with the General Assembly's consideration of general principles of co-operation in the maintenance of peace and security; advises as to the pacific settlement of disputes through negotiation, inquiry, mediation, conciliation, arbitration, judicial settlement, resort to regional agencies or arrangements, or other means, and on the application of each of those methods to given situations; and participates

in the work of investigating commissions or committees.

The General Political Division maintains liaison with and seeks the assistance of the Trusteeship and Legal Departments as to matters of mutual concern.

The General Political Division is composed of the following sections:

General Political Problems and Procedures of Pacific Settlements Section
European Affairs Section
Middle East and African Affairs Section
Asia and Pacific Affairs Section
Western Hemisphere Affairs Section
Regional Arrangements and Agencies Section

d. Enforcement Measures Division

The Enforcement Measures Division advises on the political aspects of military agreements and assists in the negotiation of such agreements; obtains information and prepares studies on the size of armaments and traffic in arms, munitions and implements of war; formulates plans for the regulation of armaments and for disarmament; prepares for publication a yearbook on armaments; advises on security and other aspects of trusteeship agreements for strategic areas; participates in the investigating committees or commissions in strategic areas; formulates plans with reference to non-military enforcement measures which may include complete or partial interruption of economic relations, of travel, transport and communication services, and the severance of diplomatic relations; participates in the elaboration and application of military enforcement measures.

The Enforcement Measures Division works in co-operation with the secretariat of the Military Staff Committee and the Legal and Economic Affairs Departments on matters of mutual concern.

The Enforcement Measures Division is composed of the following sections:

Non-Military Enforcement Measures Section
Military Affairs Section
Trusteeship of Strategic Areas Section

e. Atomic Energy Commission Group

The Atomic Energy Commission Group advises the Assistant Secretary-General on matters relating to developments in the field of atomic energy and its control; prepares such studies and documents as may be required by the Commission, it committees and sub-committees; prepares the provisional agenda for the meetings of the Atomic Energy Commission, its committees and sub-committees, and maintains the official records of the Commission, its committees and sub-committees.

f. Administrative and General Division

The Administrative and General Division performs for the Security Council, Committee of Experts and such other committees or investigating commissions as may be established by the Council, the day-to-day staff work with regard to the convocation of meetings, prepares and keeps a register of the agenda items, minutes of the deliberations, and records; services the First Committee of the General Assembly and its sub-committees on political and security matters; prepares studies on matters of procedure and advises on rules of procedure, handles matters concerning: admission of new Members of the United Nations, election of judges of the International Court of Justice, work on the annual report of the Secretary-General, work on the annual report by the Security Council, reports under Security Council rules of procedure, e.g. reports on credentials, weekly summary statements on matters of which the Security Council is seized, etc.; attends to communications from non-governmental organizations concerning the Security Council; maintains liaison between the Department of Security Council Affairs and the President of the Security Council, delegations represented on the Security Council, the Secretary-General and his office, the General Assembly and other organs of the United Nations and the departments of the Secretariat serving them; provides files, archives, documents and general reference services and maintains a reference library of the Department; handles incoming and outgoing correspondence of the Department; maintains liaison with Administrative and Financial Services and Conference and General Services in performing duties relating to correspondence, personnel, organization budget, stationery and other departmental supplies.

The Administrative and General Division is composed of the following sections:

General Service to the Security Council Section
Service to Committees Section
Administrative Section

5. Department of Economic Affairs

a. Functions and Organization

This Department serves the Economic and Social Council with respect to its economic functions, the Second Committee (Economic and

Financial) of the General Assembly, and the following subsidiary organs of the Economic and Social Council:

Economic and Employment Commission
Transport and Communications Commission
Statistical Commission
Fiscal Commission
Sub-Commission on Employment and Economic Stability
Sub-Commission on Economic Development
Sub-Commission on Statistical Sampling

The Department provides economic studies and reports for economic publications of the United Nations; technical assistance to all units of the Secretariat requiring economic or statistical information; and maintains liaison with specialized agencies and non-governmental organizations concerned with regional or international economic affairs. It has also provided the staff for the Economic Commission for Europe in Geneva, and the Economic Commission for Asia and the Far East in Shanghai. The Department also provides the staffs and documentation for economic conferences called by the Economic and Social Council, such as the International Conference on Trade and Employment.

The Department consists of the following units:

Office of the Assistant Secretary-General
Joint Division of Co-ordination and Liaison
Division of Economic Stability and Development
Transport and Communications Division
Fiscal Division
Statistical Office of the United Nations
Secretariat of the International Conference on Trade and Employment

b. Office of the Assistant Secretary-General

The Office of the Assistant Secretary-General is responsible for planning the activities of the Department as a whole and for supervising the work of its various divisions. It also deals with the problems of administration, internal management, finance and personnel, and maintains relations with the other departments of the Secretariat and with delegations.

c. Joint Division of Co-ordination and Liaison

Article 57 of the United Nations Charter provides that various specialized agencies established by inter-governmental agreement and having wide international responsibilities in economic, social, cultural, educational, health and related fields, shall be brought into relationship with the United Nations. The Division of Co-ordination and Liaison has direct responsibility for negotiations with the specialized agencies leading to the establishment of their formal relations with the United Nations, and for ensuring that the agreements between the specialized agencies and the United Nations are implemented.

Under Article 71 of the United Nations Charter, the Economic and Social Council may make suitable arrangements for consultation with non-governmental organizations which are concerned with matters within the competence of the Council. The Division of Co-ordination and Liaison receives the applications of organizations seeking consultative status with the United Nations and prepares background material for submission to the Committee on Arrangements for Consultation with Non-Governmental Organizations. The Committee then makes recommendations to the Economic and Social Council. The Division maintains liaison with non-governmental organizations which have been granted consultative status.

This Division also provides the technical Secretariat of the Economic and Social Council. The responsibilities of this unit are to arrange the Council's agenda, to assist the Council in its conduct of business and to conduct correspondence with Member Governments and their delegations regarding the work of the Council.

Since this Division deals with problems common to both the Department of Economic Affairs and the Department of Social Affairs, it has been established as a Joint Division responsible to the Assistant Secretaries-General of the two Departments. For purposes of administrative convenience, however, the Division is included in the structure of the Department of Economic Affairs and is administered by that Department.

d. Division of Economic Stability and Development

This Division collects and analyzes the material required in dealing with the problems in the fields of economic development, full employment and economic stability.

The Division prepares reports in these three fields on requests of the General Assembly, the Economic and Social Council, the Economic and Employment Commission and its two Sub-Commissions—on Economic Development and on

Employment Stability. Thus the Division assisted in the preparation of the preliminary reports submitted to the Economic and Social Council in connection with the Council's resolution on the economic reconstruction of war-devasted areas in Europe and in Asia and the Far East. The Division prepares reports also on world economic trends, on financial needs of the devastated areas, on plans and programs for economic development of undeveloped and under-developed areas, and related matters.

In addition to studies and reports in the fields mentioned above, the functions of the Division include several other responsibilities in respect of international economic problems. Chief among these are the Secretariat's activities under the Assembly's resolution on post-UNRRA relief, the provision of technical assistance on economic problems to Member Governments and the organization of a United Nations Scientific Conference on Resources Conservation and Utilization.

The Division also acts as a secretariat for the Economic and Employment Commission and its Sub-Commissions on Economic Development and on Employment and Economic Stability.

e. Transport and Communications Division

This Division prepares material for the work of the Transport and Communications Commission, brings to its attention important developments in the field of transport and communications, provides its secretariat during the meetings and implements its decisions.

The Division also prepares the work and provides the secretariat for conferences or meetings of experts convened by the United Nations in the field of transport and communications, as, for example, the Meeting of Governmental Postal Experts held at United Nations Headquarters, Lake Success, in December 1946 to frame a draft agreement between the United Nations and the Universal Postal Union; the Meeting of Governmental Experts to prepare for a World Conference on Passports and Frontier Formalities, held in Geneva in April 1947; and the Meeting of Transport Experts held in Geneva under the auspices of the Economic Commission for Europe in May and June 1947 to discuss European transport problems.

Similarly it serves the Economic and Social Council and the General Assembly with respect to that part of their work which is concerned with international transport and communications questions.

The Division also maintains contact with specialized and other inter-governmental agencies and non-governmental organizations in the field of transport and communications. During the past year the Division has participated in the negotiations which have resulted in the International Civil Aviation Organization's becoming a specialized agency of the United Nations, has paved the way for the Universal Postal Union to become a specialized agency and has prepared negotiations with the International Telecommunications Union for the same purpose. Finally, the Division is preparing the forthcoming International Maritime Conference with a view to creating an Inter-Governmental Maritime Organization as a specialized agency of the United Nations in this field.

It also advises the United Nations Secretariat as a whole on questions arising in the field of international transport and communications, and prepares reports desired by any organs of the United Nations with respect to this field.

The Division, in addition, publishes regularly the Monthly Summary of Important Events in the Field of Transport and Communications and, periodically, the List of Multilateral Conventions in the Field of Transport and Communications.

f. Fiscal Division

The functions of this Division are to act as the secretariat of the Fiscal Commission, and to make studies in the field of public finance, particularly in its legal, administrative and other technical aspects. It is also concerned with the fiscal implications of recommendations made by other commissions and sub-commissions of the Economic and Social Council. It acts as a research and service unit on fiscal problems to meet the needs of various commissions, specialized agencies and Member Governments, and will deal with requests for expert assistance in the problems of public finance, e.g. taxation, fiscal administration, management of public debt.

g. Statistical Office

The general functions of the Statistical Office of the United Nations are set out in the resolution of the Economic and Social Council of June 21, 1946, which calls for the establishment of a central Statistical Office within the Secretariat of the United Nations. This office is asked to perform six principal functions. These are:

(1) to collect, analyze and evaluate the statistics from Member Governments, specialized agencies and other sources;
(2) to publish statistics;
(3) to co-ordinate the statistical activities of the specialized agencies;
(4) to promote the development and improvement of statistics in general;
(5) to maintain an international centre of statistics, and
(6) to maintain close contact with national governments on programs of statistical research, submission of statistical data, analysis and publication.

In carrying out these functions the Statistical Office of the United Nations serves all departments of the Secretariat. It prepares studies and reports on statistical questions. It is responsible for the preparation of the *Monthly Bulletin of Statistics*, the "Statistical Yearbook" and other statistical publications issued by the United Nations. It also provides the secretariat for the Statistical Commission and the Sub-Commission on Statistical Sampling.

h. Secretariat of the International Conference on Trade and Employment

This unit of the Department of Economic Affairs has served the first session of the Preparatory Committee of the International Conference on Trade and Employment in London, the Drafting Committee at Lake Success and the second session of the Preparatory Committee now meeting at Geneva. The secretariat made an analysis of the Draft Charter submitted originally by the United States and has from that time onward compiled explanatory notes and commentaries as the Charter of the International Trade Organization has developed. It has prepared working documents for all three meetings and provided either the secretaries for the various committees and subcommittees or has assisted the Rapporteur in his duties.

During the second session of the Preparatory Committee, the secretariat undertook liaison duties in connection with the tariff negotiations proceeding alongside the discussion of the Charter, and also prepared working papers relating to a general agreement on tariffs and trade.

It is likely that the World Plenary Conference to establish the International Trade Organization will take place towards the end of 1947. The secretariat will furnish to this conference services similar to those provided at previous conferences and it will have the further responsibility of providing the nucleus of the future secretariat of the International Trade Organization.

6. Department of Social Affairs

a. Functions and Organization

This Department serves the Economic and Social Council, certain of its commissions and committees, and the Third Committee (Social, Humanitarian and Cultural) of the General Assembly with respect to their functions in the fields of science, education, culture, social questions, demography, human rights, refugees and displaced persons, narcotic drugs and public health; provides studies and reports in the fields of its competence for the use of all interested organs of the United Nations; provides liaison with specialized agencies and non-governmental organizations concerned with these questions in their regional or international respects.

These functions require that the Department co-operate with the Department of Economic Affairs in arranging for such services as notification of meetings and preparation of provisional agenda for the Economic and Social Council; arrange for like services for the social commissions, sub-commissions and committees of the Council; and, in co-operation with Conference and General Services, arrange for such services as summary and verbatim records and translation of documents and records for the Social Commission, the Human Rights Commission, the Commission on the Status of Women, the Population Commission, the Narcotic Drugs Commission and such other social commissions and committees as the Council establishes.

The Department provides the required studies and documentation within the fields of its competence for these organs and for other units of the Secretariat; assists the appropriate commissions in the application of conventions; and assists, as called upon, in the preparation for international conferences pertaining to its fields of competence and held under the auspices of the United Nations.

In co-operation with the Department of Economic Affairs and with Conference and General Services, the Department arranges for services to the Committee on Negotiations with Specialized Agencies and the Committee for Consultation on Arrangements with Non-Governmental Organizations; in co-operation with the Department of Economic Affairs and other depart-

ments concerned provides appropriate personnel to represent the United Nations at conferences and meetings of the specialized agencies; reviews reports, recommendations, and conventions of specialized and non-governmental organizations which fall within its competence; and makes recommendations to the Council with respect to the programs and administrative co-ordination of the specialized agencies.

The Department of Social Affairs is organized into the following units:

Office of the Assistant Secretary-General
Division of Social Activities
Division of Human Rights
Division of Narcotic Drugs
Division of Population

b. Office of the Assistant Secretary-General

The Office of the Assistant Secretary-General plans the general policy and program of the Department, co-ordinates and directs the work of the sections and divisions; maintains administrative and working liaison with the other departments; reports to the Secretary-General on problems and developments in all fields relating to the work and functions of the Department.

It is responsible for the inner administration of the Department, the co-ordination of problems of budget, personnel, registry, office space for the divisions and liaison with Administrative and Financial Services on these matters; it centralizes all problems pertaining to the organization of conferences, commissions, committees or other international gatherings serviced by the Department and maintains liaison with the Conference and General Services on these matters.

In conjunction with the Department of Economic Affairs, it maintains liaison with specialized agencies and non-governmental organizations, and follows, stimulates and co-ordinates the work of these bodies in the social fields.

The Office of the Assistant Secretary-General is organized into the following units:

(Joint Economic and Social) Division for Co-ordination and Liaison
Section of Education, Science and Culture
Section of Studies and Research

The Assistant Secretary-General in charge of Social Affairs drew up a plan for his Department including an administrative unit and eight substantive divisions. This number was later on modified; four divisions were maintained and two sections, taking the place of the previously planned divisions, were established under the direct supervision of the Assistant Secretary-General and his Executive Assistant.

The supervision of the divisions was entrusted to a Top Ranking Director, who was to deputize for the Assistant Secretary-General in his absence.

The Sections of Studies and Research, and of Education, Science and Culture, were set up under the direct control of the Assistant Secretary-General's Office. They initiate and stimulate studies on the most urgent problems of international scientific and cultural co-operation and keep the Secretary-General and central organs of the United Nations informed on activities and developments in the field of science, art, education and culture.

c. Division of Social Activities

The Division of Social Activities is concerned with standards of living; protection of the family, children, and youth; problems of crime, delinquency, and prostitution; social welfare services; and related social questions. It prepares studies and other documents and undertakes administrative and advisory functions in these fields in accordance with instructions from the General Assembly and the Economic and Social Council. It services meetings of the Social Commission and of other organs of the United Nations dealing with social questions.

The Division comprises the following sections or units, each responsible for specific functions:

Section of Living Standards
Section of Family Protection
Section of Social Services
Section of Social Defense
Health Section
Refugee Section
Migration Unit

In each case, the work of the sections includes consultation and liaison with the specialized agencies and with non-governmental organizations concerned with social questions. The sections work in close co-ordination with each other through regular meetings of their chiefs with the Director and Assistant Directors of the Division, and through intra-divisional committees established for the purpose of dealing with special questions such as child welfare, and housing and town and country planning.

(1) Section of Living Standards

The Section of Living Standards assembles and disseminates information on techniques of measuring standards of living, on the present levels of living of countries and regions, and on

national and international social measures designed to raise living standards. Particular attention is being given to standards of living in economically under-developed areas.

The Section is also studying problems of housing and town and country planning, with a view to the establishment of an information center on these subjects. An international publication on housing questions is to be issued.

(2) Section of Family Protection

The Section of Family Protection deals with problems of the family, child welfare and youth guidance. The activities of the Section will center on measures for the support and strengthening of family life as part of a general social policy, and in particular on measures for the welfare of children and adolescents physically, mentally and spiritually.

The Section is engaged in the reconstruction and development of an information center on child and youth welfare, along the lines of the one formerly maintained by the League of Nations. The Secretary-General has invited Member Governments to submit to the United Nations annual reports on child welfare. The material received will be analyzed, summarized and published by the Section. A questionnaire to governments is being prepared for the purpose of assisting them in supplying more detailed and comparable information in their future reports.

The Section is taking part, along with other sections of the division, in the formulation of an inquiry to governments on the administration of family protection and child welfare as well as other social welfare questions. It contemplates an inquiry into the situation of children in war-devastated countries with a view to the development, in collaboration with other interested organizations, of international measures of assistance.

The section is also studying the problems of youth and is assembling information on the activities and programs of youth organizations throughout the world, with a view to stimulating international activity.

(3) Section of Social Services

The Section of Social Services has the long-range function of studying and preparing reports on social welfare administration in the various countries, on methods of promoting the training of social welfare personnel and on the development of services of information and expert advice to aid individual countries in the improvement of their social welfare organization.

The Section is carrying out practical work along these lines through its administration of certain social welfare advisory services formerly carried on by UNRRA. These functions fall under four headings: supply of advisers to governments requesting them; provision of fellowships to enable social welfare specialists to study the methods of countries other than their own; rehabilitation of the physically handicapped through assistance in the manufacture of prosthetic appliances and in vocational training; and supply of technical publications for training of social workers. Up to the end of June 1947, requests from nine countries for 31 advisors on child welfare and other social welfare subjects had been approved; 114 fellowships had been granted to twelve countries; and aid for physical rehabilitation programs in nine countries had been approved.

Two projects for countries not aided by UNRRA have been initiated under the same program: three films on social welfare subjects for use in India are being produced; and two seminars for social welfare specialists of Latin America are being held (in Medellin, Colombia, during August of 1947, and in Montevideo, Uruguay, during September).

The Section has also provided a secretariat for the meetings of the Executive Board of the International Children's Emergency Fund and its committees, and is helping to co-ordinate the work of the Fund with the child welfare activities of the Division.

(4) Section of Social Defense

The Section of Social Defense deals with prevention of crime, treatment of criminals and delinquents and protection of society from anti-social elements. The Section has prepared a questionnaire on these subjects for Member Governments, is organizing an information center and is encouraging the formation of working parties of experts in the individual countries to advise on international activities.

The Section also administers functions formerly carried on by the League of Nations in regard to prostitution, the traffic in women and children and the traffic in obscene publications. Steps are being taken to resume publication of an annual report on the traffic in women and children, formerly published by the League on the basis of reports from governments.

(5) Health Section

The Health Section informs and assists the various organs of the United Nations regarding any activities concerning public health. It also carries on liaison activities with the Interim Commission of the World Health Organization.

(6) Refugee Section

The Refugee Section assists any organ related to the United Nations in regard to any activities concerning refugees and displaced persons. It also acts as liaison with the Preparatory Commission of the International Refugee Organization.

(7) Migration Unit

A Migration Unit, in collaboration with the Division of Population and the International Labour Office, is studying the questions of international protection of the social and economic rights of migrants, the organization of international placement and information services for migrants, the financing of migratory movements and assistance to indigent foreigners.

d. Division of Human Rights

The Division of Human Rights serves two commissions of the Economic and Social Council: the Commission on Human Rights and the Commission on the Status of Women. The work of the Commission on Human Rights is directed toward submitting proposals, recommendations and reports to the Economic and Social Council regarding: (a) an International Bill of Rights; (b) international Declarations or Conventions on civil liberties, the status of women, freedom of information and similar matters; (c) the prevention of discrimination on grounds of race, sex, language or religion; (d) the protection of minorities; and (e) any other matter concerning human rights. At the request of the Economic and Social Council, the Commission also makes studies and recommendations and provides information and other services. According to these terms of reference, the Division of Human Rights gathers all material relevant to the subjects mentioned above, undertakes research work and prepares the necessary documentation for the work of the Commission.

The Division of Human Rights performs similar duties for the three subsidiary bodies of the Commission established by the Economic and Social Council at its fourth session. These are: the Sub-Commission on Freedom of Information and of the Press; the Sub-Commission on Prevention of Discrimination and Protection of Minorities; and the Drafting Committee of the Commission on Human Rights. The functions of the Sub-Commission on Freedom of Information and of the Press are: (a) in the first instance, to examine what rights, obligations and practices should be included in the concept of freedom of information and to report to the Commission on Human Rights on any issues that may arise from such examination; (b) to perform any other functions which may be entrusted to it by the Commission on Human Rights or by the Economic and Social Council. This Sub-Commission was given the special responsibility of assisting the Economic and Social Council in preparing the International Conference on Freedom of Information. At its first session the Sub-Committee prepared a preliminary draft agenda for the Conference and made recommendations concerning the invitation of non-member States, co-operation of specialized agencies, inter-governmental organizations and non-governmental organizations in the Conference and other matters.

The functions of the Sub-Commission on Prevention of Discrimination and Protection of Minorities are: (a) in the first instance, to examine what provisions should be adopted in defining the principles which are to be applied in the field of the prevention of discrimination on grounds of race, sex, language or religion, and in the field of the protection of minorities, and to make recommendations to the Commission on urgent problems in these fields; (b) to perform any other functions which may be entrusted to it by the Economic and Social Council or the Commission on Human Rights.

The Drafting Committee of the Commission on Human Rights is charged with the important responsibility of preparing, on the basis of a documented outline supplied by the Division of Human Rights, a preliminary draft of an International Bill of Human Rights.

The Commission on the Status of Women prepares recommendations and reports to the Economic and Social Council on the promotion of women's rights in political, economic, civil, social and educational fields with the object of implementing the principle that men and women shall have equal rights, and develops proposals to give effect to these recommendations. The Commission also makes recommendations to the Economic and Social Council on

urgent problems requiring immediate attention in the field of women's rights. It is the Division of Human Rights that performs all the necessary work of research, gathering material and preparing documentation for this Commission, as it does for the Commission on Human Rights and its subsidiary bodies.

In conformity with the scope and nature of its work, the Division of Human Rights is divided into the following sections:

(a) General Section
(b) Research Section
(c) Section on Freedom of Information and of the Press
(d) Section on Prevention of Discrimination and Protection of Minorities
(e) Section on the Status of Women

The Division of Human Rights is preparing a "Yearbook on Human Rights," the first issue of which was scheduled for publication in August 1947. Upon request, the Division also furnishes the different organs of the United Nations, the Member States and organizations in different countries with information concerning the problems of human rights and fundamental freedoms.

e. Division of Narcotic Drugs

The Division of Narcotic Drugs is responsible, under the Secretary-General, the Commission on Narcotic Drugs and the Economic and Social Council, for supervising the application of the international conventions concerning narcotics and for developing any new measures which may be necessary in the light of changing circumstances. The Division acts as the secretariat of the Commission and in this connection prepares studies and documentation of all kinds. It also examines and distributes a large number of reports received from governments regarding the fulfilment of their international obligations concerning narcotics and is a centre for all information in this field.

The activities of the Division are based primarily on six international conventions and agreements, which include the Hague Convention of 1912, the Geneva Convention of 1925 and the Limitation Convention of 1931. The recent Protocol of December 11, 1946, transfers the functions of the League of Nations under these conventions to the United Nations and authorizes the Secretary-General of the United Nations to perform at once the duties hitherto discharged by the Secretary-General of the League of Nations.

The Division maintains liaison with the special international control organs set up under the 1925 and 1931 conventions, namely the Permanent Central Opium Board and the Supervisory Body, and with the specialized agencies, especially the World Health Organization.

Although the system of international control has achieved important results in the past, it is by no means complete or perfect, while the machinery set up under the existing Conventions, agreements and protocols is exceedingly complicated. In due course the Division will have to undertake studies with a view to codifying the various international instruments, improving their provisions where necessary, and simplifying the machinery of control. This is a major task which will involve an international conference of all the parties to the conventions.

Since the work of the Division falls broadly into three categories, it is organized as follows:

(1) Section I

This Section is in charge of the supervision of the application of the international conventions. In this connection the re-establishment of full control of the world trade in narcotics, the suppression of illicit traffic and the study of special national legislation relating to drugs are of particular importance.

(2) Section II

This Section deals with problems relating to drug addiction, the development of new drugs, including new synthetic drugs, and the control of raw materials. One of the main tasks to be undertaken is the preparation of an international conference to draft a new convention covering the materials from which narcotic drugs are produced.

(3) Section III

This Section discharges duties of a legal and administrative nature and acts specifically as the secretariat of the Commission on Narcotic Drugs and of such committees or sub-committees as may be set up by that Commission. It is responsible for drafting a considerable volume of formal correspondence with governments arising from obligations imposed by the conventions or from resolutions of the Narcotics Commission or the Economic and Social Council.

f. Division of Population

The Population Division serves the Population Commission, advises the Assistant Secretary-General on demographic problems,

prepares demographic analyses needed by the Secretariat and specialized agencies, and, in co-operation with the Statistical Office, co-operates with Member States in problems of improving the quality and comparability of demographic materials and methods.

The terms of reference of the Commission, which the Division serves, indicate the scope of the Division's responsibilities. They provide that the Commission shall arrange for studies on (a) population changes, the factors associated with such changes and the policies designed to influence these factors; (b) inter-relationships of economic and social conditions and population trends; (c) migratory movements of population and factors associated with such movements; (d) any other population problems on which the principal or subsidiary organs of the United Nations or the Specialized Agencies may seek advice.

In response to the resolution adopted by the Economic and Social Council on the recommendation of the Population Commission at its first session, the Population Division:

1. In co-operation with the Statistical Office is:

   a. preparing a demographic yearbook for publication in 1948;

   b. assisting such Member States as are taking censuses in and around 1950 by facilitating an exchange of information in the interests of improving the quality and achieving greater comparability of results;

   c. keeping Member States informed as to the 1950 Census of the Americas and the demographic aspects of the World Census of agriculture.

2. In co-operation with the Trusteeship Division is preparing demographic studies of the Trust Territories.

3. Is preparing plans for consideration of the Commission to encourage interested Member States in the study of:

   a. the interplay of economic, social and demographic factors hindering the attainment of an adequate standard of living and cultural development; and

   b. the most favorable rate of population change from the economic and social points of view.

The Division also serves a variety of committees requiring miscellaneous assistance in demographic matters. The staff of the Division is now being recruited and is expected to be prepared for full-scale operation by the end of 1947.

7. Department of Trusteeship and Information from Non-Self-Governing Territories

a. Functions and Organization

This Department serves the Trusteeship Council and the Fourth Committee (Trusteeship) of the General Assembly; informs the Secretary-General on problems and developments in this field; supplies other organs of the United Nations and departments of the Secretariat with information concerning Trust Territories, Non-Self-Governing Territories, and non-security aspects of strategic areas; and provides documentation for the General Assembly when questions arising under Chapters XI, XII and XIII of the Charter are under consideration.

These functions require that the Department provide such services as notification of meetings and preparation of agenda for the Trusteeship Council and other commissions and committees established by the Council; and, in co-operation with the Conference and General Services, arranges for services such as verbatim records, translation of records and documents. The Department provides studies and documentation required by the Trusteeship Council and subsidiary agencies; assists the Trusteeship Council in the drafting and consideration of Trusteeship Agreements, formulation of questionnaires concerning each Trust Territory, examination of the reports of administering authorities, preparation of annual reports on each Trust Territory, acceptance and examination of petitions, and periodic visits and surveys. It assists the Department of Security Council Affairs with respect to political, economic, social and educational matters in strategic areas. It receives, analyzes and presents to the Secretary-General information relating to Non-Self-Governing Territories; obtains the assistance of the Economic and Social Council and the specialized agencies in appropriate fields, and supplies information on economic and social conditions in Non-Self-Governing Territories for the assistance of these organs.

The Department is organized into the following units:

Office of the Assistant Secretary-General
Division of Trusteeship
Division of Non-Self-Governing Territories

b. Office of the Assistant Secretary-General

The Office of the Assistant Secretary-General plans, directs and co-ordinates the activities of the Department. It keeps the Secretary-General informed on matters within the scope of the Department and assists him with respect to such of his functions as relate to the Trusteeship System and to Non-Self-Governing Territories. The Office of the Assistant Secretary-General assumes responsibility for such other necessary functions and services as are not specifically delegated to the divisions of the department, such as liaison with delegations and international organizations at a high level.

c. Division of Trusteeship

The Office of the Director of the Division of Trusteeship co-ordinates and directs the work of the Division, and ensures the necessary collaboration among the several sections of the Division. It provides such technical advice on trusteeship matters or other services and functions as may be required by the Assistant Secretary-General of the Department.

The Office of the Director also ensures, through liaison with Conference and General Services, the necessary administrative and other services for the meetings of the Trusteeship Council and for other activities and responsibilities of that Council; and obtains, in collaboration with the Bureau of Personnel, the services of such technical experts and consultants as may be required by the Trusteeship Council. It performs such other functions and services relating to trusteeship matters as may be delegated to the Trusteeship Division by the Assistant Secretary-General of the Department.

The Division of Trusteeship is organized into the following sections:

Reports Unit
Trusteeship Agreements Section
Questionnaires and Territorial Reports Section
Visits Section
Petitions Section
Territorial Research Section

(1) Reports Unit

The Reports Unit prepares such reports on Trust Territories and the trusteeship system as may be required, including the reports to be submitted to the General Assembly or the Security Council after each session of the Trusteeship Council, as well as the appropriate section of the annual report of the Secretary-General, and special reports as necessary. The Reports Unit maintains working liaison with other departments and divisions of the Secretariat on matters relevant to the competence of this Division, and with the specialized agencies and other international organizations, commissions and conferences dealing with matters relevant to the trusteeship system. It drafts correspondence with governments relating to trusteeship matters.

(2) Trusteeship Agreements Section

The Trusteeship Agreements Section renders such assistance as may be required of the Secretariat in connection with the consideration of Trusteeship Agreements for non-strategic Trust Territories. It prepares analyses of Trusteeship Agreements with regard to the provisions of the Charter and the conditions in the proposed Trust Territories, and undertakes, as required, the preparation in draft form of proposed revisions of Trusteeship Agreements. It provides such explanatory or background memoranda as may be useful in the consideration of Trusteeship Agreements, and undertakes such other work as may be required in connection with the approval of Trusteeship Agreements, their revision, amendment or termination.

(3) Questionnaires and Territorial Reports Section

The Questionnaires and Territorial Reports Section renders such assistance as may be appropriate in the formulation of the required questionnaires on the political, economic, social and educational advancement of the inhabitants of each Trust Territory which are to form the basis for the annual reports to be submitted by the Administering Authorities; and examines and appraises the annual reports and any special reports submitted by the Administering Authorities.

(4) Visits Section

The Visits Section assists in the organization of and arrangements for the periodic visits to the Trust Territories as provided in Article 87 (c) of the Charter and arranges for and provides, as needed, the staff and expert consultants to accompany visiting groups to the Trust Territories. It performs similar functions, as required, in connection with such special visits or periodic surveys as may be undertaken subject to the provisions of the Trusteeship Agreements. It also assists in the preparation of the reports to the Trusteeship Council on the findings of these visits or surveys.

(5) Petitions Section

The Petitions Section processes petitions received with respect to Trust Territories. This includes examination, analysis and appraisal of petitions, their transmission to the Trusteeship Council and the preparation of such memoranda in connection therewith as may be required. The Section prepares annual reports on the petitions received.

(6) Territorial Research Section

This Section provides technical and specialized advice on such territorial matters as may affect the consideration, approval, amendment, revision, and termination of Trusteeship Agreements; prepares special studies of a background and analytical nature on specific territories. It provides advice from territorial specialists, as required, to accompany visiting groups to Trust Territories; conducts research and undertakes spot studies on all Trust Territories. It assists in maintaining working liaison with regional inter-governmental organizations, commissions and conferences or other such organizations, commissions and conferences on matters affecting specific territories or areas.

d. Division of Non-Self-Governing Territories

The Office of the Director of the Division of Non-Self-Governing Territories co-ordinates and directs the work of the Division in summarizing, classifying and analyzing the information received under article 73 (e) of the Charter and other information in respect of Non-Self-Governing Territories which are not Trust Territories. It maintains close liaison with the Division of Trusteeship and establishes procedures for liaison with the other departments of the Secretariat—in particular the Departments of Economic Affairs, of Social Affairs and of Public Information. It drafts correspondence with governments and performs such other functions and services relating to Non-Self-Governing Territories as may be delegated to the Division by the Assistant Secretary-General of the Department.

The Division of Non-Self-Governing Territories is organized in the following sections:

Specialists' Unit
African Section
Caribbean Section
Pacific-Asia Section

(1) Specialists' Unit

The co-ordination of the work of the Specialists' Unit is the particular responsibility of the Assistant Director of the Division. The Unit makes research studies on special problems affecting Non-Self-Governing Territories as a whole, taking due account of the work undertaken by other departments or by the specialized agencies. It is its responsibility to supply to these departments or agencies such special information on questions affecting Non-Self-Governing Territories as may be of value to the departments or agencies in their functional operations. It analyzes various special aspects of social and economic policy in Non-Self-Governing Territories with a view to supplying analyses of current practices and policies of various governments and organizations.

(2) African Section, Caribbean Section, Pacific-Asia Section

The African Section, the Pacific-Asia Section and the Caribbean Section receive, classify, summarize and analyze the information relating to Non-Self-Governing Territories supplied by the governments under Article 73 (e) of the Charter and other information in respect of these territories. In particular, the sections perform research work in relation to the territorial problems in the territories within their respective regions. Where regional organizations exist, they maintain close liaison with such organizations with a view to the co-ordination of information in both directions.

8. Department of Public Information

a. Functions and Organization

"The United Nations cannot achieve its purposes unless the peoples of the world are fully informed of its aims and activities." With these words the General Assembly during the first part of the first session, meeting in London in February 1946, endorsed certain recommendations on policies, functions and organization for a Public Information Department of the United Nations.[1] Based on these recommendations, the Department of Public Information was organized to develop facilities and services for press, radio, films and other information media; and to undertake, on its own initiative, positive information activities to supplement services of existing agencies of information on as wide a geographical basis as possible.

General direction of these activities is vested in the Assistant Secretary-General for Public Information, and the Principal Director, who

[1] See Report of The Preparatory Commission of the United Nations, p. 102.

advise the Secretary-General on all aspects of public information policy and are responsible, with the assistance of an Executive Office, for the activities of the Department as a whole. Further delegation of responsibility for activities in the various fields is divided amongst the following units:

1. Press and Publications Office, including a Central News & Information Service
2. Radio Division
3. Films and Visual Information Division
4. Headquarters Liaison Services
5. External Services
6. Reference & Research Services

b. Office of Assistant Secretary-General

The Office of the Assistant Secretary-General advises the Secretary-General on all problems of information policy of the United Nations; plans, co-ordinates and directs the activities of the Department.

The Office of the Assistant Secretary-General is organized into the following units:

1. Office of the Assistant Secretary-General
2. Office of the Director
3. Executive Office

c. Press and Publications Office

This Office is the central organ of the Department serving all divisions and services for the dissemination of information to the public information media of the world about the activities of the United Nations. It is the official source of all announcements, releases and communiques pertaining to the organization and the focal point for all news inquiries from correspondents of the press, radio and other media.

Through a staff of information officers specializing in the work of the several departments and organs of the United Nations, the Office prepares information of public interest for release at headquarters and for transmission to regional information centres abroad.

In the field of press relations, the Office also arranges for the accreditation of news correspondents to the organization, arranges general press conferences and individual interviews with ranking members of the Secretariat, and develops and manages all working press facilities, advises the Secretary-General and other officials of the organization on matters of press relations, and co-operates with the several delegations and the specialized agencies in issuing material to correspondents.

As of June 1947, nearly 800 journalists had been accredited, of whom a substantial number devoted full time to covering the work of the organization. By that date also more than 4,500 press releases had been issued, ranging from brief announcements of forthcoming events to comprehensive background papers on the principal and subsidiary organs of the United Nations.

Further functions of the Office fall under the head of Feature Services and Publications. As part of the activities of the former the Office produces in English, French and Spanish a weekly clip-sheet containing a variety of articles about the United Nations. This clip-sheet, together with plastic plates or matrices of appropriate pictures and illustrative material, is sent to newspapers in various parts of the world. Parallel to the weekly clip-sheet, Feature Services will also produce a fortnightly newsletter for wide distribution to the general public.

Finally, as part of its activities under the heading of Publications, the Office is responsible for the production in English, French and Spanish, of a weekly magazine entitled the *United Nations Weekly Bulletin* which constitutes a progress report of the activities of the organization and of the specialized agencies. The *Bulletin* is on sale to the public and is distributed to United Nations agencies in various parts of the world.

d. Radio Division

The Radio Division has two main responsibilities, the provision of services and facilities for existing broadcasting agencies and correspondents and the direction of the United Nations' own broadcasting services in its five official languages. To carry out these duties, the Division includes sections for (1) liaison services, (2) program planning and (3) program production. Associated with the Division is also a telecommunications service concerned with the provision of facilities for United Nations radio activities and other telecommunication requirements.

The Liaison Section establishes and maintains contact with radio stations, broadcasters and listeners throughout the world; encourages the relay or rebroadcasting of programs originated by the Radio Division; arranges for the use by broadcasting agencies of facilities established at the Interim Headquarters; initiates the production of special program material for use by outside broadcasters; prepares and distributes publicity material and arranges in conjunction with the Press and Publications Office the issuing of press releases.

The Program and Production Sections are responsible for arranging all United Nations programs—newscasts, talks, features and interviews—carried on the United Nations' own radio services, or distributed by transcription.

These programs are transmitted daily (Sundays excepted) to Europe, the Pacific and the United States in English; to Europe and the Pacific in French; to Latin America and the Pacific in Spanish; to the U.S.S.R. in Russian; and to the Pacific and Far East in Chinese. Relay of these broadcasts by national networks is encouraged and is taking place on a steadily increasing scale. In addition, as a service broadcast to all news media, the proceedings of important meetings of the General Assembly, Councils, commissions and committees are transmitted to Europe with a running explanatory narration in English and French.

Special series of broadcasts which have been developed in 1947 include a daily radio review in French and English, two series in Spanish on the organization and the personalities of the United Nations, a series of feature programs designed for worldwide relay, a continuing series of broadcasts on the specialized agencies and, finally, a continuing series of talks by representatives of the principal international non-governmental organizations with consultative status.

Working with the Radio Division on the development of plans for its technical facilities, the Chief Communications Engineer and his staff act as consultants to the Director of the Division on the use of technical facilities now leased from the U.S. State Department, the Canadian Broadcasting Corporation and the World Wide Broadcasting Foundation. These experts also advise the Assistant Secretary-General and others on the best means of implementing the recommendations of the Advisory Committee on Telecommunications, which reported, in November 1946, on the means of establishing worldwide radio communication services and a global feeder network for national broadcasting organizations to keep the United Nations in touch with the peoples of all Member States and with all its overseas information centers.

e. Films and Visual Information Division

The Films and Visual Information Division is organized in two sections, the Films and Television Section and the Visual Information Section. The Films and Television Section is responsible for the production of films and film strips either through its own resources or those of government film organizations or commercial film companies in the Member nations. Working with voluntary National Film Committees, it is responsible for arranging distribution in the Member countries for these films and film strips, and also for arranging for production of films in different regions. Another function of this Section is to arrange for newsreel and television coverage of United Nations activities and for the use of film material about the United Nations in the newsreels of the world.

The Visual Information Section designs posters, charts, photospreads and other graphic materials for distribution to educational systems, public organizations and other organized groups in the Member countries. This Section also designs loan exhibits as another means of disseminating information about the United Nations, its activities and the problems with which it deals. These materials are printed in the official languages with a view to reaching the widest possible audience.

Side by side with production at headquarters of such visual aids to understanding, local interest has been widely developed through an international poster competition. After consultation with all Member nations, voluntary organizations were set up for the current year in 31 countries to invite local artists to prepare for local competitions posters illustrating the aims of the United Nations. Winning entries were sent to headquarters for the selection of the United Nations poster of the year.

The Visual Information Section is also responsible for the taking of official United Nations photographs, for their distribution direct or through United Nations information centers to the press and publications of the world and for arranging coverage of the United Nations by press and magazine photographers.

To co-ordinate the film and visual information work of the United Nations and the specialized agencies a United Nations Film Board was established early in 1947 by administrative arrangement. This Board meets quarterly and serves as a clearing house for exchange of information and establishes production and distribution policies in regard to the film and other visual programs of the member organizations. The Board has established an executive office at Lake Success under the direction of the Director of the Films and Visual Information Division, with an Associate Director in Paris. The

Films and Visual Information staffs of this office and the United Nations Educational, Scientific and Cultural Organization (UNESCO) are available to assist all of the members with their programs. The other member organizations which do not maintain regular film staffs assist through their Information Officers.

f. Headquarters Liaison Services

Personal contacts through organizations, lectures and discussion groups, through educational courses and community activities provide one of the most effective and economical ways of developing public interest. Such contacts assist in the exchange of ideas leading to better understanding. They can be developed on a wide geographical basis and use existing organizational channels.

International co-operation through the United Nations should not be represented to the public as confined to political matters. It is important to present a picture of integrated co-operation in the widest possible fields for "social progress and better standards of life in larger freedom". In this field specialized agencies as well as the United Nations have developed information services and have common interests.

Dividing responsibilities for these activities, Headquarters Liaison Services include sections for (a) Specialized Agencies, (b) Lecture Services and Educational Liaison and (c) Non-Governmental Organizations: in addition there is an Admissions Office concerned with arrangements for public attendance at meetings of the organs of the United Nations.

The Section for Specialized Agencies is concerned on the one hand with maintaining liaison with, and servicing the specialized agencies and on the other hand with co-operating with headquarters and through other channels on a wide geographical basis through the division of External Services. It helps the agencies in disseminating information on their behalf and and servicing other sections and divisions of the Department of Public Information. Obtaining news and information from the agencies, it sees that it is processed and distributed through press, radio and other channels at helps the Department of Public Information in the presentation of a balanced picture of United Nations co-operation as a whole. To advise on such co-ordinated activities there has been set up a Consultative Committee on Public Information of the United Nations and the Specialized Agencies: this committee, which meets once every three months, consists of appropriate officers of the United Nations Department of Public Information and the chief Information Officers of the specialized agencies.

The Section for Lecture Services and Educational Liaison includes three smaller units for (a) the development of services to lecturers, and the organization, on as wide a geographical basis as possible, of a system of non-official correspondent-lecturers; (b) a lecture bureau which accepts selected engagements for public speaking, finding official speakers from delegations and the Secretariat; and (c) educational liaison services, co-operating, in consultation with UNESCO, in developing courses of study on the United Nations, maintaining liaison with educational bodies and arranging for student visits to headquarters. The section as a whole is responsible for annual Speakers Training Courses at headquarters.

The Section for Non-Governmental Organizations and General Liaison is responsible for working with non-governmental organizations, both national and international, to promote understanding of the aims and achievements of the United Nations. At headquarters it arranges for the accreditation and servicing of information observers from such organizations and for the holding from time to time of conferences of representatives in order to improve information services. Special liaison officers concern themselves with servicing organizations on a regional basis—Europe, Eastern Areas, Latin America and North America. The officers responsible for servicing regional areas also divide among themselves responsibilities for maintaining liaison with, and servicing functional groups, e.g. women's organizations, religious and labor groups and industrial and service clubs.

g. External Services

"The development of informed world opinion and intelligent support depends as much on the establishment of a wide and well organized network of information distributing offices at appropriate world centres as on an adequate and efficient public information service at headquarters."[1] It is the responsibility of External Services to develop such centres and provide them with the necessary materials and facilities for their operation.

Ultimately, it is hoped, some kind of information centre will be developed in each Member

[1]Annual Report of the Secretary-General on the Work of the Organization, 1947, p. 64.

country as well as in Non-Self-Governing Territories. As a start, centres have been established in Copenhagen, Geneva, London, Mexico City, New Delhi, Paris, Rio de Janeiro, Shanghai and Washington, and plans are well advanced to open centres in Cairo, Moscow, Prague and Warsaw.

Each of these centres is provided with background information and reference material on the aims and activities and achievements of the organs of the United Nations and the specialized agencies. In advance of the holding of meetings either of the United Nations or of any of the specialized agencies, specially prepared information material is forwarded so that officers may personally explain events as they develop. Regular news communiques are sent to them by cable so that they may be kept up to date and in order that they may issue appropriate local releases to press, radio and other media. The centres are also supplied with appropriate dossiers of still photographs, copies of posters, information on films and radio programs, etc. The centres themselves, insofar as their facilities permit, maintain close contacts with national newspapers and local offices of news agencies, with broadcasting stations, film and still-photo distribution agencies, and with non-governmental organizations and educational institutions. In addition to putting out information about the United Nations and specialized agencies through these media, the centres themselves compile opinion surveys analyzing press, radio and other comment in their areas on matters of interest to the United Nations—these surveys being sent back to headquarters. Finally, where international conferences of interest to the United Nations are held in their vicinity the centres assist in every way in their power in arranging coverage and the transmission back to headquarters of information about developments so that these may be re-transmitted over a world network.

The responsibility at headquarters for servicing and guiding these centres falls to three sections: for Europe, Latin America and the Near, Middle and Far East.

h. Reference and Research Services

Reference and Research Services includes sections for (a) the headquarters reference centre, (b) research and (c) surveys of public opinion.

The Headquarters Reference and Information Centre is responsible for providing background information about the United Nations and its activities and about the specialized agencies and their activities, and for answering both written and oral questions on these subjects. For this purpose the Centre maintains full files of official documents of the United Nations and of the specialized agencies. The Section took over from the former United Nations Information Office in New York its library of information and has further developed it. As of June 1947, the Section contained approximately 5,500 books and pamphlets on the United Nations and on problems of interest to the United Nations. There were approximately 500 periodicals, information bulletins and serial releases issued by official, semi-official and private agencies and groups. There was an analytical card index of approximately 60,000 abstract cards to contents of periodicals and releases, stressing current world problems.

The Research Section prepares and edits information papers on the purposes and principles, structure and procedures, functions and powers, resolutions, reports and activities of the organs of the United Nations and the specialized agencies; on the history and evolution of international organizations; and on international political, economic and social problems. It assists writers and publishers in writing articles and books dealing with the United Nations; it writes articles on the United Nations for encyclopedias, annuals, almanacs, etc. The Research Section has also produced various reference publications—for example, "Basic Facts about the United Nations"; a guide on the United Nations for the use of lecturers and teachers and "The United Nations Yearbook".

The Opinion Survey Section is responsible for the compilation of weekly surveys of opinions based mainly on studies of press and radio comment collected from various areas of the world. These surveys are concerned with public reactions to the activities of the United Nations and specialized agencies and have been issued regularly since June 9, 1946. The Section is also concerned with special surveys dealing with specific items under consideration of the United Nations such as International Trade, International Jurisdiction and the Headquarters Site Proposal.

9. LEGAL DEPARTMENT

a. Functions and Organization

This Department advises the Secretariat and other organs of the United Nations on legal and constitutional questions; assists in the negotiation of agreements and other international

instruments; encourages the progressive development of international law and its codification; registers and publishes treaties and international agreements and maintains liaison with the International Court of Justice.

In accordance with these functions, the Department prepares legal opinions on the interpretation and application of the Charter of the United Nations and advises on legal issues in the negotiation of treaties and other international instruments and assists in their drafting. The Department serves as legal adviser to the United Nations, its General Assembly, Councils, commissions, committees and other organs and assists in the drafting and interpretation of their resolutions; and advises and assists other departments with respect to legal problems involved in their work. It supervises contracts made by the United Nations and its organs and negotiates agreements for purchases, buildings and services; it advises on legal aspects of disputes and claims which arise out of financial and administrative operations of the Secretariat involving the United Nations.

The Legal Department prepares studies and recommendations and promotes conferences and services commissions with respect to the development and codification of international law; assists in the analysis and interpretation of national laws and decrees of interest to the United Nations; interprets legal instruments of an international law character such as international treaties and agreements, more especially if their subject is being studied by organs of the United Nations, assists in the drafting of uniform treaty clauses and in the unification of forms of international agreements. It negotiates and drafts conventions and agreements relating to privileges and immunities of the United Nations and deals with any dispute or question arising out of the application of such conventions; registers, classifies and publishes treaties and international agreements. The Legal Department provides the secretariat of the Sixth Committee (Legal) of the General Assembly and of other committees and commissions in the legal field. The Department maintains liaison with the International Court of Justice with respect to legal functions of the Court.

This Department is organized into the following units:

Office of the Assistant Secretary-General
Division of General Legal Problems
Division for the Development and Codification of International Law
Division of Immunities and Registration of Treaties

The function of liaison with the International Court of Justice is entrusted to the Division of General Legal Problems.

b. Office of Assistant Secretary-General

The Office of the Assistant Secretary-General assists the Assistant Secretary-General in Charge of Legal Affairs in his functions as Chief Legal Adviser to the United Nations and the General Counsel of the United Nations. It plans, directs and supervises the activities of the Department, co-ordinates the policy of the Department and executes the administration of the Department; maintains policy liaison with the Secretary-General, providing him with such information and services as may be required; and maintains policy liaison for the Department with organizations outside the United Nations and co-ordinates and directs legal advice to specialized agencies. It keeps the Assistant Secretary-General and the Department informed about facts and proposals that might be of interest and carries out special assignments by the Assistant Secretary-General.

c. Division of General Legal Problems

The Division of General Legal Problems participates in the negotiations, drafting and interpretation of treaties, conventions and other international agreements, and deals with legal problems arising out of international disputes and with constitutional questions under the United Nations Charter and conventions relating to the United Nations. It advises and assists in the drafting of resolutions of the General Assembly and other organs of the United Nations and renders opinions on the interpretation of such resolutions; assists the Security Council and Trusteeship Council, and their commissions and committees and gives opinions on legal problems involved in their work; assists the Economic and Social Council and its commissions and committees with legal advice; assists and advises conferences called by or under the auspices of the United Nations and assists in the setting up of international bodies; gives legal opinions on problems concerning relations with specialized agencies and non-governmental organizations. The Division advises on legal problems arising out of the administrative and financial operations of the Secretariat and supervises contracts; it advises on legal aspects of disputes and claims involving the United Nations. The Division maintains,

through an appropriate section, liaison with the International Court of Justice with respect to the legal functions of the Court.

The Division renders assistance in the legal work in connection with the establishment of the interim headquarters and of the permanent site of the United Nations and in connection with the organization of the Secretariat and with other administrative projects.

d. Division for the Development and Codification of International Law

This Division makes studies and prepares recommendations for encouraging the progressive development of international law and its codification in the implementation of Article 13 of the Charter; prepares background studies on international agreements, national law, doctrines and practices governing various fields of international relations; surveys the field of customary international law, promotes conferences and discussions to establish unifying principles of international law and to discuss the methods of the codification of such principles and maintains liaison with organizations concerned with codification and development of international law. It compiles and edits material and documents for publication on matters pertaining to the development of international law, assists in the analysis and interpretation of national laws and decrees of interest to the United Nations; edits annotations of the Charter and of other relevant instruments and maintains records of opinions of organs of the United Nations on the interpretation of international instruments.

The Division serves as secretariat for commissions and other bodies set up by the General Assembly for the purpose of encouraging the progressive development of international law and its codification and assists both in the drafting of conventions on subjects which have not yet been regulated by international law and in the survey of the field of customary international law with a view to selecting topics for codification. The Division also compiles digests of state practice as well as collections of decisions of national and international courts dealing with international law questions.

e. Division of Immunities and Registration of Treaties

The Division of Immunities and Registration of Treaties deals with two separate problems, both of which are the subject of special provisions of the United Nations Charter. One concerns the privileges and immunities of the United Nations; the other concerns the registration, filing and recording and publication and international agreements.

As regards the first problem, the Division is entrusted with the task of initiating and working out the appropriate Conventions and Agreements in order to implement Articles 104 and 105 of the Charter of the United Nations concerning the privileges and immunities of the United Nations. It supervises the implementation of such Conventions and Agreements and deals with all matters arising out of their execution, involving the organization itself, the representatives of the Member Governments and the officials of the United Nations, such as immunity of jurisdiction, inviolability, exemption from immigration restrictions, questions of passports and visas, taxation, communication facilities, etc. It has the task of co-ordinating and unifying the privileges and immunities of the specialized agencies, and it maintains liaison with the International Court of Justice insofar as the privileges and immunities of the International Court are concerned.

With regard to the second task, the Division is primarily responsible for the registration, filing, recording and publication of treaties and international agreements. In connection with these functions it has the duty of examining whether the treaty or international agreement should be registered, filed and recorded. It has to see to it that all required conditions have been fulfilled when a party or specialized agency is registering a treaty or international agreement. It has itself to register *ex officio* a certain number of treaties or agreements. There are further functions, such as establishing the the date of registration, the issuance of a certificate of registration and the issuance of certified extracts from the Register.

The Division further checks up translations, prepares the edition and arranges for the publication of treaties and international agreements in the United Nations Treaty Series, publishes a monthly list of the treaties registered or filed and recorded and prepares and publishes a list of clauses of arbitration actually in force between States.

It performs, furthermore, the functions entrusted to the Secretary-General or the Secretariat by multilateral treaties and conventions,

such as the receipt of additional signatures and of instruments of ratification, accession and denunciation, notification of such acts to other parties, noting the date of entry into force, the issuance of certified copies and the circulation of information or documents which the parties have undertaken to communicate to each other. As a result of the transfer to the United Nations of certain functions and activities of the League of Nations, the Division is charged with the above duties also in regard to the functions previously performed by the League of Nations, acting as custodian of the original texts of the various instruments.

With a view to improving and unifying the technical clauses, the Division assists in the drafting of multilateral conventions concluded under the auspices of the United Nations.

Within the limit of the jurisdiction of the Secretariat, the Division will be entrusted with assisting in all necessary work and research concerning the provisions of Article 103 of the Charter, which relates to incompatibilities which might exist between the Charter and other international agreements.

In addition, the Division is in charge of the Legal Department's library and acts on special assignments by the Assistant Secretary-General.

Three Agreements have been concluded concerning the immunities of the United Nations:

(1) the General Convention, which has so far been acceded to by the United Kingdom, the Dominican Republic, Liberia, Iran, Honduras, Panama, France, El Salvador, Guatemala, Greece and the Philippine Republic; some governments have advised the Secretariat that the Convention is to come up for ratification by their legislative bodies in the near future; (2) the Agreement with the United States regarding the headquarters of the United Nations, which after important negotiations, was signed on June 26, 1947; (3) the Agreement or Interim Arrangement on the privileges and immunities of the United Nations concluded with Switzerland, in whose territory the United Nations has its European office. This agreement came into force on July 1, 1946.

It was also found necessary to provide for the insertion in the general conventions dealing with technical subjects, such as the Telecommunications Convention or the Convention of the Universal Postal Union, of adequate texts, which would give the United Nations the status required in connection with the use of its telecommunications or the service of its correspondence. Drafts have accordingly been prepared and attendance has been assured at the conferences dealing with modifications to the abovementioned conventions.

In connection with the co-ordination and unification of the privileges and immunities of the specialized agencies, a conference of representatives of the specialized agencies and representatives of the United Nations was held at Lake Success on March 6 and 7, 1947. At this meeting a draft convention on the privileges and immunities of the specialized agencies was discussed and adopted as a working paper to be used as a basis for a formal agreement to be concluded at a later date. A further meeting of the representatives of the specialized agencies was to be held on July 23, 1947.

By a resolution of February 10, 1946, the General Assembly instructed the Secretary-General to submit to the General Assembly proposals for detailed regulations and other measures designed to give effect to the provisions of Article 102 of the Charter, relating to the registration of treaties and international agreements. Accordingly, the Secretary-General submitted to the General Assembly, during the second part of its first session, draft regulations, and the General Assembly, by a resolution of December 14, 1946, adopted the regulations to give effect to Article 102 of the Charter of the United Nations. On the basis of these regulations, the Division has started the work of registration, filing and recording of treaties and international agreements. To date 60 of them have been registered and 37 filed and recorded. Moreover, a number of treaties and international agreements have been transmitted for registration, which do not fully meet the requirements and therefore could not be registered. In these cases the governments have been asked to transmit the additional information.

The Division has also proceeded to the task of the publication of treaties and international agreements, and the first volume of the United Nations Treaty Series is being prepared.

10. Conference and General Services

a. Functions and Organization

Conference and General Services makes arrangements for meetings of the General Assembly, the councils, commissions, committees and special conferences held under the auspices of the United Nations; provides gen-

eral business management services for the United Nations; and provides the administrative channel for liaison between the headquarters and the Geneva offices and other temporary conference service offices established away from the headquarters.

These functions require that it co-operate with the departments concerned in scheduling conferences and meetings. It co-ordinates the service activities, and provides language, document, library and cartographic and presentation services for conferences and for the Secretariat. It edits and publishes the journals and the official records of conferences and meetings. It provides general services such as purchasing, stores and warehousing, commercial arrangements (printing and sales) for publications, transportation arrangements, hotel accommodation and building management. It also handles mail, cables, telephone and telegraph services, and registry and files.

Conference and General Services is divided into the following units:

Office of the Assistant Secretary-General
Bureau of Technical Services
Bureau of General Services

The nucleus of Conference and General Services arrived in New York during the latter part of February and the first week of March 1946. This original small group was concerned with establishing facilities for the meetings of the Security Council at Hunter College. In three weeks a temporary Secretariat had been recruited, the Council Chamber was built and limited restaurant, bar and recreation facilities were established. By March 25, 1946, the necessary facilities for a meeting of the Council had been provided.

The Assistant Secretary-General and his staff thereupon began the development of a permanent department. The present plan, which varies little from the original draft as prepared in London, provides for two bureaus—the Bureau of Technical Services and the Bureau of General Services. The two bureaus are subdivided into six services and five divisions. The functions of these units are described below.

b. Office of the Assistant Secretary-General

The Assistant Secretary-General, the Director and their staff formulate policy, plan and direct the arrangements for United Nations meetings. They direct the work of the divisions and the services mentioned above.

The Overseas Offices Division is concerned with the administration of the Geneva office in the field of budgeting, housing and staffing. It reviews all correspondence with Geneva and serves in general as the focal point for the relationship between headquarters and that office on administrative matters.

c. Bureau of Technical Services

The Bureau of Technical Services co-ordinates and directs the work of the Divisions and the Services of which it is composed.The Bureau is divided into the folowing units:

Languages Division
Documents and Sales Division
Editorial Division
Library Service
Presentation Service
Simultaneous Interpretation Service

The Languages Division provides the services of translators and interpreters for all meetings of the United Nations; conducts linguistic research, provides instructors to codify terminological practice; and provides instructors to conduct language classes for members of the Secretariat.

The Languages Division consists of the following three sections:

Translating Section
Interpreters Section
Linguistic Research and Training Section

By October 1946 the staff of the Languages Division had been expanded so that it could handle 30 meetings per week.

The Documents and Sales Division is responsible for printing all of the publications of the United Nations. It establishes agencies in all of the Member States for the sale and distribution of publications; it produces and distributes documents for all organs of the United Nations.

The Documents and Sales Division comprises the following sections:

Documents Reference Section
Printing Section
Sales Section
Reproduction Section
Distribution Section

The Editorial Division provides the verbatim records and editing services for all journals and official records of the United Nations.

The Editorial Division is composed of two sections as follows:

Verbatim Reporting Section
Editing Section

The Library Service provides all library and map services to the Secretariat and to the other organs of the United Nations. It acquires by gift, purchase, or exchange, the books, periodicals and maps required. The Library Service has four sections as follows:

Catalogue Section
Reference Material Section
Acquisition Section
Map Reference Section

The library has acquired more than 15,000 volumes since its inception and has arranged for the necessary subscriptions to the periodicals required by the Secretariat.

The Presentation Service provides graphic and cartographic services. In co-operation with the Department of Public Information, it assisted the Headquarters Commission in the production of a three-reel film showing the various plans for the United Nations headquarters site.

The Simultaneous Interpretation Service provides simultaneous interpretation interpreters for all meetings under the auspices of United Nations where such services are required; plans the technical facilities to be used and supervises the installation and operation of the equipment; plans and executes the training program for interpreters and technicians concerned with simultaneous interpretation.

d. Bureau of General Services

The Purchases and Supply Division establishes standards for all equipment, supplies and materials used by the United Nations; procures all material necessary to meet the requirements of the organization; negotiates contracts for services (except printing, books, and periodicals, utilities and rental of premises); controls, stores, and issues United Nations stock; and maintains inventories for all supplies and equipment used by the United Nations. The Purchase and Supply Division has four sections:

Purchase Section
Stores Section
Standards Section
Control Section

The Conference Division serves as the focal point for the planning of all meetings of the United Nations, and of conferences held under United Nations auspices. It co-ordinates the dates and places of meetings; makes plans for the administrative handling of meetings; and allocates conference service officers who take charge of such questions as accommodation and facilities.

The Conference Division is composed of two sections:

Conference Planning Section
Conference Management Section

The Maintenance and Engineering Service assigns space for various functions and units; operates repair shops for furniture and equipment; supervises the cleaning and janitorial services; provides guards and other security measures for the protection of the premises; supervises the installation of sound and recording equipment and telephone services; and controls the operation of concessions on the premises.

The Maintenance and Engineering Service comprises the following units:

Space Control Section
Maintenance Section
Office Accommodations Section
Security Section
Sound and Recording Section

The Maintenance and Engineering Service was primarily responsible for moving the organization from Hunter College to Lake Success, during which operation it had to establish temporary quarters for the Security Council at the Henry Hudson Hotel in Manhattan.

The move to Lake Success involved the provision of space for 2,500 members of the Secretariat, and for all of the furniture and machinery needed. At the same time plans were being made with the City of New York for the construction of the General Assembly quarters at Flushing Meadow. These two projects, involving expenditures of more than $5,000,000, were undertaken simultaneously.

The Secretariat began occupying the Lake Success offices on August 16, 1946, and the bulk of the furniture and equipment was moved during that weekend. The facilities at Flushing Meadow were available by September 14. Office space was provided at Lake Success for all delegations to the General Assembly, and space was provided for the permanent delegations in downtown Manhattan. Cafeteria and dining room services were provided both at Lake Success and at Flushing Meadow.

The Transportation Service provides all types of transportation required by the United Nations; arranges hotel accommodations; pro-

vides for the handling of personal luggage and household effects for travelers; and maintains a fleet of cars and trucks for local transportation.

The Transportation Service is divided into the following units:

Passenger Service Section
Local Transport Section
Freight Section

In preparation for the General Assembly, transportation from overseas was arranged for about one thousand people. This, in addition to the bookings previously made, brought the total to be handled to more than two thousand. Hotel accommodation was arranged for approximately the same number of people. A pool of 300 cars was secured from the United States Army and Navy, and was operated in addition to the United Nations' own pool of 33 cars.

In order to assist commuting members of the Secretariat, the Transportation Service arranged for the provision of extra train services from Great Neck to New York, and also for the provision of special bus services to and from Jamaica.

The Communications and Records Service supervises incoming and outgoing mail as well as cable and wireless services of the United Nations, and maintains the Archives and Central Registry.

The Communications and Records Service comprises four sections:

Central Registry Section
Cable and Wireless Section
Mail and Messenger Section
Archives Section

Telephone, cable, wireless and mail services at five different locations had to be operated on a 24-hour basis for the duration of the second part of the first session of the General Assembly.

11. Administrative and Financial Services

a. Functions and Organization

Administrative and Financial Services plans and executes the budgetary, personnel and fiscal program of the United Nations; keeps the Secretary-General informed on problems and developments in these fields which require his attention; provides staff assistance to the Secretary-General and to the Assistant Secretaries-General in administrative and organization planning; provides data required by the General Assembly, Councils and committees with respect to administrative, financial and budgetary questions; maintains relationships with all departments in the Secretariat, the Registrar of the International Court of Justice, and the specialized agencies on administrative, financial and budgetary questions; advises the Secretary-General on proposed programs of the organization prior to their adoption with respect to their personnel, budgetary and financial implications; and arranges with Members for payment of their contributions.

The Department of Administrative and Financial Services is organized into the following units:

Office of the Assistant Secretary-General
Bureau of Administrative Management and Budget
Bureau of Personnel
Bureau of the Comptroller

b. Office of the Assistant Secretary-General

The Office of the Assistant Secretary-General advises the Secretary-General and the other Assistant Secretaries-General on budgetary, financial, organization, procedural and personnel matters. It plans and directs the work of the administrative and financial services, and works with and assists the Fifth Committee (Administrative and Budgetary) and the Committee on Contributions of the General Assembly.

c. Bureau of Administrative Management and Budget

The Bureau of Administrative Management and Budget advises and assists the Assistant Secretary-General in the formulation, presentation and administration of the budget; develops organizational and staffing patterns for each department of the Secretariat; develops and plans procedures for dealing with management problems which are inter-departmental in character; and establishes and administers classification and salary plans.

(1) Budget Administration Division

The functions of this Division are:

(a) preparation of the annual budget proposals;

(b) control to secure that suggested arrangements are covered by approved programs and are within the yearly budget;

(c) preparation of the financial summaries in co-operation with the Bureau of the Comptroller;

(d) handling questions with budgetary implications concerning the organization as a whole and its relation to specialized agencies;
(e) fiscal control records and the allotment system;
(f) development and adjustment of salary and allowance schemes; and
(g) preparation of rules, regulations, Secretary-General's Bulletins and Information Circulars and their examination for conformity to policy and to one another and for proper clearance of such documents.

(2) Organization and Estimates Division
The functions of this Division are:

(a) to make detailed investigations and prepare reports on allotment requests and requests for changes in allotments;
(b) to study the functions, the size of staff and non-personnel costs of any new program;
(c) to study and make recommendations on the class and number of posts required by each department;
(d) to co-operate with the Management Engineering Division in the conduct of specfic surveys; and
(e) to study the organization and programs of specialized agencies in order to advise on the co-ordination of United Nations programs with those of other agencies.

(3) Management Engineering Division
This Division:

(a) reviews existing forms, office methods, clerical procedures and standards of performance in office operations to assist supervisors in obtaining maximum utilization of staff and equipment;

(b) co-operates with the standards section of the Purchase and Supply Division in the development of standard practices for office supplies and equipment so that these standards will be in keeping with standard procedures;
(c) periodically reviews all operations of the Secretariat to ensure that the objectives of each activity are attained in the most efficient and economical manner. Reviews organizational structure, policies and practices followed, the assignment of personnel, the maintenance of administrative reports and controls. Based on these studies, the Division makes recommendation for improvements; and
(d) conducts special investigations of particular segments of the organization.

d. Bureau of the Comptroller

The Bureau of the Comptroller prepares financial instructions and directives; examines for compliance with the financial regulations all proposed contracts and other commitments and all proposals for payments; examines the financial aspects of agreements, and maintains financial liaison with specialized agencies; exercises financial control and inspection over United Nations offices away from Headquarters; carries out internal post-audit of United Nations accounts; maintains all financial records and accounts, including individual staff members' accounts in the Provident Fund and Staff Retirements Fund; collects contributions; receives and disburses monies for the United Nations, prepares financial statements, reports, and all other information required by the external auditors.

(1) Office of the Comptroller

This Office exercises supervision over the financial matters, other than budgeting, of the various departments and organs of the United Nations, and over all accounting and Treasury operations. The officials maintain financial relations with Member States and with the specialized agencies.

(2) Expenditure Control Division
The functions of this Division are:
(a) to examine and review all financial proposals, projects, contracts and obligations prior to commitment to ensure conformity with existing financial policy and direction, and to ensure availability of funds;
(b) to examine and certify for payment all obligations of the United Nations, including claims for allowances by Secretariat and delegation members of commissions;

(c) post-examination of all expenditures in offices away from headquarters;

(d) to analyze expenditures in order to furnish accurate statistical information for use of operating departments;

(e) to bill individuals and organizations for amounts due from them to the United Nations for various supplies and services.

(3) Staff Accounts Division
The functions of this Division are:
(a) to process all payments to individual staff members of the United Nations in respect of salaries, wages, and related allowances;

(b) to maintain the payroll and related accounts for individual staff members;
(c) to maintain the accounts of the staff pension fund;
(d) to prepare, in the Machine Records Section, various payroll and financial statistical reports.

(4) Treasury Division

The functions of this Division are:
(a) to collect advances to the working capital fund and contributions to the annual budget from Member States; to maintain appropriate financial records;
(b) to collect monies due to the United Nations from various sources;
(c) to make disbursements on receipt of certified vouchers;
(d) to open and maintain bank accounts in accordance with financial regulations;
(e) to deal with administrative matters relating to the investment of receipts into the Provident Fund and United Nations funds not required for immediate needs;
(f) to take such administrative action as may be necessary to give effect to approved policy relating to all insurance matters.

(5) General Accounts Division

The functions of this Division are as follows:
(a) to maintain the general ledger, journal, and subsidiary records;
(b) to maintain the budget accounts, including certification of availability of funds to meet proposed obligations;
(c) to supervise the financial and accounting procedures of offices away from headquarters;
(d) to reconcile all bank accounts;
(e) to prepare periodical financial statements;
(f) to maintain liaison with specialized agencies on financial and accounting matters;
(g) to maintain records of acquisition and disposal of stores, equipment and other capital assets.

This Division is responsible for all matters of administration in connection with the tax refund provision. It furnishes information and assistance on tax matters to all staff members as required.

(6) Audit Division

The functions of this Division are:
(a) to determine the fidelity and legality of fiscal transactions;
(b) to prepare detailed reports on the financial activities of the organization:
i) methods and procedures concerned with disbursement of funds;
ii) inspection of Treasury and General Accounts Division and review of financial reports and statements;
(c) to perform audits of the financial accounts and practices of offices away from headquarters.

e. Bureau of Personnel

The Bureau of Personnel plans, develops and recommends to the Assistant Secretary-General for Administrative and Financial Services policies and procedures with respect to all personnel questions. These cover such major matters as selection of applicants and appointments to the Secretariat, development of sources of recruitment, interviewing, and maintenance of registers of qualified applicants; liaison with other international organizations and national civil service agencies on personnel matters, evaluation of staff members for promotion and transfer in accordance with established policies; development of examination techniques for use in international recruiting; processing of all personnel actions, including those affecting pay status and claims for approved allowances; provision of information and assistance to staff members with respect to housing; the administration of an emergency health service and a health insurance plan; the development and execution of specialized training programs; and the arrangement of suitable recreational, cultural and social activities.

(1) Office of the Director

This Office directs and co-ordinates the work of all sections and services of the Bureau. It develops and maintains a Manual of Personnel Procedures for the guidance of operating officers and staff members and reviews all instructions relating to personnel matters. It is responsible for maintaining relations with specialized agencies and for keeping them informed on current United Nations personnel policy.

(2) Appointments and Staff Relations Division

This Division deals with the selection of appointments to the Secretariat, and with all questions affecting the relations of staff members to the organization. It deals with the organization of recruitment in different part of the world through the operation of field recruitment offices or through representatives and handles relations with Member Governments with regard to recruitment.

C. UNITED NATIONS STAFF

The staff members of the United Nations Secretariat are international civil servants and as such may not seek or receive instructions from any government or other authority external to the United Nations. Each Member nation undertakes to respect the international character of the responsibilities of the Secretary-General and his staff and, therefore, to refrain from influencing them in the discharge of these responsibilities.

The staff members of the secretariats of the inter-governmental specialized agencies—such as the Food and Agriculture Organization of the United Nations, the United Nations Educational, Scientific and Cultural Organization and the International Monetary Fund—are also international civil servants. From the beginning it has been recognized that it is necessary that, so far as possible, the United Nations Secretariat and the specialized agencies brought into relationship with the United Nations should develop common personnel standards and terms and conditions of employment.

The General Assembly on February 13, 1946, adopted the following resolution:

> An International Civil Service Commission shall be established by the Secretary-General after consultation with the heads of the specialized agencies brought into relationship with the United Nations, to advise on the methods of recruitment for the Secretariat and on the means by which common standards of recruitment in the Secretariat and the specialized agencies may be ensured.

The representatives of the Secretariat and of the specialized agencies met several times to discuss, among other topics, the possibility of establishing an International Civil Service Commission. At the invitation of the Secretary-General, a Working Party on the formation of an International Civil Service Commission was convened for April 21-22, 1947. Made up of representatives of the various international organizations, as well as outside experts, this Working Party considered the character, functions and terms of reference of an advisory body which would contribute to the improvement of recruitment and related phases of personnel administration in all of the international organizations. The Working Party submitted a report to the Secretary-General recommending the early establishment of an International Personnel Advisory Board.

1. Recruitment and Selection

The General Assembly in a resolution of February 13, 1946, stated that appropriate methods of recruitment should be established in order that a staff might be assembled which was characterized by the highest standards of efficiency, competence and integrity, due regard being also paid to its recruitment on as wide a geographical basis as possible.

From the outset the recruitment policy of the Secretariat was guided by these two basic principles. They can of course be fully realized only on a long-term basis, since careful competitive recruitment in many specialized fields, as well as in the general administrative fields, and on a wide geographical basis, needs long-term planning and the development of recruitment machinery. The over-riding necessity in the early days of the Secretariat was to provide staff adequate to begin operating without delay, enabling the Secretariat to service the Councils and commissions. Despite the urgency of the initial recruitment, however, every effort was made, with the co-operation of the Member nations, to recruit on a wide geographical basis. Since it was impossible, within the time allowed for assembling the initial staff, to live up fully to the resolution of the General Assembly, the majority of the early staff was employed on temporary contract or was loaned to the United Nations for short periods by the Member Governments.

a. Field Recruitment

Organized recruitment on a world-wide basis was begun by enlisting the help of Member Governments in making known the staff requirements of the United Nations. Also, in the summer of 1946 a field recruitment program was begun, which has been continually broadened in scope and will be further expanded until all Member nations are covered. Recruiting offices have been established in a number of Member States. In each instance recruiting operations headed by a national of the country in which the office is located, are undertaken for a period of at least three months. This operation is designed to meet the initial demands as recruiting activities are announced in each of the areas. Upon completion of the major recruitment program, the recruitment office is discontinued but a recruiting officer continues as a United Nations Recruiting Rep-

resentative and is available to interview and test candidates whenever necessary, as well as to provide a limited measure of direct recruiting. Voluntary committees, composed of both governmental and non-governmental representatives, serve each Recruiting Officer or Representative in an advisory capacity.

b. Recruitment Responsibilities of Headquarters Bureau of Personnel

The Headquarters Bureau of Personnel is responsible for the over-all direction and coordination of the recruitment program. It collaborates with the officials of the various departments in determining the qualifications required for incumbents of the various posts and recruits suitable candidates. It evaluates the qualifications of the candidates and assists the departments in the selection of personnel.

c. Lower Grade Personnel

In view of the difficulties of housing and transportation and the uncertainty of the cost of living in the New York area, staff in the lower paid grades have been recruited largely from the local area.

d. Selection of Staff

The Bureau of Personnel has had as one of its major objectives the steady improvement of its examining methods. Written tests have been established for the competitive examination of candidates for typing and stenographic, linguistic and certain other posts. In other instances interviewing boards, composed of highly qualified individuals, are assisting in the evaluation of candidates.

2. Appointments and Promotions

In May 1946 the Secretary-General appointed a Personnel Selection Committee, consisting of top-ranking officials on his staff, to consider and review the qualifications of persons recommended for indeterminate (permanent) appointment in the Secretariat. During the latter half of 1946 and in 1947, the Secretariat has made steady progress towards creating a permanent staff. With due regard to geographic distribution, unusually well-qualified temporary staff members are considered for indeterminate appointment. By June 30, 1947, approximately 39% of the staff at Grade 5 and above had been recommended for indeterminate appointment.

As the permanent staff develops, a sound system of promotion of staff becomes increasingly important. In accordance with the principles set forth by the General Assembly, the Secretariat has adopted a promotion policy with the objects of:

(1) ensuring that United Nation posts are filled by the best qualified persons available; and

(2) ensuring equal opportunity for promotion of staff members throughout all departments of the organization.

A board of senior representatives of the Secretariat reviews candidates for promotion to all posts. Vacancies below those of Director are posted and staff members are given opportunity to apply.

3. Training and Staff Activities

The training program is designed to enable staff members to perform their duties efficiently and devotedly. It is not only the qualifications in knowledge and skill which determine the efficiency of the staff. There is also the question of developing their interest in the work, their understanding of its meaning and context and their adaptation to the physical and psychological conditions of work and of living.

A number of special circumstances are involved:

(a) language difficulties;

(b) displacement from homes and familiar surroundings;

(c) the novelty, complexity and importance of United Nations work.

With all these factors in mind, a wider interpretation than usual must be given to the word "training".

During the latter part of 1946 and in the beginning of 1947 progress was made in the development of the training program. A Guide-Book for staff members of the Secretariat was issued, language courses for 900 students were arranged and a variety of cultural sports or other leisure-time activities were initiated.

Planned projects fall into three main categories:

(a) Staff Guidance. A program is being developed to introduce new staff members to their work and to assist them with their orientation and training needs.

(b) Staff Training. The main fields of training are:

(i) languages;
(ii) clerical and technical;
(iii) supervisory;
(iv) on the post;

(v) junior professional training by appointment of young men and women internes to posts in which they will receive training.

(c) Staff Welfare. Opportunities for leisure-time activities to facilitate adjustment to new environments and to maintain physical fitness are necessary with staff recruited from all over the world, many of them separated from their families. Activities include:

(i) educational and social activities (debating and study circles, excursions, staff-library, film showings, etc.)

(ii) personal counselling on outside welfare (transmittal of hospitality, vocation planning, helping wives and families, educational counselling);

(iii) physical and recreational activities (keep-fit classes, making available sports and recreational facilities near the headquarters area);

(iv) formation of a Staff Recreation Association and close co-operation with its clubs and sections.

4. Rights and Obligations

The Provisional Staff Regulations[1] embodying the fundamental rights and obligations of the staff, as adopted by the General Asembly, provide, among other things, the following measures:

(a) By accepting appointment with the United Nations, the members of the staff, because of their international responsibilities, pledge themselves to discharge their functions and to regulate their conduct with the interests of the United Nations only in view. In the performance of their duties they shall not seek nor receive instructions from any government or from any other authority external to the United Nations. All members of the staff are subject to the authority of the Secretary-General, and are responsible to him in the exercise of their functions.

(b) Upon accepting their appointment, all members of the staff shall subscribe to the following oath or declaration:

I solemnly swear (undertake, affirm, promise) to exercise in all loyalty, discretion and conscience the functions entrusted to me as a member of the international service of the United Nations, to discharge those functions and regulate my conduct with the interests of the United Nations only in view, and not to seek or accept instructions in regard to the performance of my duties from any government or other authority external to the Organization.

(c) The privileges and immunities attached to the United Nations by virtue of Article 105 of the Charter furnish no excuse to the staff members who enjoy them for non-performance of their private obligations or failure to observe laws and police regulations.

(d) Members of the staff are not permitted to communicate to any person any unpublished information known to them by reason of their official position except in the course of their duties or by authorization of the Secretary-General.

(e) Members of the staff shall avoid any action, and in particular any kind of public pronouncement or activity which may adversely reflect on their position as international civil servants.

(f) No member of the staff shall accept, hold, or engage in any office or occupation which in the opinion of the Secretary-General is incompatible with the proper discharge of his duties with the United Nations.

(g) Any member of the staff who becomes a candidate for a public office of a political character shall resign from the Secretariat.

(h) No member of the staff shall accept any honor, decoration, favor, gift or fee from any government or from any other source external to the organization during the period of his appointment, except for war services.

The General Assembly during the first part of its first session transmitted the draft Provisional Staff Rules, drawn up by the Preparatory Commission, to the Secretary-General for his consideration. Provisional Staff Rules were issued by the Secretary-General. The text as amended follows:

SECTION I. APPOINTMENT

Rule 1. Application

A record shall be kept of the current applications for employment in the Secretariat which appear to merit consideration. Definite time periods shall be established for each main category of posts, after which applications shall be considered to be invalid. The valid applications of persons who appear to possess suitable qualifications shall be examined whenever it is proposed to make a new permanent appointment.

[1]For full text of the Provisional Staff Regulations, see pp. 86-88.

Rule 2. Letter of Appointment

Upon appointment every member of the staff shall receive a letter of appointment signed by, or on behalf of, the Secretary-General. This letter shall cover the following conditions: the classification category, if any; the initial salary rate and other basis of remuneration; the tenure of appointment; the period of probation, if any; and any special conditions which may be applicable to the appointment. The letter shall state that the appointment is subject to the Staff Regulations and Staff Rules of the United Nations, a copy of which shall be attached, and to all supplements and amendments which may be made thereto. The appointee in accepting appointment shall sign and return to the Secretary-General a letter of acceptance which states that he agrees to the conditions set forth in the letter of appointment and subscribes to the oath of office in Regulation 2 of the Staff Regulations. The letter of appointment and the letter of acceptance shall constitute the contract of employment.

Rule 3. Assignment to Duties

Members of the staff shall be assigned their duties by the Secretary-General or by his authorized representatives. Subject to the terms of his appointment a staff member may be required to work in any department or activity of the Secretariat, but in making assignments the qualifications of each individual shall receive consideration.

Rule 4. Medical Examination

Staff members, prior to their appointment, shall be required as a rule to undergo an examination by a qualified member of the medical profession. No appointment shall be confirmed until the medical staff of the Organization has issued a certificate that the employee is free from any defect or disease that would interfere with the proper discharge of his duties.

SECTION II. PROBATION

Rule 5. Probationary Period

A probationary period of twelve months will be required for all staff members receiving indeterminate appointments. Staff members serving with the Preparatory Commission or with the United Nations during the period of the General Assembly in London or later prior to the conclusion of an indeterminate appointment will be granted full credit for such service in computing the time required for completion of the probationary period, provided that at least three months will be required after the effective date of an indeterminate appointment.

Rule 6. Reports

At least one month before the end of a probationary period, the superior officer of the appointee shall submit a report evaluating his performance and official conduct and making a specific recommendation as to whether the appointment should be confirmed.

SECTION III. HOURS OF WORK

Rule 7. Work Week

The normal work week for the staff of the Secretariat shall be forty hours exclusive of meal times.

Rule 8. Sundays and Holidays

Except in cases of necessity, attendance at the office of the Organization shall not be required on Sunday or on such public holidays as the Secretary-General may decide.

SECTION IV. ANNUAL, SPECIAL AND HOME LEAVE

Rule 9. Accrual of Annual Leave

(a) Annual leave accrues to all staff members (including those in the hourly rate category, but excluding those paid only "when actually employed") at the cumulative rate of two and one-half working days for each calendar month or fraction thereof during which the staff member has been in pay status with the United Nations, including the Preparatory Commission and the Executive Committee in London.

(b) Unused annual leave may be accumulated to the credit of a staff member up to a maximum of one hundred working days.

(c) Annual leave does not accrue to an individual while he is on loan to the United Nations and who continues to receive from his regular employer his leave or compensation therefor, or on leave without pay from United Nations or during suspension from duty for a period regarded as sufficiently long to warrant adjustment of individual leave credits.

Rule 10. Granting and Taking of Annual Leave

(a) As a general practice, members of the staff should take at least half of their annual leave in the course of the year in respect of which the leave is due.

(b) Ordinarily annual leave will be taken only after it has accrued. It may be granted in limited amounts in advance of having accrued to staff members who need it and who are likely to remain with the United Nations for a future period beyond that necessary to accrue the leave advanced. The maximum amount of annual leave which may be advanced is ten working days.

(c) Annual leave covers periods of absence with pay (other than sick leave, etc.) on days when the staff member would otherwise be scheduled to work. Annual leave may be taken by staff members on annual salary in units of days and half days. Annual leave taken by staff members in the hourly rate category will be taken in hourly units.

Rule 11. Termination Payments for Unused Annual Leave or Excess Leave Taken

(a) On leaving the service of the United Nations, a member of the staff who has not exhausted the annual leave to which he is entitled shall be paid an equivalent sum of money in lieu thereof.

(b) On leaving the service, a member who has taken advance annual leave beyond that subsequently accrued shall make restitution for such leave, either by accepting a deduction from any amount owed him by the United Nations or by cash refund. Under exceptional circumstances, "special leave" under Rule 12 may be authorized in lieu of restitution.

Rule 12. Granting of Special Leave

Special leave with pay may be granted for advanced study or research in the interest of the United Nations, or for other exceptional r urgent reasons. Such leave is subject to prior approval by the Bureau of Personnel upon recommendation of the appropriate Assistant Secretary-General.

Rule 13. Home Leave

A. *Definition of "Home"*

For Purposes of Home Leave

1. A staff member's "home" will be considered to be his normal place of residence before taking up duty with the United Nations, or before leaving his normal residence in consequence of emergency conditions growing out of war or political upheaval. Ordinarily a staff member's normal place of residence will be considered to be in the country of his nationality.

2. This location will be decided at the time of appointment except that for those staff members who were appointed before this rule came into force, it will be decided prior to their first home leave.

3. Where the staff member presents convincing evidence that the location of his home has changed after joining the United Nations, the United Nations will pay that part of the cost of transportation and grant that part of the travel time that does not exceed the cost and time of travel to and from the place first recognized as his home. Altered circumstances which are of a temporary character only will not be considered a change of "home".

4. A staff member, who has initially established that his home is in the country of his nationality and subsequently becomes a citizen of the country in which his duty station is located, will no longer be granted home leave to the country of his former nationality.

5. The place recognized as a staff member's home will be determined by the Bureau of Personnel after consultation with the staff member and the Department concerned.

B. *Definition of "Home Leave"*

1. Home leave for a staff member on full-time duty outside his home country shall consist of two working weeks every two years, at full pay, plus actual travelling time by an approved route and type of transport to and from the place recognized as the staff member's home.

2. Home leave for a staff member whose regular duty station is in the country in which he has his home shall consist of actual travelling time only at full pay by an approved route and type of transport to and from the place recognized as a staff member's home. Such leave will be granted every two years.

3. During the calendar years 1947 and 1948, in order to assure a more even distribution of home leave among a staff necessarily recruited en masse, a limited number of staff members who apply will be given special home leave ahead of the regular schedule on special terms set forth in (D) below. In each such case, the staff member in question will not again be eligible for home leave until an additional two years have elapsed from the date of departure for the special home leave.

4. Accrued annual leave may be added to home leave or special home leave to the extent which the exigencies of the service and equity among staff members permit.

5. Every effort will be made to grant home leave at the time a staff member becomes eligible (i.e., after twenty-four months' service). However, staff members who, due to the exigencies of the service, cannot take home leave at the expiration of twenty-four months' service may apply service in excess of twenty-four months toward a next home leave.

6. The scheduling of home leave and special home leave, in accordance with these regulations and with due regard to the exigencies of the service, is the responsibility of the official of the Department concerned.

C. *"Service" for the Purpose of the Two-Year Service Requirement*

1. Full-time service as a staff member of the United Nations Secretariat, including full-time service with the Executive Committee and the Preparatory Commission, shall be counted toward home leave, regardless of the type of appointment held. Transfer of duty station to the home country will cancel any right to the two working weeks of home leave. Assignment to temporary duty in the home country other than transfer of duty station will not affect accrual of home leave under B (1) above.

2. A staff member who enters on duty in his home country and subsequently transfers to duty elsewhere shall accrue service toward home leave effective from the date of departure from his home country.

3. Breaks in service (such as termination and re-engagement, suspension from duty or leave without pay) of not more than thirty calendar days will not affect continuity of service.

4. When a break in service exceeds thirty calendar days, the effective date for computing service for home leave shall be the date of latest return to duty or departure from home country.

5. However, in cases of special leave without pay in excess of thirty days (such as that granted to furnish temporary assistance to a specialized agency) the Bureau of Personnel, after consultation with the Department concerned, may determine the appropriate service credit toward home leave.

D. *Special Home Leave*

1. During the calendar years 1947 and 1948, consideration will be given to applications for special home leave under the terms of B (1) above after twelve months but before twenty-four months have been served where exceptional hardship to the staff member or benefit to the organization is involved, provided that the staff member holds an appointment which extends beyond the date on which 24 months of service would be accrued or where the appropriate Assistant Secretary-General certifies that the staff member's services are expected to be retained beyond that date. Approval of the Assistant Secretary-General and the Bureau of Personnel is required.

2. During the calendar years 1947 and 1948, in the case of a staff member whose situation does not fall within paragraph (1), consideration will be given, when a minimum of 12 months' completed service toward special home leave has been completed by the date of departure, to payment of one half the round trip fare, the grant of one half of the round trip travel time, and for staff members eligible for time beyond travel time, the grant of one working week's home leave. Approval of the Assistant Secretary-General and the Bureau of Personnel is required. The staff member is not entitled at a later date to claim reimbursement on the basis of service subsequently accrued, for the remaining half of the travel expenses or travel time or to claim credit for the five-day balance of the home leave.

E. *General Provisions*

1. At least half of the total combined home and annual leave taken under B (1) above must be spent in the staff member's home country.

2. Two or more periods of home leave may not be combined.

3. If a staff member has not taken accrued home leave, he will not receive payment for or be credited with additional annual leave in lieu of home leave.

4. Travel expenses and allowances during travel under B (1) and B (2) above will be paid. Regulations covering maximum travel accommodations allowable, home leave travel expenses and allowances of staff members and their wives and dependent children are set forth in SGB/7 and Addenda.

5. Payment of home leave transportation expenses of wives and/or dependent children will be made only when the staff member is eligible under SGB/7 for the initial transportation of such dependents to his duty station.

6. Staff members whose wives and/or dependent children reside in a location other than that of the staff member's duty station, may claim travel expenses and travel allowances only to the amount payable if the eligible dependents resided with him at the location of his duty station and then only if the cost is actually incurred.

7. Delays in return from home leave, such as delays caused by illness or inability to obtain accommodations, will be charged as sick leave, annual leave, or leave without pay as appropriate.

8. (a) Home leave may be taken in conjunction with official travel to the staff member's home country or official travel to a nearby country provided that the travel time and cost do not exceed the time and cost involved in returning the staff member to his regular duty station and then transporting him home. In these instances, the two-year service requirement may be relaxed at the discretion of the Bureau of Personnel after consultation with the Assistant Secretary-General of the Department concerned or his authorized representative to permit the grant of the two working weeks' home leave even though the entire 24 months' service toward eligibility has not been accrued.

(b) In cases where a home leave taken in conjunction with official travel is advanced, the waiting period before the next home leave must be increased to the extent that this home leave was advanced.

Rule 13 (A) Conditions of Leave

(a) Annual, special, and home leave shall be subject to the exigencies of the service, due consideration being given to the personal circumstances and preferences of the member of the staff.

(b) Such leave should always have appropriate supervisory approval before it is taken. Approval of any substantial period of leave should be obtained at least two weeks before the starting date.

SECTION V. SICK LEAVE AND MATERNITY LEAVE

Rule 13 (B) Definition of Sick Leave

Sick leave is leave of absence with full pay which a staff member may take when incapacitated from the performance of his duties by illness or injury.

Rule 14. Accrual and Advancing of Sick Leave

(a) Members of the staff are entitled to accumulate sick leave at the rate of one and one-half working days per calendar month on full pay. The maximum amount of sick leave which may be accumulated is ninety working days.

(b) A staff member may, if necessary, be advanced sick leave, the amount of which will not ordinarily exceed thirty working days. In special cases of extended illness, additional sick leave may be advanced by the Bureau of Personnel.

(c) In the case of staff members on an annual salary, sick leave may be taken in units of days and half days. Sick leave taken by staff members in the hourly rate category will be taken to the nearest hour.

Rule 15. Additional Sick Leave on Half Pay

After exhausting accumulated sick and annual leave, permanent staff members with more

than three years' service may be granted additional sick leave on half pay up to a maximum of six calendar months.

Rule 16. Medical Certificate

A member of the staff, who is entitled to sick leave and who is absent on account of illness or accident for more than three consecutive working days, shall file a certificate from a duly qualified medical practitioner indicating the nature and probable duration of the illness and stating that the staff member is unable to perform his duties. In cases of continued illness, a further certificate shall be filed at the end of each ten working days.

Rule 17. Limit of Non-Certificated Leave

After a staff member has taken periods of non-certificated sick leave totalling more than twelve working days within twelve consecutive calendar months, any additional sick leave of whatever duration shall either be supported by a medical certificate or deducted from annual leave.

Rule 18. Provisions Relating to Termination

(a) In the event of protracted sickness, the appointment of a staff member may be terminated on grounds of ill health.

(b) Upon termination of service, a staff member is required to make restitution by deduction from any amounts owed him by United Nations or by cash refund for any sick leave taken beyond that accrued, except insofar as advanced leave may have been granted under Rule 15.

(c) Upon termination of the appointment of a staff member, he has no further claims to sick leave.

Rule 19. Maternity Leave

(a) Staff members with temporary appointments who have served two years or who will have served two years at the time of confinement, and staff members with indeterminate (permanent) appointments which have been confirmed after the probationary period has been served, will be given six weeks of prenatal and six weeks of post-natal maternity leave on full pay in addition to any accrued annual or sick leave that the staff member requires.

(b) Staff members with temporary appointments or unconfirmed indeterminate appointments, who have served less than two years at the time of confinement, will be given their accrued annual and sick leave. Requests for leave without pay where accrued leave is insufficient to cover the absence may be made under Rule 20 subject to (e) below.

(c) Requests for maternity leave and for return to duty afterward must be supported by medical certificates. Return to duty must be approved by the United Nations resident physician.

(d) A post-natal absence from duty for a minimum of six weeks is obligatory. Staff members who anticipate being confined within six weeks must produce a medical certificate stating that they are fit for duty.

(e) Requests for maternity leave, leave without pay or advance of sick or annual leave in maternity cases must be submitted via the Department Executive Officer for approval of the Bureau of Personnel.

(f) The facilities of the Health Clinic are available for expectant mothers or mothers who have returned to duty after confinement.

(g) Every possible facility for change of work for an expectant mother will be given if the work performed is prejudicial to her health.

SECTION V (A). LEAVE WITHOUT PAY

Rule 20. Leave Without Pay

Leave without pay may be granted to a staff member to the extent of thirty consecutive calendar days by the appropriate executive officer, and additional amounts, upon prior approval by the Bureau of Personnel.

SECTION VI. RESIGNATION AND TERMINATION OF APPOINTMENT

Rule 21. Notice of Resignation

Any member of the staff having an indeterminate appointment may resign his post on giving three months' notice in writing. The Secretary-General may, at his discretion, accept resignations on shorter notice.

Any member of the staff having a temporary or short-term appointment may resign his post on giving thirty days' notice in writing. Shorter notice may be accepted if mutually agreed upon.

Rule 22. Service Certificate

Any member of the staff who so requests, shall, on leaving the service of the United Nations, be given a certificate relating to the nature of his duties and the length of his service. On the written request of the staff member concerned, the certificate shall also refer to the quality of his work and his official conduct.

Rule 23. Tenure of Appointment

Subject to the provisions of the Staff Regulations and his contract, the tenure of appointment of every staff member shall be conditional upon good conduct and the efficient performance of his duties.

SECTION VII. DISCIPLINARY MEASURES

Rule 24. Types of Disciplinary Measures

Disciplinary measures may be imposed upon any staff member in the event of misconduct or unsatisfactory work. In order of severity, disciplinary measures shall include oral warning, written censure, transfer to an inferior post, reduction of salary, suspension with or without pay, discharge or summary dismissal. If a charge of serious misconduct is made against a member of the staff and the Secretary-General considers that the charge is prima facie well founded and that the staff member's continu-

ance in office pending an investigation of the charge would prejudice the service, the staff member may be suspended from his functions pending investigation, the suspension being without prejudice to the rights of the staff member.

Rule 25. Discharge

Only the Secretary-General or his authorized deputy may order the discharge of a member of the staff, who shall be given a prior opportunity to state his case in writing.

SECTION VIII. TRAVELING EXPENSES AND ALLOWANCES

Rule 26. Eligibility for Travelling Expenses and Allowances

A member of the staff shall receive travel expenses and allowances in respect to himself, his wife and dependent children in accordance with the provisional travel and subsistence rules. He will also be reimbursed for the cost of moving household goods and other personal effects in accordance with the provisional rules for the reimbursement of removal expenses. On leaving the service of the Secretariat a member of the staff will be entitled to travel and removal expenses in respect to himself, his wife and dependent children under the provisional travel and subsistence rules and the provisional rules for the reimbursement of removal expenses.

SECTION IX. PROVIDENT FUND

Rule 27. Contributions and Benefits[1]

As from the date of his appointment, every staff member shall contribute to the Staff Provident Fund and shall receive benefits in accordance with the provisional Staff Provident Fund Rules provided that this rule shall not apply to (1) compensation of staff members employed on the basis of gross contracts, or (2) additional compensation paid to staff members because they perform overtime work or because they work at night.

SECTION X. GENERAL

Rule 28. Payments to Beneficiaries of Deceased Staff Members

In the event of the death of a staff member, all amounts standing to his credit will be paid to his nominated beneficiary, subject to set-off of any amount or amounts owing by the deceased to the United Nations.

Rule 29. Effective Date

These rules shall be effective as of 16 February 1946.

5. CLASSIFICATION, SALARIES AND WAGES

By resolution of the General Assembly, the Secretary-General receives a salary of $20,000, together with representation allowances of $20,000 per annum. In addition, he is provided with a furnished residence, the repairs and maintenance of which, excluding provision of household staff, are borne by the organization.

The General Assembly resolved that Assistant Secretaries-General should receive a net salary of $13,500 and, in addition, an allowance varying from $7,000 to $11,500 at the Secretary-General's discretion. The Secretary-General has currently fixed the allowance for each Assistant Secretary-General at $8,500.

The General Assembly resolved also that a Top-Ranking Director should receive a net salary of $11,000, together with an allowance varying from $3,000 to $6,000 at the Secretary-General's discretion. An allowance of $3,000 was authorized for all Top-Ranking Directors.

These allowances were deemed by the General Assembly to include "all representation (including hospitality), housing, education and children's allowances for these posts, but not such reimbursable allowances as travel, subsistence, and removal costs upon appointment, transfer, or termination of appointment with the Organization; official travel and home leave travel."

The Assembly defined the phrase "Top-Ranking Director" as being "intended to cover only the senior grade in the classified service and, more specifically, would apply to persons serving as Deputy to an Assistant Secretary-General or a Director of a major 'staff service'." The Assembly's intention in this regard has been observed and appointments to these posts have been restricted to the Deputies in each of the departments and to the Directors of the two major staff services, i.e., the Bureau of Administrative Management and Budget and the Bureau of Personnel.

A certain number of other Directors with especially responsible assignments were provided with allowances of $2,500, in addition to their salary of $10,000. Such allowances were deemed to cover the same items as were covered by the allowances to Top-Ranking Directors. They were granted by the Secretary-General, under his general authority, to meet an emergency situation.

As recommended by the General Assembly, a provisional classification and salary administration plan of all other posts in the Secretariat, based upon the duties, responsibilities and authority of each post, was drawn up on the basis of recommendations made by the Advisory

[1] In process of revision due to adoption of the United Nations Joint Staff Pension Scheme Provisional Regulations.

Group of Experts. Posts were grouped by main categories and, within categories, by grades, with appropriate salaries assigned to each main category and grade. The practice of numbering grades within categories of work was later discontinued. Each grade of work is now identified by the same grade number regardless of the category of work involved.

The provisional plan was intended to serve only until a permanent plan could be perfected. The provisional plan was designed to provide compensation commensurate with duties and responsibilities assigned to the various posts throughout the Secretariat. Equivalent posts would receive equivalent pay which would be adequate in comparison to the general trend prevailing in the locality. Consideration had been given to the wide range of remuneration for comparable work prevailing in the Member Governments. The following table identifies the various numbered grades of the United Nations Headquarters salary schedule:

SCHEDULE OF ANNUAL NET SALARIES
(Effective June 16, 1947)

Grade	*Step I*	*Step II*	*Step III*	*Step IV*	*Step V*	*Step VI*	*Step VII*
1	$1580	$1660	$1740	$1830	$1920	$2020	$2130
2	1740	1830	1920	2020	2130	2240	2360
3	1920	2020	2130	2240	2360	2480	2610
4	2130	2240	2360	2480	2610	2750	2890
5	2360	2480	2610	2750	2890	3050	3210
6	2610	2750	2890	3050	3210	3390	3570
7	2890	3050	3210	3390	3570	3770	3970
8	3210	3390	3570	3770	3970	4190	4410
9	3570	3770	3970	4190	4410	4660	4910
10	3970	4190	4410	4660	4910	5180	5450
11	4410	4660	4910	5180	5450	5750	6050
12	4910	5180	5450	5750	6050	6370	6700
13	5450	5750	6050	6370	6700	7060	7450
14	6050	6370	6700	7060	7450	7870	8300
15	6700	7060	7450	7870	8300	8750	9200
16	7450	7870	8300	8750	9200	9700	10300
17	8300	8750	9200	9700	10300	10900	—
18	9200	9700	10300	10900	—	—	—
19	10000	10500	11000	—	—	—	—

SCHEDULE OF HOURLY GROSS RATES
(Effective January 1, 1947)

Grade	*Gross Rate upon Appointment*	*Gross Rate after Six Months Satisfactory Service*
1	$0.96	$1.01
2	1.00	1.05
3	1.04	1.09
4	1.08	1.13
5	1.11	1.17
6	1.16	1.22
7	1.20	1.26
8	1.23	1.29
9	1.27	1.33
10	1.32	1.39
11	1.35	1.42
12	1.39	1.46
13	1.44	1.51
14	1.48	1.55
15	1.51	1.59
16	1.55	1.63
17	1.60	1.68
18	1.63	1.71
19	1.67	1.75
20	1.70	1.79
21	1.74	1.83
22	1.79	1.88

A staff member can progress from the first to the final step of his grade upon completion of a specific length of service at each step, and upon certification by his superior that the staff member's services have been satisfactory during the required period.

The United Nations work week consists of five eight-hour days. Work in excess of these limits is compensated for by equal time off where practicable, except that in the case of hourly rate workers all compensation for overtime is paid in cash. Staff members in Grade 8 and below may also be compensated in cash if time off is not feasible.

In view of the increased costs of living a temporary cost of living adjustment for staff members in the New York and Washington, D.C. areas was placed in effect. All hourly rate staff members and all salaried staff members who are not in receipt of daily living allowances or representation allowances and whose salaries are not in excess of $6700 per year are eligible for this cost of living adjustment.

6. ALLOWANCES

As a temporary policy, a scheme of daily allowances was established in connection with the installation of members of the Secretariat at the interim site of the organization. These allowances were designed to reimburse staff members for the additional expenses resulting from housing shortage and the necessity of living in hotels, and further to compensate those who were under temporary or loan appointments and who, therefore, continued to maintain homes or households elsewhere than in New York.

The early policy of allowances underwent a series of modifications and was replaced on June 16, 1947, by a system designed:

(a) to compensate the staff member for the initial extraordinary living costs incurred during the period immediately following his entry on duty, attributable to removal from his former place of residence to the Headquarters area; and

(b) to compensate for the additional expenses incurred as a result of housing difficulties.

This system provides:

(a) a lump sum installation grant, restricted to staff members appointed for one year or more;

(b) a daily living allowance for a period of 60 days after the staff member's arrival at headquarters;

(c) a temporary rental allowance; and

(d) a temporary expatriation allowance to compensate staff members whose normal place of residence before joining the United Nations was outside the country in which their official duty station is located.

Staff members receiving a "representation" allowance are not eligible for the temporary rental allowance or for the expatriation allowance, and receive a travel per diem allowance for thirty days from the date of arrival at headquarters in lieu of (b) above.

Effective January 1, 1947, every full-time member of the staff, with the exception of those specially excluded by resolution of the General Assembly and those recruited for a period not expected to exceed 90 days, receives a children's allowance for each child under the age of sixteen years, or, if the child is in full-time attendance at a school or university, under the age of eighteen or 22 years respectively. In addition, an education grant is paid for each child of a staff member who is employed in a country other than his own country and is entitled to the children's allowance, provided that the child is in full-time attendance at a school or university in his home country.

7. Tax Equalization

a. Resolutions of the General Assembly

The problem of tax equalization arose during the first part of the first session of the General Assembly. Having regard particularly to the administrative and budgetary arrangements of the United Nations, the General Assembly on February 13, 1946, concurred in the conclusion reached by the Fifth Committee that "there is no alternative to the proposition that exemption from national taxation for salaries and allowances paid by the Organization is indispensable to the achievement of equity among its Members and equality among its personnel."

It therefore resolved that:

Pending the necessary action being taken by Members to exempt from national taxation salaries and allowances paid out of the budget of the Organization, the Secretary-General is authorized to reimburse staff members who are required to pay taxation on salaries and wages received from the Organization.

In the case of any Member whose nationals in the service of the Organization are required to pay taxation on salaries and allowances received from the Organization, the Secretary-General should explore with the Member concerned methods of ensuring as soon as possible the application of the principle of equity amongst all Members.

The records and documents of the Administrative and Budgetary Committee and of the Advisory Group of Experts respecting staff contributions plans be referred to the Secretary-General for his information, and the Secretary-General be requested to submit recommendations thereon to the second part of the first session of the General Assembly.

The Secretary-General duly submitted a report to the second part of the first session of the General Assembly on the subject of tax equalization, reviewing Secretariat action with respect to tax reimbursement, summarizing the status of tax exemption by Member States and discussing the question of a staff contributions plan. On December 7, the General Assembly considered the Fifth Committee's report on these matters and unanimously adopted the following resolution:

THE GENERAL ASSEMBLY RESOLVES THAT:

1. In order to achieve full application of the principle of equity among Members and equality among personnel of the United Nations, Members which have not yet completely exempted from taxation salaries and allowances paid out of the budget of the Organization are requested to take early action on the matter.

2. The question of a staff contributions plan in lieu of national taxation is referred to the Advisory Committee on Administrative and Budgetary Questions, which may request the Secretary-General to submit new proposals to the next regular session of the General Assembly.

b. Income Tax Reimbursement

Practically all staff members, with the exception of locally recruited hourly-rate personnel (who are not covered by Article V, Section 18 (b) of the Convention on the Privileges and Immunities of the United Nations, and who since January 1, 1947, have been paid at gross rates of pay without the right to tax reimbursement) have been employed under terms of appointment which specify a "basic" salary and provide, "Any taxation levied on your salary by your national government will be refunded to you by the United Nations".

In the case of a full year's employment under the tax refund provision, the reimbursement

may not exceed the tax payable solely on income from the United Nations, computed without regard to any other income, but taking into account all allowable deductions or exemptions. In the case of less than a full year's employment under the tax refund provision, the reimbursement may not exceed either a proportionate part of the maximum reimbursement payable on the basis of a full year's employment or such part of the total tax as is determined by the fraction: UN income subject to tax refund, divided by net income from all sources.

Nationals of only three Member nations—the United States, the United Kingdom, and Canada—so far have applied to the Comptroller for tax reimbursement under the tax refund provision. The largest disbursement has been on account of United States income tax, approximately $260,000 to date; United Kingdom tax reimbursement, mainly through the London Office, has been insignificant by comparison; and only half a dozen Canadians so far have requested tax refunds.

c. Status of Income Tax Exemption by Member States

Salaries and allowances paid by the United Nations to staff members residing or serving outside their home countries are as a rule exempt from income tax. The practical problem is to obtain such exemption with respect to staff members maintaining residence or serving within their home countries.

Members of the United Nations which have rocal immunity from taxation of salaries received by diplomatic representatives and officials of foreign governments if they are not nationals of the taxing government. This immunity generally is extended to salaries and allowances received by officials and employees of the United Nations. In the United States, both the Federal Government and the Government of the State of New York have extended this exemption to employees of all public international organizations in which the United States officially participates, provided such employees are not citizens of the United States. Under the Interim Arrangement concluded between the United Nations and the Swiss Confederation, United Nations salaries and allowances are exempt from Swiss taxation regardless of the nationality or residence of the recipient.

Members which have income tax systems generally exempt compensation received by their own nationals for personal services rendered while resident in another country. However, there are various definitions, degrees, and consequences of foreign residence. To qualify for such exemption, a United States citizen, for example, must be a *bona fide* resident of another country throughout an entire taxable year. A British subject whose usual place of abode is in the United Kingdom is taxable on foreign earnings remitted or brought back to the United Kingdom. An individual who ceases being or becomes resident or ordinarily resident in Canada during the taxable year pays only such part of the whole tax as is proportionate to the resident period.

With a view to solving the problem of tax exemption, among other things, all Members have been invited to accede to the Convention on the Privileges and Immunities of the United Nations, adopted by the General Assembly on February 13, 1946. Eight Members so far have deposited with the Secretary-General instruments of accession to the Convention, which, in Section 18 (b) of Article V, provides exemption from taxation for salaries and emoluments paid to officials of the United Nations (except locally-recruited hourly-rate workers, as previously explained). The eight Members referred to and the dates of accession are as shown hereunder:

United Kingdom[1]	September 17, 1946
Dominican Republic	March 7, 1947
Liberia	March 14, 1947
Iran	May 8, 1947
Honduras	May 16, 1947
Panama	May 27, 1947
El Salvador	June 24, 1947
France	June 26, 1947

The Governments of Guatemala,[2] Greece, and the Philippine Republic recently have agreed to the Convention and their instruments of accession are expected to be deposited soon. Ratification is currently being considered by the Congress of the United States, as well as by the Governments of Canada, the Netherlands, Nicaragua, Norway, Sweden,[3] and Turkey.

[1]While the United Kingdom has acceded to the Convention and actually is in a position under its own laws to give effect to Section 18 (b), it is understood that tax exemption for British subjects whose usual place of abode is in the United Kingdom has not yet been given full administrative effect.

[2]Guatemala's instrument of accession was deposited on July 7, 1947.

[3]The Swedish Council of State ratified the Convention on July 10, 1947.

d. Staff Contributions Plans

The question of a staff contributions plan in lieu of national taxation, which the General Assembly has referred to the Advisory Committee on Administrative and Budgetary Questions, is under current consideration by that body.

The advisability of such a scheme was discussed by the Fifth Committee (Administrative and Budgetary) during the first part of the first session of the General Assembly. The Advisory Group of Experts had suggested that all staff members be subject to a provisional tax contribution scheme levied by the organization, at progressive rates similar to rates in the United States, providing a fund from which staff members who also had to pay national taxation on their United Nations salaries could be reimbursed, and that the amount of such refunds be added to the budget contributions of the Members responsible therefor.

These suggestions were based on the following considerations: that the Secretariat staff should be subject to some form of contribution in lieu of taxation by Members; that provision for such a plan would facilitate the approval by many national governments of income tax immunity for their nationals serving on the United Nations staff; and that establishment of the provisional staff contribution plan would make it possible to establish at the outset a uniform (gross) basis of remuneration for the staff, while, at the same time, it would not favor those Members which did not provide the proposed tax immunity.

8. Retirement and Compensation

The General Assembly resolved that "the Secretary-General appointed at the first session of the General Assembly shall be provided with an annual retirement allowance of one-half his net salary (excluding allowances) on his retirement, provided that he has completed his term of service with the United Nations".

The General Assembly directed the Secretary-General to establish a provident fund for the benefit of the members of the staff.

A Staff Provident Fund was established on February 16, 1946. The Staff Provident Fund rules provided that every member of the staff except those employed on gross salary contracts, should contribute six per cent of his salary to the fund. The salary on which contributions were assessed was defined to include only base salary exclusive of any special grants or allowances. The staff member's contribution was matched by an equal contribution by the organization.

Under a resolution passed at the 66th plenary meeting of the General Assembly on December 15, 1946, the General Assembly adopted with effect from January 27, 1947, the United Nations Joint Staff Pension Scheme Provisional Regulations, which provide retirement, death and disability benefits. The staff member contributes 7% of his salary to the Scheme and the organization contributes 14%.

The amount to the credit of a participant in the Staff Provident Fund is transferred to the Pension Fund on the date he enters the Pension Scheme. Staff members participating in the Provident Fund on January 27, 1946, may remain therein if they are not eligible for admission to the Pension Scheme, but no new participants may be admitted to the Provident Fund after that date.

A group life insurance program was established on May 5, 1947, and a health insurance plan, which provides medical, surgical and hospital service, went into effect on May 15, 1947.

9. Administrative Tribunal and Appeals Board

A draft statute for a United Nations Administrative Tribunal was submitted to the General Assembly during the second part of its first session. On November 16, 1946, the General Assembly unanimously adopted a proposal to postpone the decision on this matter until the next session.[1]

An Appeals Board, with staff participation, has been established to consider appeals against any decision regarding the application of Secretary-General's Bulletins or of established administrative practices to the termination of an appointment (including termination for disciplinary reasons), appeals alleging non-observance of agreed terms of appointment, appeals against disciplinary action and appeals of such other character as the Secretary-General may specify.

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[1] See pp. 233, 234.

D. UNITED NATIONS BUDGET AND FINANCE

1. Introduction

The General Assembly directed that the permanent budgetary and financial arrangements of the United Nations should be so designed as to promote efficient and economical administration and command the confidence of Members. Adequate arrangements were to be made for the collection and custody of funds, the control of disbursements and the audit of expenditure. The problem was regarded as most important in regard to the control of expenditure. It was deemed essential to have orderly budgetary procedures with rules which ensured that proposals involving expenditure were properly prepared and thoroughly examined before being approved. On the other hand, the rules were to be so devised as to allow for this examination to take place without undue delay and for the prompt execution of policies after they had been duly approved.

Financial considerations were to be given full weight in the formulation of policy, but financial controls were not to be used to frustrate or hinder the execution of policies duly agreed. These controls were intended to assist in the orderly and economical conduct of the affairs of the United Nations, and were not to be regarded as negative in character. A due balance had to be reached. The desire of the Members was to make the United Nations a success and to ensure that the financial controls were used for their proper ends.

The Provisional Financial Regulations for the United Nations established the financial year as the calendar year, January 1 to December 31. It was believed that by the adoption of such a financial year the gap between the formulation and approval of the budget and the date upon which it came into operation would be made reasonably short, thus facilitating realistic budgetary estimates and the prompt execution of approved policies, while at the same time Members would have sufficient time to review the budget voted by the Assembly in taking action in their legislatures to make budget assessments available to the organization.

The fundamental control of the United Nations budget rests, of course, with the General Assembly, which alone has power to approve the budgetary appropriations. A two-thirds majority is required for approval of all budgetary questions in the General Assembly. The Secretary-General, however, as chief administrative officer, formulates and presents the annual budget of the organization to the General Assembly. In this task he is guided by the policies already approved or under consideration by the Councils and Assembly. To aid him in these functions the Secretary-General has the assistance of a budgetary staff. The different units of the Secretariat consult with the budgetary staff in preparing their estimates, and the Assistant Secretary-General in charge of Administrative and Financial Services, which includes the Bureau of Administrative Management and Budget, advises the Secretary-General upon these estimates.

In order to facilitate the examination of the budget by the General Assembly and its Administrative and Budgetary Committee (the Fifth Committee) the General Assembly provided in a resolution of February 13, 1946, that a small standing committee should be appointed with the function, *inter alia*, of examining and reporting on the budget. This body, known as the Advisory Committee on Administrative and Budgetary Questions, was elected by the General Assembly at the second part of the first session in November 1946.[1]

Pending the appointment of the Advisory Committee on Administrative and Budgetary Questions, a small Advisory Group of Experts on Administrative, Personnel and Budgetary Questions was appointed by the Secretary-General to assist him in elaborating budgetary plans, financial rules and kindred matters. A similar Advisory Group had assisted the Executive Secretary of the Preparatory Commission.

2. Provisional Budget of 1946

The provisional budget of the United Nations for the financial year 1946 was adopted by the General Assembly in London on February 13, 1946. The Provisional Financial Regulations had envisaged that this provisional budget would be formulated and presented by the Secretary-General, but since the Secretary-General was not appointed until late in the first part of the first session, the Executive Secretary of the Preparatory Commission, with the active and continuous support of the Advisory Group of Experts, undertook the task.

At the time the organizational structure of the Secretariat and the program of the United

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[1] See pp. 116, 117.

Nations were in the early development stage. The location of the interim site was uncertain. The budget had of necessity to be prepared without past United Nations expenditure experience, and detailed estimates were, accordingly, impossible. All that was feasible was presentation of a budget drawn in broad outline under five sections: (1) expenses of the General Assembly and the Councils; (2) expenses of the Secretariat; (3) expenses of the International Court of Justice; (4) unforeseen expenses; and (5) expenses of the Preparatory Commission and the cost of convening the General Assembly for the first part of the first session.

By virtue of the Provisional Financial Regulations, the provisional budget as adopted by the General Assembly was to remain in force pending substitution of the first annual budget of the United Nations to be adopted by the General Assembly during the second part of the first session.

The total of the provisional budget adopted by the General Assembly was $21,500,000. Owing to the tentative nature of the estimates upon which the five broad headings of the provisional budget were based, the Secretary-General was given the authority to transfer credits between headings to such degree as might be found necessary.

Under the Provisional Financial Regulations the appropriations are not available for spending until they have been allotted by the Secretary-General. During the initial organizational stages, these allotments were made direct to departments, on a quarterly basis, as programs developed. Under the terms of the regular annual budget resolution for 1946 and 1947, the allotment of appropriations is made in two stages—primary allotments by objects of expenditure; and from these primary allotments, secondary allotments to departments. These secondary allotments constitute the limits within which departments are authorized to spend.

3. The Working Capital Fund

The working capital fund was established at the first part of the first session of the General Assembly at $25,000,000.[1] The original object of this fund was to provide the United Nations with cash assets to meet its operating expenses under the provisional budget pending the submission of the first annual budget estimates and the adoption of a definite scale of budget assessments. The continuing purpose of the fund is primarily to provide a cash reserve pending receipt of assessments to the annual budgets from Member States.

The original resolution of the General Assembly relating to the working capital fund provided, *inter alia*, that Members should make advances in accordance with a provisional scale which was merely a matter of convenience and in no sense a precedent for the budgetary assessments; that these advances should be readjusted at the second part of the first session of the General Assembly in accordance with the scale adopted by the General Assembly for assessment of Members against the first annual budget[2]; that, except for any readjustments which might result from revision of the scale as referred to above, advances to the working capital fund should not be offset against contributions of Members to the first annual budget; that the General Assembly at the second part of its first session should determine the amount at which the working capital fund should be maintained and the method and timing of consequential set-offs against budget assessments or other adjustments.

Members' advances to the working capital fund do not represent expenditures as such, but stand as assets in their names in the fund. All uses of monies from the fund are balanced by the requirement for reimbursement of the fund from appropriations and corresponding assessment of Members or by other means.

Assessment and collection of 1946 contributions has not obviated the necessity for maintenance of a substantial working capital fund. In practice, there are likely to be some delays in the receipt of each year's budget assessments owing to Members' legislative and financial requirements. Later, receipts in each financial year should exceed current expenditures, thus enabling the working capital fund to be reimbursed for previous advances.

The General Assembly on December 14, 1946 resolved that the working capital fund should be maintained for the financial year 1947 at the amount of $20,000,000. The Assembly further authorized the Secretary-General to utilize the fund, to the degree necessary, for purposes which were set forth in a resolution reproduced earlier.[3]

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[1] See p. 97.

[2] Advances were, in fact, assessed on the basis of the assessment scale for the second annual budget (for the financial year 1947).

[3] See p. 216.

4. Staff Provident Fund and Staff Retirement Scheme

The General Assembly directed at the first part of the first session that the Secretary-General establish a provident fund for the benefit of the members of the staff of the United Nations. The receipts of this fund come from salary deductions and from contributions in an equal amount by the United Nations (6% of salary in each case). Outgoing payments are those to staff members upon termination of services. At the second part of the first session the General Assembly authorized the establishment of a provisional staff retirement scheme, which was to be further considered at the second session of the General Assembly, scheduled to convene in September 1947.[1]

5. Insurance

The General Assembly by a resolution of February 13, 1946, instructed the Secretary-General to ensure that the drivers of all official motor cars of the United Nations, and all members of the staff who owned or drove motor cars, be properly insured against third party risks. In accordance with this resolution, the United Nations carries a public liability insurance covering bodily or personal injury to persons not in the employ of the United Nations, and damage to property caused by the operations of the United Nations in the United States of America, including bodily or personal injury or property damage caused by the ownership or operation of automobiles.

6. Control of Expenditures

The responsibility for control of expenditures was vested by the resolutions of the General Assembly in the Secretary-General. Under the Secretary-General, the day to day responsibility rests with the Assistant Secretary-General for Administrative and Financial Services, whose Department is organized into three bureaus—the Bureau of Administrative Management and Budget, the Bureau of the Comptroller and the Bureau of Personnel. Each of these bureaus has a part in the operation of controls, which are exercised in three ways:

a) In formulating the budget, departments submit their own estimates to the Department of Administrative and Financial Services. These departmental estimates are reviewed by the Bureau of Administrative Management and Budget. Consultations are held with departments to obtain balanced departmental and overall figures, having regard to the necessity for efficient and economical administration on the one hand and the effective carrying out of the programs on the other.

b) After approval of the estimates, allotments are made to departments on an annual or quarterly basis as appropriate for control purposes, to meet expenditures and obligations. In making the quarterly allotments, the Bureau of Administrative Management and Budget reviews with each department its requirements for the quarter, taking account of changes which may have occurred since the annual estimates were approved.

c) The Financial Rules now in operation provide, *inter alia*, for the recording of obligations against allotments. A system of pre-audit of bills and vouchers submitted for payment has been introduced, as well as an internal post-audit designed to test the efficiency of the accounting system and the adequacy of the regulations and methods of control.

In accordance with a resolution adopted by the General Assembly on February 13, 1946,[2] the Secretary-General, after consulting with the Advisory Group of Experts, recommended to the General Assembly that it make provision for the audit of accounts by nominating in person the chief audit official of each of three Member nations (providing that their Governments agreed), the three auditors to constitute a Board of Auditors which would audit United Nations accounts and submit its report to the General Assembly. This recommendation was accepted by the General Assembly, and the chief audit officials of Canada, Sweden and the Ukrainian S.S.R. were elected to the Audit Board. The Members of this Board will normally serve for three years. The audit of the accounts for the financial year 1946 was completed in the spring of 1947, and the auditor's report was prepared for submission to the second session of the General Assembly in September 1947.

7. Formulation of the 1946 and 1947 Budgets

Planning for the 1946 and 1947 annual budgets was begun in May 1946. The budget items were submitted to the Advisory Group of Experts for examination, as provided by resolution of the General Assembly. The recommendations of the Advisory Group were incorporated in

[1] See pp. 225 ff.

[2] See pp. 95, 221 ff.

the preliminary budget estimates, which were published in October 1946.

Supplementary estimates were submitted by the Secretary-General to the General Assembly during the second part of the first session, after the publication of the preliminary estimates. In part these supplementary estimates related to expenditure on items for which the Advisory Group of Experts had felt that a more specific approval of policy was required from the General Assembly; in part they resulted from developments which occurred following submission of the preliminary estimates—for example, adoption by the General Assembly of the provisional staff retirement scheme.

Consequent upon the examination of the first and second annual budgets by the Advisory Committee on Administrative and Budgetary Questions, and by the Fifth Committee, a number of reductions were made in the estimates first submitted, while a greater breakdown of the estimates by increase in the number of appropriation sections was effected.

The General Assembly, without dissent, approved the budget figures recommended by its Fifth (Administrative and Budgetary) Committee. The approved figures compare with those included in the provisional budget as follows:

COMPARATIVE TABLE OF PROVISIONAL BUDGET 1946 AND FIRST AND SECOND ANNUAL BUDGETS

Purpose of Appropriation (as in first and second annual budgets)	*Provisional Budget*	*First Section*	*First Annual Budget 1946*	*Second Section*	*Second Annual Budget 1947*
PART I					
For expenses of travel of representatives to the General Assembly and travel of members of Committees and Commissions.....U.S. $	1,500,000[1]	I	885,800	I	1,090,500
For expenses of Personnel Services.....		II	6,492,979	II	13,999,223
For expenses of contributions to the Staff Provident Fund, Provisional Staff Retirement Scheme and Related Benefits.....				III	2,301,179
For expenses of Common Services (e.g. rentals, contractual services, printing, furniture & fixtures)	16,510,750	III	4,238,610	IV	5,966,500
For expenses of establishment of Headquarters and initial recruitment of staff.....		IV	6,143,121	V	3,074,000
For expense of Advisory Social Welfare functions..	—		—	VI	670,186
For unforeseen expenses.....	2,000,000	V	250,000		—[2]
For expenses of Preparatory Commission and cost of the first part of the first session of the General Assembly to 31 January 1946.....	872,000	VI	902,282		—
PART II					
For expenses of the International Court of Justice	617,250	VII	320,097	VII	387,894
For expenses of the Registry and Common Services of the International Court of Justice.....		VIII	157,111	VIII	250,518
TOTALS .....U. S. $	21,500,000		19,390,000		27,740,000

[1]The first appropriation section under the provisional budget, $1,500,000, covered "expenses of the General Assembly, Councils and Commissions"—that is, not only the travel of representatives, etc., but rental costs, printing costs and other charges resulting from sessions of the bodies concerned. In the first and second annual budgets the expenditure other than travel and transportation of the representatives is included in "Common Services." Certain lesser variations are involved also in the scope of other sections.

[2]Provisions for meeting unforeseen expenses included under Working Capital Fund.

As the table shows, there were only five appropriation sections in the provisional budget, but there are eight sections in the first annual budget for 1946. Of these eight, two were not required for 1947, but as a result of the introduction of a new item relating to advisory social welfare functions, and the breakdown of another 1946 section into two sections for 1947, there remain eight sections in the 1947 budget. Moreover, whereas the Secretary-General was empowered to transfer credits between sections for 1946, such transfers were not permitted under the 1947 budget. The budget estimates for 1948 show a further detailed breakdown of estimated expenses for that year based on accumulated experience in 1946 and 1947. The estimates for 1948 involved a further additional variation from past estimates along the lines of more detailed departmental and activities estimating.

8. Budgetary and Financial Relationships between the United Nations and the Specialized Agencies

In cognizance of the desirability of establishing close budgetary and financial relationships between the United Nations and each of the specialized agencies, a committee of the Economic and Social Council, with the assistance of the Secretariat, drafted provisions of general agreements concerning appropriate arrangements for the inclusion of the budgets of the specialized agencies within the general budget of the United Nations. In view of the numerous questions with respect to timing and procedure, the draft agreements specified that detailed arrangements should be defined in supplementary agreements with each of the agencies. Pending the conclusion of such arrangements, the draft agreements provided that the specialized agencies should consult with the United Nations during the preparation of their budgets; that they should transmit their proposed budgets to the United Nations annually at the same time as such budgets were transmitted to their Members; and that the General Assembly should examine these budgets or proposed budgets and make recommendations to the agencies on such matters as it deemed necessary. The interim arrangements also provided that representatives of the specialized agencies should be entitled to participate without vote in the deliberations of the General Assembly, or in committees thereof, in which their budgets were under consideration.

There are a number of difficulties in the way of complete co-ordination of the budgets of the United Nations and the specialized agencies. However, the Secretary-General has been authorized by the General Assembly to pursue this matter and other matters of co-ordination with the agencies. In February 1947 a Co-ordination Committee comprised of the Secretary-General and the corresponding officers of the specialized agencies was established to give effect to this objective. Serving the Co-ordination Committee are four Consultative Committees comprised of operating officials. These include a Consultative Committee on Budgetary and Financial Matters and a Consultative Committee on Personnel Matters. Consultations have been proceeding in these Consultative Committees with regard to adoption of standard budgetary practices and forms, establishment of common salary scales, common recruitment through an International Personnel Advisory Board, common collection of contributions and other common administrative services.

As indicated earlier, the Secretary-General has also been authorized by the terms of the Working Capital Fund Resolution of the General Assembly to make loans from the working capital fund to specialized agencies under specified conditions.

9. Apportionment of Expenses

The General Assembly, at its 31st plenary meeting held on February 13, 1946, appointed a Committee on Contributions[1], with instructions to prepare a detailed scale of apportionment of expenses for consideration by the General Assembly at the second part of the first session. The General Assembly called the attention of the Committee to the following general principles with respect to the apportionment of expenses:

The expenses of the United Nations should be apportioned broadly according to capacity to pay. It is, however, difficult to measure such capacity merely by statistical means, and impossible to arrive at any definite formula. Comparative estimates of national income would appear *prima facie* to be the fairest guide. Other factors which should be taken into account in order to prevent anomalous assessments include the following:

(a) comparative income per head of population, in the case of populous states with low average income per head;

(b) temporary dislocation of national economies arising out of the Second World War;

[1] See pp. 58, 59.

(c) the ability of Members to secure foreign currency.

Two opposite tendencies should also be guarded against: some Members may desire unduly to minimise their contributions, whereas others may desire to increase them unduly for reasons of prestige. If a ceiling is imposed on contributions the ceiling should not be such as seriously to obscure the relation between a nation's contributions and its capacity to pay. The Committee should be given discretion to consider all data relevant to capacity to pay and all other pertinent factors in arriving at its recommendations. Once a scale has been fixed by the General Assembly it should not be subjected to a general revision for at least three years or unless it is clear that there have been substantial changes in relative capacities to pay.[1]

The Committee on Contributions began its deliberation on June 18, 1946. In accordance with its terms of reference, the Committee confined its work to making estimates of relative capacity to pay, but recognized that there were factors other than capacity to pay which might affect the question of the scale of contributions.

The Committee took into account in its estimates the effects of war dislocations, war improvement, availability of foreign exchange and per capita incomes; made adjustments to the scale derived from the original national income figures; and arrived at a scale of relative capacities to pay which it submitted to the second part of the first session of the General Assembly. The Fifth Committee of the General Assembly decided, however, that the proposed scale had certain features requiring further consideration, and appointed a Sub-Committee to reconsider the scale, taking account of factors other than capacity to pay. The Sub-Committee proposed revised scales for 1946 and 1947 which were subsequently agreed upon by the General Assembly.[2]

[1] See the Report of the Preparatory Commission, Chapter IX, Section 2.

[2] See p. 217 ff.

ANNEX I

UNITED NATIONS FINANCIAL STATISTICS
(AS AT JUNE 30, 1947)

	1946	*1947*
1. *Budget Appropriations*		
Budget appropriations approved by General Assembly	$19,390,000.00	$27,740,000.00
Budget assessments against Members[1]	19,386,378.36	27,450,000.00
Members' payments to June 30, 1947[2]	13,604,832.60	9,786,371.55
	(70.18%)	(35.65%)
Expenditures and obligations to December 31, 1946	19,330,287.48	
2. *Working Capital Fund*		
Assessed advances		$20,000,000.00
Members' payment to June 30, 1947		19,950,000.00
		(99.75%)
Staff Provident Fund		783,518.63
Pension Fund		318,964.46

[1] Budget appropriations as adjusted for estimated revenue and other items.

[2] Assessments on budget account for 1946 were established only in December 1946, in connection with replacement by the first annual budget of the provisional budget approved at the first part of the first session, and financed from the working capital fund.

ANNEX II

PRINCIPAL MEMBERS OF THE UNITED NATIONS SECRETARIAT

Secretary-General: Trygve Lie

EXECUTIVE OFFICE OF SECRETARY-GENERAL

Executive Assistant to the Secretary-General: Andrew W. Cordier

Special Advisers to the Secretary-General:
Raoul Aglion
W. Martin Hill
Col. A. Roscher Lund
William H. Stoneman

DEPARTMENT OF SECURITY COUNCIL AFFAIRS

Assistant Secretary-General: Arkady Sobolev
Principal Director: P. C. Kuo
Directors: General Political Division, A. G. Robles
Administrative and General Division, D. Protitch

DEPARTMENT OF ECONOMIC AFFAIRS

Assistant Secretary-General: David Owen
Directors: Joint Division of Co-ordination and Liaison, G. E. Yates (acting)
Division of Economic Stability and Development, David Weintraub
Transport and Communications Division, Branko Lukac
Fiscal Division, Paul Depéron
Statistical Office, William R. Leonard (acting)

DEPARTMENT OF SOCIAL AFFAIRS

Assistant Secretary-General: Henri Laugier
Principal Director: Jan Stanczyk
Directors: Division of Social Activities, Sir Raphael Cilento
Division of Human Rights, John Humphrey
Division of Narcotic Drugs, Leon Steinig

DEPARTMENT OF TRUSTEESHIP AND INFORMATION FROM NON-SELF-GOVERNING TERRITORIES

Assistant Secretary-General Victor Chi-Tsai Hoo
Directors: Division of Trusteeship, Ralph J. Bunche
Division of Non-Self-Governing Territories, Wilfrid Benson

DEPARTMENT OF PUBLIC INFORMATION

Assistant Secretary-General: Benjamin Cohen
Principal Director: Tor Gjesdal
Directors: Press and Publications Office, Wilder Foote; George Barnes (Press Relations)
Radio Division, Peter Aylen; Brig.-Gen. Frank E. Stoner (Chief Communications Engineer)
Films and Visual Information Division, Jean Benoit-Levy
Headquarters Liaison Service, W. Bryant Mumford
External Services, Jerzy Szapiro
Reference and Research Services, V. J. G. Stavridi
Liaison Officer with Pan-American Union, Eugenio Catta Preta

LEGAL DEPARTMENT

Assistant Secretary-General: Ivan Kerno
Principal Director and General Counsel: Abraham H. Feller
Directors: Division for the Development and Codification of International Law, Yuen-li-Liang
Division of Immunities and Registration of Treaties, Hanna Saba

CONFERENCE AND GENERAL SERVICE

Assistant Secretary-General: Adrian Pelt
Principal Director: David B. Vaughan
Directors: Bureau of Technical Services, Francois Stefanini
Bureau of General Services, Byron Wood
Languages Division, Georges J. Mathieu
Documents and Sales Division, Waldo Chamberlin (acting)
Editorial Division, Emile Delavenay
Purchase and Supply Division, F. A. Mapes
Conference Division, C. M. Fonck

ADMINISTRATIVE AND FINANCIAL SERVICES

Assistant Secretary-General: Byron Price
Directors: Bureau of Administrative Management and Budget, H. C. Andersen
Bureau of Personnel, Miss Mary G. Smieton
Bureau of the Comptroller, H. C. Elvins

UNITED NATIONS APPEAL FOR CHILDREN

Executive Director: Aake Ording

INTERNATIONAL CHILDREN'S EMERGENCY FUND

Executive Director: Maurice Pate

EUROPEAN OFFICE OF THE UNITED NATIONS, GENEVA

Director representing the Secretary-General: Wladimir Moderow
Director, Geneva Information Centre: Vernon Duckworth Barker

ECONOMIC COMMISSION FOR EUROPE

Executive Secretary: Gunnar Myrdal

ECONOMIC COMMISSION FOR ASIA AND THE FAR EAST

Executive Secretary: Palamadai S. Lokanathan

Part Two

THE SPECIALIZED AGENCIES

I. The International Labour Organisation

II. The Food and Agriculture Organization of the United Nations.

III. The United Nations Educational, Scientific and Cultural Organization

IV. The International Civil Aviation Organization

V. The International Bank for Reconstruction and Development

VI. The International Monetary Fund

VII. The World Health Organization

VIII. The International Refugee Organization

IX. The International Trade Organization (Proposed)

X. The Universal Postal Union

XI. The International Telecommunications Union

I. The International Labour Organisation [1]

A. ORIGIN

The International Labour Organisation was established in 1919 as an autonomous institution associated with the League of Nations. The original members of ILO were the original members of the League, and thereafter membership in the League carried with it, but was not necessary for, membership in the Organisation.

Six of the original members of the League ceased to be members of it, but retained their membership in ILO. These were Brazil, Haiti, Peru, Chile, Venezuela and Hungary. The United States joined the Organisation in 1934. Egypt became a member in 1936, before becoming a member of the League. Costa Rica, in 1942, and Italy and Guatemala, in 1945, rejoined the Organisation after having ceased to be members. Iceland was admitted to membership in 1945.

The first General Conference of the Organisation was held at Washington, D. C., in 1919, and the second at Genoa, Italy, in 1920. Thereafter, until 1939, sessions of the General Conference were held at the Organisation's seat at Geneva.

A special session was held at New York in 1941, and regular sessions at Philadelphia in 1944, at Paris in 1945, and at Seattle and Montreal in 1946.

B. PURPOSES AND PRINCIPLES

The Preamble of the Organisation's Constitution states that universal peace "can be established only if it is based upon social justice"; that unjust conditions of labor imperil "the peace and harmony of the world"; and that an improvement in such conditions "is urgently required: as, for example, by the regulation of the hours of work, including the establishment of a maximum working day and week, the regulation of the labour supply, the prevention of unemployment, the provision of an adequate living wage, the protection of the worker against sickness, disease and injury arising out of his employment, the protection of children, young persons and women, provision for old age and injury, protection of the interests of workers when employed in countries other than their own, recognition of the principle of equal remuneration for work of equal value, recognition of the principle of freedom of association, the organization of vocational and technical education and other measures."

The 26th session of the General Conference, held at Philadelphia in April and May 1944, adopted a "Declaration concerning the Aims and Purposes of the International Labour Organisation." Under an amendment to the Constitution adopted by the 29th session of the Conference in October 1946, the objects set forth in this Declaration are included among those to be promoted by the Organisation, and the text of the Declaration is annexed to the Constitution.

The Declaration re-defines the functions and responsibilities of the Organisation. It reaffirms the fundamental principles upon which the Organisation is based and, in particular, that

(a) labor is not a commodity;

(b) freedom of expression and of association are essential to sustained progress;

(c) poverty anywhere constitutes a danger to prosperity everywhere;

(d) the war against want requires to be carried on with unrelenting vigor within each nation, and by continuous and concerted international effort in which the representatives of workers and employers, enjoying equal status with those of Governments, join with them in

[1] The material contained in this and other sections dealing with the specialized agencies covers the period up to July 1, 1947.

free discussion and democratic decision with a view to the promotion of the common welfare.

The Declaration affirms that "all human beings . . . have the right to pursue both their material well-being and their spiritual development in conditions of freedom and dignity, of economic security and equal opportunity," and adds that the "attainment of the conditions in which this shall be possible must constitute the central aim of national and international policy." The Declaration then says that "it is a responsibility of the International Labour Organisation to examine and consider all international economic and financial policies and measures in the light of this fundamental objective," and that, in discharging the tasks entrusted to it, the Organisation, "having considered all relevant economic and financial factors, may include in its decisions and recommendations any provisions which it considers appropriate."

The Declaration goes on to recognize the solemn obligation of the Organisation to promote programs to achieve full employment and the raising of standards of living, recognition of the right of collective bargaining, extension of social security, etc. It embodies a pledge that the Organisation will co-operate with other international bodies in the achievement of the objectives it sets forth and in the promotion of the health, education and well-being of all peoples.

C. ORGANIZATION

The International Labour Organisation consists of (1) a General Conference of representatives of the members, (2) a Governing Body, and (3) an International Labour Office controlled by the Governing Body.

The General Conference meets at least once a year. It is composed of four representatives of each member State, of whom two are government delegates and the other two are delegates representing, respectively, the employers and the workers of each member. Each delegate may be accompanied by not more than two advisers for each item on the agenda of the session. The decisions of the Conference may take the form of International Labour Conventions or of Recommendations. The member States are obligated to consider Conventions for possible ratification. If a member ratifies a Convention, it is obligated to apply its provisions, and to submit annual reports to the International Labour Office on the manner in which it is doing so. Recommendations are not required to be considered for possible ratification, but members are under obligation to consider them "with a view to effect being given to them by national legislation or otherwise." The Conference may also go on record in the form of Resolutions.

The Governing Body is composed of 32 members. Sixteen of these represent governments, eight the employers, and eight the workers. Eight of the sixteen government representatives are appointed by the eight member States of chief industrial importance. The other eight government representatives are appointed by member States chosen by the government delegates to the Conference in an election held every three years, in which the eight States of chief industrial importance do not participate. The employer and worker members are elected, respectively, by the employer and worker delegates to the Conference and their advisers. The Governing Body's responsibilities include the selection of items for the agenda of the Conference, the appointment of the Director-General of the International Labour Office, the general supervision of the Office and of the various committees and commissions which supplement the principal organs of the Organisation, and the consideration of proposals for the Organisation's budget.

The International Labour Office provides the secretariat of the Conference and of the Governing Body, prepares documents on the items of the agenda of the Conference and of the Governing Body, collects and distributes information on all subjects within the Organisation's competence, assists governments in the drafting of legislation and regulations, conducts such special investigations as may be ordered by the Conference or by the Governing Body, provides machinery to assist in the ensuring of the effective application of Conventions, and issues a variety of periodical and other publications dealing with problems of industry and employment. These include the *International Labour Review*, published monthly; the *Industrial Safety Survey*, quar-

terly; the *Legislative Series,* quarterly; the *Official Bulletin;* the *Year Book of Labour Statistics;* the *Bibliography of Industrial Hygiene,* annually; and various studies, reports and pamphlets. The studies and reports have been devoted to such subjects as industrial relations, economic conditions, employment and unemployment, wages and hours of work, the disabled, industrial hygiene, safety, housing and welfare, co-operation, employment of women and children, education, agriculture, professional workers, social insurance, statistics, migration and seamen. The documentation for the Conference and the Governing Body, and many of the periodicals and other publications are published in English, French and Spanish.

Various committees and commissions assist in furthering the work of the Organisation in specific fields. These include the Joint Maritime Commission, the Committee on Accident Prevention, the Permanent Agriculture Committee, the Committee on Industrial Hygiene, the Committee on Women's Work, the Committee on Social Policy in Dependent Territories, the International Development Works Committee, the Permanent Migration Committee, the Committee of Statistical Experts, the Committee of Experts on the Application of Conventions, the Advisory Committee on Co-operation, the Committee on Indigenous Labour, the Consultative Committee on Juvenile Labour, and Industrial Committees for the following eight industries: Coal Mining; Textiles; Building, Civil Engineering and Public Works; Metal Trades; Iron and Steel Production; Inland Transport; Petroleum Production and Refining; Chemicals.

In addition to the working headquarters of the International Labour Office at Montreal and the office at Geneva, there is a Liaison Office with the United Nations and branch offices in China, France, India, Italy, the United Kingdom, and the United States.

Correspondents are maintained in the following countries: Argentina, Bolivia, Brazil, Chile, Colombia, Costa Rica, Cuba, Czechoslovakia, Ecuador, Egypt, Greece, Hungary, Iraq, Mexico, Peru, Poland, Sweden, Uruguay, Venezuela.

D. HISTORY

Throughout the years between its establishment and the outbreak of the Second World War, the Organisation played a leading role in promoting the improvement of labor conditions throughout the world and was one of the most vital influences in international relations.

In 1940, in order to ensure that the International Labour Office should be able to continue to function freely, its working headquarters were established at Montreal, Canada. During the war years many of the Organisation's activities were maintained, certain new work was undertaken, and its resources were mobilized to place at the disposal of each of the Allies the experience of the others in matters within the Organisation's competence, the product of this research being made available in a series of studies. A special Conference of the Organisation, which marked the first large-scale meeting of Allied representatives since the outbreak of war, was held in New York in 1941, and a series of seven meetings of United States and Canadian representatives concerned with manpower mobilization problems was organized during 1941 and 1942. A meeting of the Governing Body was held in 1941, a session of the Emergency Committee of the Governing Body in 1942, and regular Governing Body sessions were resumed in 1943. Regular sessions of the General Conference were resumed in 1944 after a five-year interval. The machinery of the ILO makes provision for holding regional conferences enabling the Organisation to give more detailed attention to the problems of particular areas than is possible at a general session. Two such regional conferences of the American member countries were held before the war—one in Santiago, Chile, in 1936 and the second in Havana, Cuba, in 1939. In 1946 a third took place at Mexico City, from April 1 to 16. This Conference considered a report on the social and economic problems of the Americas and technical questions dealing with vocational training, labor inspection and industrial relations.

From 1919 to the end of June 1947 there were 30 sessions of the General Conference of the Organisation, and 102 sessions of the Governing Body. Five of the Conference sessions were devoted exclusively to the drafting of international regulations governing social conditions in the maritime industry.

To date, the Conference has adopted 80 International Labour Conventions[1] and 80 Recommendations. The Conventions have received a total of 929 ratifications and 53 are at present in force. The Conventions and Recommendations constitute an International Labour Code[2] which embodies standards of policy covering many aspects of the conditions of life and work.

In May 1946, following negotiations between a delegation of the Governing Body and a committee of the Economic and Social Council of the United Nations, a draft agreement defining the terms of relationship between the organizations was concluded.[3] On June 21 the Economic and Social Council unanimously accepted the agreement and recommended it to the General Assembly of the United Nations for approval. The agreement was unanimously approved by the 29th session of the International Labour Conference on October 2 and by the General Assembly on December 14, 1946. This brought the agreement into force.

E. REVISION OF CONSTITUTION

The 26th session of the Conference at Philadelphia in 1944 gave consideration to the Organisation's future status, policy and program and to its relationship with the general international organization that had been projected a few months earlier by the conference of Foreign Ministers at Moscow. The products of this consideration were the Declaration of Philadelphia and the organization of machinery designed to lead to a revision of the ILO Constitution with a view to remodelling and re-equipping the Organisation to enable it to discharge its responsibilities more effectively.

The 27th session of the Conference, held at Paris in October and November 1945, reaffirmed the Organisation's desire, as expressed by the Governing Body at its session in January 1945, to be associated with the United Nations. The Conference at the same time adopted an Instrument for the Amendment of the Constitution[4] which provided (a) that any Member of the United Nations could become a member of the Organisation by declaring its intention to accept the obligations of membership; (b) that the Organisation might make budgetary and financial arrangements with the United Nations, and that, pending an agreement on such arrangements, the Conference should make its own arrangements; and (c) that the Constitution could be amended in future by a decision of the Conference ratified or accepted by two-thirds of the members, including five of the eight states of chief industrial importance. This Instrument came into force on September 26, 1946.

Following the 28th (Maritime) session of the International Labour Conference held at Seattle from June 6 to 29, 1946, the 29th session took place at Montreal from September 19 to October 10, 1946. In addition to approving the draft agreement with the United Nations, the Conference unanimously adopted an Instrument for the Amendment of the Constitution, 1946, and an International Labour Convention for the partial revision, in consequence of the dissolution of the League of Nations, of the Conventions adopted at the previous 28 sessions.

The Instrument for the Amendment of the Constitution, 1946, when it has come into force, will have, among others, the following effects: (1) to add the Declaration of Philadelphia to the Constitution as an annex; (2) to delete all references to the League of Nations; (3) to facilitate co-operation between the Organisation and the United Nations; (4) to clarify and give greater recognition to the position in the Organisation's structure occupied by the Governing Body; (5) to change the title of the Director of the International Labour Office to Director-General; (6) to clarify the obligations of the members in respect to International Labour Conventions with a view to their wider ratification and better application, and to provide for improved reporting on the manner in which these obligations are being discharged; (7) to require members to report, in respect to unratified Conventions and to Recommendations, the position of their law and practice in regard to the matters dealt with in the Conventions and Recommendations and to show the extent to which effect has been

[1] A list of International Labour Conventions adopted by the Conference to date is printed in Annex II.

[2] *The International Labour Code* 1939. 920 pp. International Labour Office, Montreal, 1941.

[3] Text of the agreement is printed in Annex IV.

[4] The Amendments of 1945 and 1946 are included in the ILO Constitution printed in Annex III.

given or is proposed to be given to the provisions of the Conventions and Recommendations; (8) to clarify the obligations of the members in respect to Recommendatins; (9) to clarify the obligations of federal States in respect to Conventions and Recommendations; (10) to improve the procedure for the application of Conventions in non-metropolitan territories; (11) to empower the Governing Body to recommend to the Conference measures to secure compliance with the terms of ratified Conventions.

F. ACTIVITIES DURING 1946-47

The 30th session of the International Labour Conference convened in Geneva on June 19, 1947. It had before it a seven-point agenda. This included three technical questions—social policy in dependent territories, organization of labor inspection in industrial and commercial undertakings, and employment service organization. Two other questions were those with which every session of the Conference is required to deal—a report of the Director-General of the International Labour Office and a survey of the manner in which the member countries are applying the Conventions they have ratified. The sixth item was the Organisation's 1948 budget, and the seventh the question of freedom of association referred to the ILO by the Economic and Social Council of the United Nations.

In addition to two sessions of the International Labour Conference, a regional conference, three sessions of the Governing Body, meetings of the Governing Body's committees, two sessions of the Conference Delegation on Constitutional Questions, and the negotiations between the Organisation and the United Nations, ILO activities in 1946 included twelve committee sessions held in widely-scattered parts of the world.

The committees meeting during the year included six of the seven international industrial committees which had a short time before become a part of ILO's machinery. The Committees on Coal Mining and Inland Transport held their first sessions in London in January; a meeting of the Iron and Steel Production Committee followed in Cleveland, Ohio, in April; the Committee on the Metal Trades met in Toledo, Ohio, in May; the Committees on Building, Civil Engineering and Public Works, and on Textiles met in Brussels in November.

At its second session of the year, held in San Francisco in July, the Committee on Accident Prevention completed its work on a proposed model safety code for the world's factories. While the Accident Prevention Committee was in session, there were simultaneous meetings in Montreal of the Committee of Experts on the Application of Conventions and of a group of the members of the Committee on Women's Work. These meetings were followed in August by the inaugural session of the Permanent Migration Committee, which had been set up in 1940 by the Governing Body but which had been prevented by the war from meeting earlier.

During the first six months of 1947, ILO committees held a total of five meetings. The Committee on Petroleum Production and Refining met in Los Angeles in February 1947. The prime achievement of the conference was the establishment of a mechanism of an international scale for worker-management co-operation in the industry. In March the Committee on Social Policy in Dependent Territories held its first session in London and the Committee of Experts on the Application of Conventions met in Geneva. The second sessions of the Industrial Committees on Coal Mining and on Inland Transport were convened in Geneva in April and May respectively.

An official International Labour Office mission visited a number of countries in the Far East to complete and verify the information contained in reports prepared for a preparatory regional Asiatic Conference of ILO to be held in New Delhi, India, in October, 1947. Members of the mission, which assembled at New Delhi on January 30, visited Indian provincial and state centers, China, Burma, the Malayan Union, Singapore, Siam, the Philippines and Ceylon.

G. BUDGET

The budget of the Organisation for the calendar year 1947, as approved by the 29th session of the Conference, totals 16,052,980 Swiss francs or approximately U. S. $3,733,000. The budget was approved by the Conference under the authority conferred upon it by Article 13

of the Constitution, as amended by the Instrument for the Amendment of the Constitution, 1945. This article provides that "the arrangements for the approval, allocation and collection of the budget... shall be determined by the Conference by a two-thirds majority of the votes cast by the delegates present, and shall provide for the approval of the budget and of the arrangements for the allocation of expenses among the Members of the Organisation by a Committee of Government Representatives."

The procedure governing the approval, allocation and collection of the budget was defined in financial regulations adopted provisionally by the Conference on the understanding that they would be referred to the Governing Body for further consideration during the interval preceding the next session of the Conference. These regulations provided that budget estimates made by the International Labour Office should first be considered by the Governing Body in time for the estimates and the Governing Body's report on them, to be sent to the members two months before the annual Conference. The regulations provided further that the estimates, as approved by the Governing Body, should then be submitted to the Conference, which in turn should refer them to a committee of one government representative of each of the members, this committee in turn submitting the estimates to the Conference for final approval.

The budget for 1947, in Swiss francs, is as follows:

EXPENDITURE

Part I. Ordinary Budget.	
Chapter I. Sessions of the Conference and the Governing Body and other Conferences	1,682,000
Chapter II. General Services of the International Labour Office	11,968,428
Chapter III. Profit and Loss on Exchange	
Chapter IV. Permanent Equipment, etc.	175,000
Chapter V. Capital Expenditure	
Chapter VI. Unforeseen Expenditure	250,000
Chapter VII. Reserve Fund	750,000
Part II.	
Staff Pensions Fund	703,660
Part III.	
Staff Retirement and Provident Fund	523,892
Part IV.	
Restoration to Working Capital Fund	
TOTAL	16,052,980

INCOME

Contributions from member States	14,684,952
Supplementary receipts	100,000
Balance at close of 27th Financial Period (1945); proportion to be taken in deduction of contributions of States which contributed to the balance	1,268,028
TOTAL	16,052,980

The budget is allocated among the members in accordance with a scale of contributions under which the total allocation is divided into 690 units with the members contributing the following numbers of units:

Afghanistan 1	India 48
Argentina 21	Iran 5
Australia 23	Iraq 3
Belgium 10	Ireland 10
Bolivia 2	Italy 20
Brazil 24	Liberia 1
Bulgaria 4	Luxembourg 1
Canada 35	Mexico 11
Chile 6	Norway 6
China 21	New Zealand 8
Colombia 5	Panama 1
Costa Rica 1	Netherlands 9
Cuba 5	Peru 5
Czechoslovakia 4	Poland 4
Denmark 8	Portugal 8
Dominican Republic 1	Siam 5
Egypt 12	South Africa 16
Ecuador 1	Sweden 19
Ethiopia 1	Switzerland 17
Finland 4	Turkey 10
France 60	United Kingdom 108
Greece 2	United States 108
Guatemala 1	Uruguay 4
Haiti 1	Venezuela 4
Hungary 4	Yugoslavia 1
Iceland 1	

The ILO Governing Body, at its 101st session in Geneva, gave preliminary approval to a budget for 1948 of $4,313,888. At the 30th session of the International Labour Conference which convened in Geneva on June 19, 1947, a budget totalling $4,361,678 was finally approved.

ANNEX I

MEMBERS AND OFFICERS

MEMBERS

Afghanistan	Iceland
Albania	India
Argentina	Iran
Australia	Iraq
Belgium	Ireland
Bolivia	Italy
Brazil	Liberia
Bulgaria	Luxembourg
Canada	Mexico
Chile	Netherlands
China	New Zealand
Colombia	Norway
Costa Rica	Panama
Cuba	Peru
Czechoslovakia	Poland
Denmark	Portugal
Dominican Republic	Siam
Ecuador	Union of South Africa
Egypt	Sweden
Ethiopia	Switzerland
Finland	Turkey
France	United Kingdom
Greece	United States
Guatemala	Uruguay
Haiti	Venezuela
Hungary	Yugoslavia

GOVERNING BODY

As a result of the elections which took place during the 27th session of the Conference, the Governing Body was constituted as follows:

Regular Members

One representative of the government of each of the following sixteen members:

Australia	India[1]
Belgium[1]	Mexico
Brazil	Netherlands[1]
Canada[1]	Peru
Chile	Poland
China[1]	Sweden
Egypt	United Kingdom[1]
France[1]	United States[1]

Eight representatives of the employers:

D. S. Erulkar (India)	F. Yllanes Ramos (Mexico)
W. Gemmill (South Africa)	P. Waline (France)
Li Ming (China)	Sir John Forbes Watson (United Kingdom)
H. C. Oersted (Denmark)	J. D. Zellerbach (United States)

Eight representatives of the workers:

Percy R. Bengough (Canada)	Sir Joseph Hallsworth (United Kingdom)
Paul C. Finet (Belgium)	L. Jouhaux (France)
Chu Hsueh-fan (China)	A. E. Monk (Australia)
	V. Lombardo Toledano (Mexico)
	R. J. Watt (United States)

Deputy Members

Eight deputy members chosen by the employers' delegates:

	Substitute:
L. E. Cornil (Belgium)	D. I. Cowley Hernandez (Cuba)
C. Kuntschen (Switzerland)	C. F. Söderbäck (Sweden)
A. Calheiros Lopes (Portugal)	Substitute: C. Erlandsen (Norway)
Substitute: G. de Resende Martins (Brazil)	J. Vanek (Czechoslovakia)
H. W. MacDonnell (Canada)	Substitutes: Massoud Ghayour (Iran)
A. N. Molenaar (Netherlands)	E. Gounaris (Greece)
J. B. Pons (Uruguay)	J. Saper (Poland)

Eight deputy members chosen by the workers' representatives:

D. B. Ibañez Aguila (Chile)	N. M. Joshi (India)
P. M. Butler (New Zealand)	O. Lizzadri (Italy)
K. Jasinski (Poland)	K. Nordahl (Norway)
(One seat vacant)	W. J. de Vries (South Africa)

Officers of the Governing Body

Chairman: Sir Guildhaume Myrddin-Evans (United Kingdom)

Vice-Chairmen: J. D. Zellerbach (United States)

L. Jouhaux (France)

Director-General of the International Labour Office

Edward Phelan (United Kingdom)

Addresses

Working Headquarters of the ILO:

Address: International Labour Office, Montreal 25, Canada
Telephone: Plateau 7801
Cable address: Interlab, Montreal

[1] Eight states of chief industrial importance (Art. 7 of the Constitution).

Geneva Office:

Address: International Labour Office, Geneva, Switzerland
Telephone: 26-200
Cable address: Interlab, Genève

Branch Offices:

United States:

Address: International Labour Office, Washington Branch, 734 Jackson Place, Washington, D. C.
Telephone: DIstrict 8736
Cable address: Interlab, Washington

United Kingdom:

Address: International Labour Office, London Branch, 38 Parliament Street, London S.W.1
Telephone: WHitehall 1437
Cable address: Interlab, Parl. London

France:

Address: International Labour Office, Paris Branch, 205 Boulevard St. Germain, Paris, VIIe
Telephone: Littré 92-02 and 92-03
Cable address: Interlab, Paris

Italy:

Address: International Labour Office, Rome Branch, 149a Quatro Fontane, Rome
Cable address: Interlab, Rome

India:

Address: International Labour Office, New Delhi Branch, New Delhi
Telephone: 7565
Cable address: Interlab, New Delhi

China:

Address: International Labour Office, Shanghai Branch, 754 Bubbling Well Road, Shanghai
Telephone: 30251
Cable address: Interlab, Shanghai

Liaison Office with the United Nations:

Address: P.O. Box 648, Great Neck, Long Island, New York
Telephone: Manhasset 3116 and 3117, and FLushing 7-9185
Cable address: Interlab, Greatneckny

ANNEX II

International Labour Conventions

The International Labour Conventions adopted by the Conference to date, with the number of ratifications of each, follow:

FIRST SESSION, 1919

(1) Hours of work (Industry). 25 ratifications.
(2) Unemployment. 32 ratifications.
(3) Childbirth. 17 ratifications.
(4) Night Work (Women). 32 ratifications. Revised by Convention No. 41.
(5) Minimum Age (Industry). 30 ratifications. Revised by Convention No. 59.
(6) Night Work (Young Persons). 31 ratifications.

SECOND SESSION, 1920

(7) Minimum Age (Sea). 33 ratifications. Revised by Convention No. 58.
(8) Unemployment Indemnity (Shipwreck). 28 ratifications.
(9) Placing of Seamen. 27 ratifications.

THIRD SESSION, 1921

(10) Minimum Age (Agriculture). 20 ratifications.
(11) Right of Association (Agriculture). 34 ratifications.
(12) Workmen's Compensation (Agriculture). 23 ratifications.
(13) White Lead (Painting). 27 ratifications.
(14) Weekly Rest (Industry). 34 ratifications.
(15) Minimum Age (Trimmers and Stokers). 32 ratifications.
(16) Medical Examination of Young Persons (Sea). 33 ratifications.

SEVENTH SESSION, 1925

(17) Workmen's Compensation (Accidents). 19 ratifications.
(18) Workmen's Compensation (Occupational Diseases). 30 ratifications. Revised by Convention No. 42.
(19) Equality of Treatment (Accident Compensation). 38 ratifications.
(20) Night Work (Bakeries). 12 ratifications.

EIGHTH SESSION, 1926

(21) Inspection of Emigrants. 32 ratifications.

NINTH SESSION, 1926

(22) Seamen's Articles of Agreement. 26 ratifications.
(23) Repatriation of Seamen. 17 ratifications.

TENTH SESSION, 1927

(24) Sickness Insurance (Industry, etc.). 17 fications.

(25) Sickness Insurance (Agriculture). 11 ratifications.

ELEVENTH SESSION, 1928

(26) Minimum Wage Fixing Machinery. 24 ratifications.

TWELFTH SESSION, 1929

(27) Marking of Weight (Packages Transported by Vessels). 35 ratifications.

(28) Protection against Accidents (Dockers). 4 ratifications. Revised by Convention No. 32 and not open to further ratification.

FOURTEENTH SESSION, 1930

(29) Forced Labor. 22 ratifications.

(30) Hours of Work (Commerce and Offices). 10 ratifications.

FIFTEENTH SESSION, 1931

(31) Hours of Work (Coal Mines).[1] 1 ratification. Revised by Convention No. 46.

SIXTEENTH SESSION, 1932

(32) Protection Against Accidents (Dockers). (Revised). 10 ratifications.

(33) Minimum Age (Non-Industrial Employment). 7 ratifications. Revised by Convention No. 60.

SEVENTEENTH SESSION, 1933

(34) Fee-Charging Employment Agencies. 5 ratifications.

(35) Old-Age Insurance (Industry, etc.). 4 ratifications.

(36) Old-Age Insurance (Agriculture). 3 ratifications.

(37) Invalidity Insurance (Industry, etc.). 4 ratifications.

(38) Invalidity Insurance (Agriculture). 3 ratifications.

(39) Survivors' Insurance (Industry etc.). 2 ratifications.

(40) Survivors' Insurance (Agriculture).[1] 1 ratification.

EIGHTEENTH SESSION, 1934

(41) Night Work (Women) (Revised). 17 ratifications.

(42) Workmen's Compensation (Occupational Diseases) (Revised). 14 ratifications.

(43) Sheet-Glass Works. 7 ratifications.

(44) Employment Provision. 4 ratifications.

NINETEENTH SESSION, 1935

(45) Underground Work (Women). 24 ratifications.

(46) Hours of Work (Coal Mines) (Revised).[1] 2 ratifications.

(47) Forty-Hour Week.[1] 1 ratification.

(48) Maintenance of Migrants' Pension Rights. 5 ratifications.

(49) Reduction of Hours of Work (Glass-Bottle Works). 6 ratifications.

TWENTIETH SESSION, 1936

(50) Recruiting of Indigenous Workers. 3 ratifications.

(51) Reduction of Hours of Work (Public Works).[1] 1 ratification.

(52) Holidays with Pay. 4 ratifications.

TWENTY-FIRST SESSION, 1936

(53) Officers' Competency Certificates. 9 ratifications.

(54) Holidays with Pay (Sea).[1] 3 ratifications. Revised by Convention No. 72.

(55) Shipowners' Liability (Sick and Injured Seamen). 3 ratifications.

(56) Sickness Insurance (Sea).[1] No ratifications.

(57) Hours of Work and Manning (Sea).[1] 4 ratifications.

TWENTY-SECOND SESSION, 1936

(58) Minimum Age (Sea) (Revised). 6 ratifications.

TWENTY-THIRD SESSION, 1937

(59) Minimum Age (Industry) (Revised). 2 ratifications.

(60) Minimum Age (Non-Industrial Employment) (Revised).[1] No ratifications.

(61) Reduction of Hours of Work (Textiles).[1] 1 ratification.

(62) Safety Provisions (Building). 2 ratifications.

TWENTY-FOURTH SESSION, 1938

(63) Statistics of Wages and Hours of Work. 11 ratifications.

TWENTY-FIFTH SESSION, 1939

(64) Contracts of Employment (Indigenous Workers).[1] 1 ratification.

(65) Penal Sanctions (Indigenous Workers).[1] 1 ratification.

(66) Migration for Employment.[1] No ratifications.

(67) Hours of Work and Rest Periods (Road Transport).[1] No ratifications.

TWENTY-EIGHTH SESSION, 1946

(68) Food and Catering (Ships' Crews).[1] No ratifications.

[1] Not yet in force.

(69) Certification of Ships' Cooks.[1] No ratifications.
(70) Social Security (Seafarers).[1] No ratifications.
(71) Seafarers Pensions.[1] No ratifications.
(72) Paid Vacations (Seafarers).[1] No ratifications.
(73) Medical Examination (Seafarers).[1] No ratifications.
(74) Certification of Able Seamen.[1] No ratifications.
(75) Accommodation of Crews.[1] No ratifications.
(76) Wages, Hours of Work and Manning (Seafarers).[1] No ratifications.

TWENTY-NINTH SESSION, 1946

(77) Medical Examination of Young Persons (Industry).[1] No ratifications.
(78) Medical Examination of Young Persons (Non-Industrial Occupations).[1] No ratifications.
(79) Night Work of Young Persons (Non-Industrial Occupations).[1] No ratifications.
(80) Final Articles Revision.[1] 4 ratifications.

ANNEX III

The Constitution of the International Labour Organisation[2]

PREAMBLE

Whereas universal and lasting peace can be established only if it is based upon social justice;

And whereas conditions of labour exist involving such injustice, hardship and privation to large numbers of people as to produce unrest so great that the peace and harmony of the world are imperilled; and an improvement of those conditions is urgently required: as, for example, by the regulation of the hours of work, including the establishment of a maximum working day and week, the regulation of the labour supply, the prevention of unemployment, the provision of an adequate living wage, the protection of the worker against sickness, disease and injury arising out of his employment, the protection of children, young persons and women, provision for old age and injury, protection of the interests of workers when employed in countries other than their own, recognition of the principle of equal remuneration for work of equal value, recognition of the principle of freedom of association, the organization of vocational and technical education and other measures;

Whereas also the failure of any nation to adopt humane conditions of labour is an obstacle in the way of other nations which desire to improve the conditions in their own countries;

The High Contracting Parties, moved by sentiments of justice and humanity as well as by the desire to secure the permanent peace of the world, and with a view to attaining the objectives set forth in this Preamble, agree to the following Constitution of the International Labour Organisation:

CHAPTER I—ORGANISATION

ARTICLE 1.

1. A permanent organisation is hereby established for the promotion of the objects set forth in the Preamble to this Constitution, and in the Declaration concerning the aims and purposes of the International Labour Organisation adopted at Philadelphia on 10 May 1944, the text of which is annexed to this Constitution.

2. The Members of the International Labour Organisation shall be the States which were Members of the Organisation on 1 November 1945, and such other States as may become Members in pursuance of the provisions of paragraphs 3 and 4 of this article.

3. Any original Member of the United Nations and any State admitted to membership of the United Nations by a decision of the General Assembly in accordance with the provisions of the Charter may become a Member of the International Labour Organisation by communicating to the Director-General of the International Labour Office its formal acceptance of the obligations of the Constitution of the International Labour Organisation.

4. The General Conference of the International Labour Organisation may also admit Members to the Organisation by a vote concurred in by two thirds of the delegates attending the session, including two thirds of the Government delegates present and voting. Such admission shall take effect on the communication to the Director-General of the International Labour Office by the Government of the new Member of its formal acceptance of the obligations of the Constitution of the Organisation.

5. No Member of the International Labour Organisation may withdraw from the Organisation without giving notice of its intention so to do to the Director-General of the International Labour Office. Such notice shall take effect two years after the date of its reception by the Director-General, subject to the Mem-

[1] Not yet in force.

[2] As amended at the 29th session of the General Conference of ILO in September-October 1946. The amendments were adopted by the General Conference but have not yet been ratified in accordance with Article 36.

ber having at that time fulfilled all financial obligations arising out of its membership. When a Member has ratified any international labour Convention, such withdrawal shall not affect the continued validity for the period provided for in the Convention of all obligations arising thereunder or relating thereto.

6. In the event of any State having ceased to be a Member of the Organisation, its readmission to membership shall be governed by the provisions of paragraph 3 or paragraph 4 of this article as the case may be.

ARTICLE 2.

The permanent organisation shall consist of

(a) a General Conference of representatives of the Members:

(b) a Governing Body composed as described in Article 7; and

(c) an International Labour Office controlled by the Governing Body.

ARTICLE 3.

1. The meetings of the General Conference of representatives of the Members shall be held from time to time as occasion may require, and at least once in every year. It shall be composed of four representatives of each of the Members, of whom two shall be Government delegates and the two others shall be delegates representing respectively the employers and the workpeople of each of the Members.

2. Each delegate may be accompanied by advisers, who shall not exceed two in number for each item on the agenda of the meeting. When questions specially affecting women are to be considered by the Conference, one at least of the advisers should be a woman.

3. Each Member which is responsible for the international relations of non-metropolitan territories may appoint as additional advisers to each of its delegates:

(a) persons nominated by it as representatives of any such territory in regard to matters within the self-governing powers of that territory; and

(b) persons nominated by it to advise its delegates in regard to matters concerning non-self-governing territories.

4. In the case of a territory under the joint authority of two or more Members, persons may be nominated to advise the delegates of such Members.

5. The Members undertake to nominate non-Government delegates and advisers chosen in agreement with the industrial organisations, if such organisations exist, which are most representative of employers or workpeople, as the case may be, in their respective countries.

6. Advisers shall not speak except on a request made by the delegate whom they accompany and by the special authorisation of the President of the Conference, and may not vote.

7. A delegate may by notice in writing addressed to the President appoint one of his advisers to act as his deputy, and the adviser, while so acting, shall be allowed to speak and vote.

8. The names of the delegates and their advisers will be communicated to the International Labour Office by the Government of each of the Members.

9. The credentials of delegates and their advisers shall be subject to scrutiny by the Conference, which may, by two thirds of the votes cast by the delegates present, refuse to admit any delegate or adviser whom it deems not to have been nominated in accordance with this article.

ARTICLE 4.

1. Every delegate shall be entitled to vote individually on all matters which are taken into consideration by the Conference.

2. If one of the Members fails to nominate one of the non-Government delegates whom it is entitled to nominate, the other non-Government delegate shall be allowed to sit and speak at the Conference, but not to vote.

3. If in accordance with Article 3 the Conference refuses admission to a delegate of one of the Members, the provisions of the present article shall apply as if that delegate had not been nominated.

ARTICLE 5.

The meetings of the Conference shall, subject to any decisions which may have been taken by the Conference itself at a previous meeting, be held at such place as may be decided by the Governing Body.

ARTICLE 6.

Any change in the seat of the International Labour Office shall be decided by the Conference by a two-thirds majority of the votes cast by the delegates present.

ARTICLE 7.

1. The Governing Body shall consist of thirty-two persons:

Sixteen representing Governments,
Eight representing the Employers, and
Eight representing the Workers.

2. Of the sixteen persons representing Governments, eight shall be appointed by the Members of chief industrial importance, and eight shall be appointed by the Members selected for that purpose by the Government delegates to the Conference, excluding the delegates of the eight Members mentioned above.

Of the sixteen Members represented six shall be non-European States.

3. The Governing Body shall as occasion requires determine which are the Members of the Organisation of chief industrial importance and shall make rules to ensure that all questions relating to the selection of the Members of chief industrial importance are considered by an impartial committee before being decided by the Governing Body. Any appeal made by a Member from the declaration of the Governing Body as to which are the Members of chief industrial importance shall be decided by the Conference, but an appeal to the Conference shall not suspend the application of the declaration until such time as the Conference decides the appeal.

4. The persons representing the Employers and the persons representing the Workers shall be elected respectively by the Employers' delegates and the Workers' delegates to the Conference.

Two Employers' representatives and two Workers' representatives shall belong to non-European States.

5. The period of office of the Governing Body shall be three years. If for any reason the Governing Body elections do not take place on the expiry of this period, the Governing Body shall remain in office until such elections are held.

6. The method of filling vacancies and of appointing substitutes and other similar questions may be decided by the Governing Body subject to the approval of the Conference.

7. The Governing Body shall, from time to time, elect from its number a Chairman and two Vice-Chairmen, of whom one shall be a person representing a Government, one a person representing the Employers, and one a person representing the Workers.

8. The Governing Body shall regulate its own procedure and shall fix its own times of meeting. A special meeting shall be held if a written request to that effect is made by at least twelve of the representatives on the Governing Body.

ARTICLE 8.

1. There shall be a Director-General of the International Labour Office, who shall be appointed by the Governing Body, and, subject to the instructions of the Governing Body, shall be responsible for the efficient conduct of the International Labour Office and for such other duties as may be assigned to him.

2. The Director-General or his deputy shall attend all meetings of the Governing Body.

ARTICLE 9.

1. The staff of the International Labour Office shall be appointed by the Director-General under regulations approved by the Governing Body.

2. So far as is possible with due regard to the efficiency of the work of the Office, the Director-General shall select persons of different nationalities.

3. A certain number of these persons shall be women.

4. The responsibilities of the Director-General and the staff shall be exclusively international in character. In the performance of their duties, the Director-General and the staff shall not seek or receive instructions from any Government or from any other authority external to the Organisation. They shall refrain from any action which might reflect on their position as international officials responsible only to the Organisation.

5. Each Member of the Organisation undertakes to respect the exclusively international character of the responsibilities of the Director-General and the staff and not to seek to influence them in the discharge of their responsibilities.

ARTICLE 10.

1. The functions of the International Labour Office shall include the collection and distribution of information on all subjects relating to the international adjustment of conditions of industrial life and labour, and particularly the examination of subjects which it is proposed to bring before the Conference with a view to the conclusion of international Conventions, and the conduct of such special investigations as may be ordered by the Conference or by the Governing Body.

2. Subject to such directions as the Governing Body may give, the Office will

(a) prepare the documents on the various items of the agenda for the meetings of the Conference;

(b) accord to Governments at their request all appropriate assistance within its power in connection with the framing of laws and regulations on the basis of the decisions of the Conference and the improvement of administrative practices and systems of inspection;

(c) carry out the duties required of it by the provisions of this Constitution in connection with the effective observance of Conventions;

(d) edit and issue, in such languages as the Governing Body may think desirable, publications dealing with problems of industry and employment of international interest.

3. Generally, it shall have such other powers and duties as may be assigned to it by the Conference or by the Governing Body.

ARTICLE 11.

The Government departments of any of the Members which deal with questions of industry and employment may communicate directly with the Director-General through the representative of their Government or the Governing Body of the International Labour Office, or failing any such representative, through such other qualified official as the Government may nominate for the purpose.

ARTICLE 12.

1. The International Labour Organisation shall co-operate within the terms of this Constitution with any general international organisation entrusted with the co-ordination of the activities of public international organisations having specialised responsibilities and with public international organisations having specialised responsibilities in related fields.

2. The International Labour Organisation may make appropriate arrangements for the representatives of public international organisations to participate without vote in its deliberations.

3. The International Labour Organisation may make suitable arrangements for such consultation as it may think desirable with recognized non-governmental international organisations, including international organisations of employers, workers, agriculturists and co-operators.

ARTICLE 13.

1. The International Labour Organisation may make such financial and budgetary arrangements with the United Nations as may appear appropriate.

2. Pending the conclusion of such arrangements or if at any time no such arrangements are in force—

(a) each of the Members will pay the travelling and subsistence expenses of its delegates and their advisers and of its representatives attending the meetings of the Conference or the Governing Body, as the case may be;

(b) all other expenses of the International Labour Office and of the meetings of the Conference or Governing Body shall be paid by the Director-General of the International Labour Office out of the general funds of the International Labour Organisation;

(c) the arrangements for the approval, allocation and collection of the budget of the International Labour Organisation shall be determined by the Conference by a two-thirds majority of the votes cast by the delegates present, and shall provide for the approval of the budget and of the arrangements for the allocation of expenses among the Members of the Organisation by a Committee of Government Representatives.

3. The expenses of the International Labour Organisation shall be borne by the Members in accordance with the arrangements in force in virtue of paragraph 1 or paragraph 2 (c) of this article.

4. A Member of the Organisation which is in arrears in the payment of its financial contribution to the Organisation shall have no vote in the Conference, in the Governing Body, in any committee, or in the elections of members of the Governing Body, if the amount of its arrears equals or exceeds the amount of the contributions due from it for the preceding two full years: Provided that the Conference may by a two-thirds majority of the votes cast by the delegates present 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.

5. The Director-General of the International Labour Office shall be responsible to the Governing Body for the proper expenditure of the funds of the International Labour Organisation.

CHAPTER II—PROCEDURE

ARTICLE 14.

1. The agenda for all meetings of the Conference will be settled by the Governing Body, who shall consider any suggestion as to the agenda that may be made by the Government of any of the Members or by any representative organisation recognized for the purpose of Article 3, or by any public international organisation.

2. The Governing Body shall make rules to ensure thorough technical preparation and adequate consultation of the Members primarily concerned, by means of a preparatory Conference or otherwise, prior to the adoption of a Convention or Recommendation by the Conference.

ARTICLE 15.

1. The Director-General shall act as the Secretary-General of the Conference, and shall transmit the agenda so as to reach the Members four months before the meeting of the Conference, and, through them, the non-Government delegates when appointed.

2. The reports on each item of the agenda shall be despatched so as to reach the Members four months before the meeting of the Conference. The Governing Body shall make rules for the application of this provision.

ARTICLE 16.

1. Any of the Governments of the Members may formally object to the inclusion of any item or items in the agenda. The grounds for such objection shall be set forth in a statement addressed to the Director-General who shall circulate it to all the Members of the Organisation.

2. Items to which such objection has been made shall not, however, be excluded from the agenda, if at the Conference a majority of two

thirds of the votes cast by the delegates present is in favour of considering them.

3. If the Conference decides (otherwise than under the preceding paragraph) by two thirds of the votes cast by the delegates present that any subject shall be considered by the Conference, that subject shall be included in the agenda for the following meeting.

ARTICLE 17.

1. The Conference shall elect a President and three Vice-Presidents. One of the Vice-Presidents shall be a Government delegate, one an Employers' delegate and one a Workers' delegate. The Conference shall regulate its own procedure and may appoint committees to consider and report on any matter.

2. Except as otherwise expressly provided in this Constitution or by the terms of any Convention or other instrument conferring powers on the Conference or of the financial and budgetary arrangements adopted in virtue of Article 13, all matters shall be decided by a simple majority of the votes cast by the delegates present.

3. The voting is void unless the total number of votes cast is equal to half the number of the delegates attending the Conference.

ARTICLE 18.

The Conference may add to any committees which it appoints technical experts without power to vote.

ARTICLE 19.

1. When the Conference has decided on the adoption of proposals with regard to an item in the agenda, it will rest with the Conference to determine whether these proposals should take the form: (a) of an international Convention, or (b) of a Recommendation to meet circumstances where the subject, or aspect of it, dealt with is not considered suitable or appropriate at that time for a Convention.

2. In either case a majority of two thirds of the votes cast by the delegates present shall be necessary on the final vote for the adoption of the Convention or Recommendation, as the case may be, by the Conference.

3. In framing any Convention or Recommendation of general application the Conference shall have due regard to those countries in which climatic conditions, the imperfect development of industrial organisation, or other special circumstances make the industrial conditions substantially different and shall suggest the modifications, if any, which it considers may be required to meet the case of such countries.

4. Two copies of the Convention or Recommendation shall be authenticated by the signatures of the President of the Conference and of the Director-General. Of these copies one shall be deposited in the archives of the International Labour Office and the other with the Secretary-General of the United Nations. The Director-General will communicate a certified copy of the Convention or Recommendation to each of the Members.

5. In the case of a Convention—

(a) the Convention will be communicated to all Members for ratification;

(b) each of the Members undertakes that it will, within the period of one year at most from the closing of the session of the Conference, or if it is impossible owing to exceptional circumstances to do so within the period of one year, then at the earliest practicable moment and in no case later than eighteen months from the closing of the session of the Conference, bring the Convention before the authority or authorities within whose competence the matter lies, for the enactment of legislation or other action;

(c) Members shall inform the Director-General of the International Labour Office of the measures taken in accordance with this article to bring the Convention before the said competent authority or authorities, with particulars of the authority or authorities regarded as competent, and of the action taken by them;

(d) if the Member obtains the consent of the authority or authorities within whose competence the matter lies it will communicate the formal ratification of the Convention to the Director-General and will take such action as may be necessary to make effective the provisions of such Convention;

(e) if the Member does not obtain the consent of the authority or authorities within whose competence the matter lies, no further obligation shall rest upon the Member except that it shall report to the Director-General of the International Labour Office, at appropriate intervals as requested by the Governing Body, the position of its law and practice in regard to the matters dealt with in the Convention and showing the extent to which effect has been given, or is proposed to be given, to any of the provisions of the Convention by legislation, administrative action, collective agreement or otherwise and stating the difficulties which prevent or delay the ratification of such Convention.

6. In the case of a Recommendation—

(a) the Recommendation will be communicated to all Members for their consideration with a view to effect being given to it by national legislation or otherwise;

(b) each of the Members undertakes that it will, within a period of one year at most from the closing of the session of the Conference, or if it is impossible owing to exceptional circumstances to do so within the period of one year, then at the earliest practicable moment and in no case later than eighteen months after the closing of the Conference,

submit the Recommendation to the authority or authorities within whose competence the matter lies for the enactment of legislation or other action;

(c) the Members will inform the Director-General of the International Labour Office of the measures taken in accordance with this article to bring the Recommendation before the said competent authority or authorities with particulars of the authority or authorities regarded as competent, and of the action taken by them;

(d) apart from bringing the Recommendation before the said competent authority or authorities, no further obligation shall rest upon the Members, except that they shall report to the Director-General of the International Labour Office, at appropriate intervals as requested by the Governing Body, the position of the law and practice in their country in regard to the matters dealt with in the Recommendation and showing the extent to which effect has been given, or is proposed to be given, to the provisions of the Recommendation and such modifications of these provisions as it has been found or may be found necessary to make in adopting or applying them.

7. In the case of a federal State, the following provisions shall apply:

(a) in respect of Conventions and Recommendations which the federal Government regards as appropriate under its constitutional system for federal action, the obligations of the federal State shall be the same as those of Members which are not federal States;

(b) in respect of Conventions and Recommendations which the federal Government regards as appropriate under its constitutional system, in whole or in part, for action by the constituent States, provinces, or cantons rather than for federal action, the federal Government shall—

(i) make, in accordance with its Constitution and the Constitutions of the States, provinces or cantons concerned, effective arrangements for the reference of such Conventions and Recommendations not later than eighteen months from the closing of the session of the Conference to the appropriate federal, State, provincial or cantonal authorities for the enactment of legislation or other action;

(ii) arrange, subject to the concurrence of the State, provincial or cantonal Governments concerned, for periodical consultations between the federal and the State, provincial or cantonal authorities with a view to promoting within the federal State co-ordinated action to give effect to the provisions of such Conventions and Recommendations;

(iii) inform the Director-General of the International Labour Office of the measures taken in accordance with this article to bring such Conventions and Recommendations before the appropriate federal, State, provincial or cantonal authorities with particulars of the authorities regarded as appropriate and of the action taken by them;

(iv) in respect of each such Convention which it has not ratified, report to the Director-General of the International Labour Office, at appropriate intervals as requested by the Governing Body, the position of the law and practice of the federation and its constituent States, provinces or cantons in regard to the Convention, showing the extent to which effect has been given, or is proposed to be given, to any of the provisions of the Convention by legislation, administrative action, collective agreement, or otherwise;

(v) in respect of each such Recommendation, report to the Director-General of the International Labour Office, at appropriate intervals as requested by the Governing Body, the position of the law and practice of the federation and its constituent States, provinces or cantons in regard to the Recommendation, showing the extent to which effect has been given, or is proposed to be given, to the provisions of the Recommendation and such modifications of these provisions as have been found or may be found necessary in adopting or applying them.

8. In no case shall the adoption of any Convention or Recommendation by the Conference, or the ratification of any Convention by any Member, be deemed to affect any law, award, custom or agreement which ensures more favourable conditions to the workers concerned than those provided for in the Convention or Recommendation.

ARTICLE 20.

Any Convention so ratified shall be communicated by the Director-General of the International Labour Office to the Secretary-General of the United Nations for registration in accordance with the provisions of Article 102 of the Charter of the United Nations but shall only be binding upon the Members which ratify it.

ARTICLE 21.

1. If any Convention coming before the Conference for final consideration fails to secure the support of two thirds of the votes cast by the delegates present, it shall nevertheless be within the right of any of the Members of the Organisation to agree to such Convention among themselves.

2. Any Convention so agreed to shall be communicated by the Governments concerned to the Director-General of the International Labour Office and to the Secretary-General of the United Nations for registration in accordance with the provisions of Article 102 of the Charter of the United Nations.

ARTICLE 22.

Each of the Members agrees to make an annual report to the International Labour Office on the measures which it has taken to give effect to the provisions of Conventions to which it is a party. These reports shall be made in such form and shall contain such particulars as the Governing Body may request.

ARTICLE 23.

1. The Director-General shall lay before the next meeting of the Conference a summary of the information and reports communicated to him by Members in pursuance of Articles 19 and 22.

2. Each Member shall communicate to the representative organisations recognised for the purpose of Article 3 copies of the information and reports communicated to the Director-General in pursuance of Articles 19 and 22.

ARTICLE 24.

In the event of any representation being made to the International Labour Office by an industrial association of employers or of workers that any of the Members has failed to secure in any respect the effective observance within its jurisdiction of any Convention to which it is a party, the Governing Body may communicate this representation to the Government against which it is made, and may invite that Government to make such statement on the subject as it may think fit.

ARTICLE 25.

If no statement is received within a reasonable time from the Government in question, or if the statement when received is not deemed to be satisfactory by the Governing Body, the latter shall have the right to publish the representation and the statement, if any, made in reply to it.

ARTICLE 26.

1. Any of the Members shall have the right to file a complaint with the International Labour Office if it is not satisfied that any other Member is securing the effective observance of any Convention which both have ratified in accordance with the foregoing articles.

2. The Governing Body may, if it thinks fit, before referring such a complaint to a Commission of Enquiry, as hereinafter provided for, communicate with the Government in question in the manner described in Article 24.

3. If the Governing Body does not think it necessary to communicate the complaint to the Government in question, or if, when they have made such communication, no statement in reply has been received within a reasonable time which the Governing Body considers to be satisfactory, the Governing Body may appoint a Commission of Enquiry to consider the complaint and to report thereon.

4. The Governing Body may adopt the same procedure either of its own motion or on receipt of a complaint from a delegate to the Conference.

5. When any matter arising out of Articles 25 or 26 is being considered by the Governing Body, the Government in question shall, if not already represented thereon, be entitled to send a representative to take part in the proceedings of the Governing Body while the matter is under consideration. Adequate notice of the date on which the matter will be considered shall be given to the Government in question.

ARTICLE 27.

The Members agree that, in the event of the reference of a complaint to the Commission of Enquiry under Article 26, they will each, whether directly concerned in the complaint or not, place at the disposal of the Commission all the information in their possession which bears upon the subject matter of the complaint.

ARTICLE 28.

1. When the Commission of Enquiry has fully considered the complaint, it shall prepare a report embodying its findings on all questions of fact relevant to determining the issue between the parties and containing such recommendations as it may think proper as to the steps which should be taken to meet the complaint and the time within which they should be taken.

ARTICLE 29.

1. The Director-General of the International Labour Office shall communicate the report of the Commission of Enquiry to the Governing Body and to each of the Governments concerned in the complaint, and shall cause it to be published.

2. Each of these Governments shall within three months inform the Director-General of the International Labour Office whether or not it accepts the recommendations contained in the report of the Commission; and if not, whether it proposes to refer the complaint to the International Court of Justice.

ARTICLE 30.

In the event of any Member failing to take the action required by paragraphs 5 (b), 6 (b) or 7 (b) (i) of Article 19 with regard to a Convention or Recommendation, any other Member shall be entitled to refer the matter to the Governing Body. In the event of the Governing Body finding that there has been such a failure, it shall report the matter to the Conference.

ARTICLE 31.

The decision of the International Court of Justice in regard to a complaint or matter which has been referred to it in pursuance of Article 29 shall be final.

ARTICLE 32.

The International Court of Justice may affirm, vary or reverse any of the findings or

recommendations of the Commission of Enquiry, if any.

ARTICLE 33.

In the event of any Member failing to carry out within the time specified the recommendations, if any, contained in the report of the Commission of Enquiry, or in the decision of the International Court of Justice, as the case may be, the Governing Body may recommend to the Conference such action as it may deem wise and expedient to secure compliance therewith.

ARTICLE 34

The defaulting Government may at any time inform the Governing Body that it has taken the steps necessary to comply with the recommendations of the Commission of Enquiry or with those in the decision of the International Court of Justice, as the case may be, and may request it to constitute a Commission of Enquiry to verify its contention. In this case the provisions of Articles 27, 28, 29, 31 and 32 shall apply, and if the report of the Commission of Enquiry or the decision of the International Court of Justice is in favour of the defaulting Government, the Governing Body shall forthwith recommend the discontinuance of any action taken in pursuance of Article 33.

CHAPTER III—GENERAL

ARTICLE 35.

1. The Members undertake that Conventions which they have ratified in accordance with the provisions of this Constitution shall be applied to the non-metropolitan territories for whose international relations they are responsible, including any trust territories for which they are the administering authority, except where the subject matter of the Convention is within the self-governing powers of the territory or the Convention is inapplicable owing to the local conditions or subject to such modifications as may be necessary to adapt the Convention to local conditions.

2. Each Member which ratifies a Convention shall as soon as possible after ratification communicate to the Director-General of the International Labour Office a declaration stating in respect of the territories other than those referred to in paragraphs 4 and 5 below the extent to which it undertakes that the provisions of the Convention shall be applied and giving such particulars as may be prescribed by the Convention.

3. Each Member which has communicated a declaration in virtue of the preceding paragraph may from time to time, in accordance with the terms of the Convention, communicate a further declaration modifying the terms of any former declaration and stating the present position in respect of such territories.

4. Where the subject matter of the Convention is within the self-governing powers of any non-metropolitan territory the Member responsible for the international relations of that territory shall bring the Convention to the notice of the Government of the territory as soon as possible with a view to the enactment of legislation or other action by such Government. Thereafter the Member in agreement with the Government of the territory, may communicate to the Director-General of the International Labour Office a declaration accepting the obligations of the Convention on behalf of such territory.

5. A declaration accepting the obligations of any Convention may be communicated to the Director-General of the International Labour Office—

(a) by two or more Members of the Organisation in respect of any territory which is under their joint authority; or

(b) by any international authority responsible for the administration of any territory, in virtue of the Charter of the United Nations or otherwise, in respect of any such territory.

6. Acceptance of the obligations of a Convention in virtue of paragraphs 4 or 5 shall involve the acceptance on behalf of the territory concerned of the obligations stipulated by the terms of the Convention and the obligations under the Constitution of the Organisation which apply to ratified Conventions. A declaration of acceptance may specify such modifications of the provisions of the Convention as may be necessary to adapt the Convention to local conditions.

7. Each Member or international authority which has communicated a declaration in virtue of paragraphs 4 or 5 of this article may from time to time, in accordance with the terms of the Convention, communicate a further declaration modifying the terms of any former declaration or terminating the acceptance of the obligations of the Convention on behalf of the territory concerned.

8. If the obligations of a Convention are not accepted on behalf of a territory to which paragraphs 4 or 5 of this article relates, the Member or Members or international authority concerned shall report to the Director-General of the International Labour Office the position of the law and practice of that territory in regard to the matters dealt with in the Convention and the report shall show the extent to which effect has been given, or is proposed to be given, to any of the provisions of the Convention by legislation, administrative action, collective agreement or otherwise and shall state the difficulties which prevent or delay the acceptance of such Convention.

ARTICLE 36.

Amendments to this Constitution which are adopted by the Conference by a majority of two thirds of the votes cast by the delegates

present shall take effect when ratified or accepted by two thirds of the Members of the Organisation including five of the eight Members which are represented on the Governing Body as Members of chief industrial importance in accordance with the provisions of paragraph 3 of Article 7 of this Constitution.

ARTICLE 37.

1. Any question or dispute relating to the interpretation of this Constitution or of any subsequent Convention concluded by the Members in pursuance of the provisions of this Constitution shall be referred for decision to the International Court of Justice.

2. Notwithstanding the provisions of paragraph 1 of this article the Governing Body may make and submit to the Conference for approval rules providing for the appointment of a tribunal for the expeditious determination of any dispute or question relating to the interpretation of a Convention which may be referred thereto by the Governing Body or in accordance with the terms of the Convention. Any applicable judgment or advisory opinion of the International Court of Justice shall be binding upon any tribunal established in virtue of this paragraph. Any award made by such a tribunal shall be circulated to the Members of the Organisation and any observations which they may make thereon shall be brought before the Conference.

ARTICLE 38.

1. The International Labour Organisation may convene such regional conferences and establish such regional agencies as may be desirable to promote the aims and purposes of the Organisation.

2. The powers, functions and procedure of regional conferences shall be governed by rules drawn up by the Governing Body and submitted to the General Conference for confirmation.

CHAPTER IV—MISCELLANEOUS PROVISIONS

ARTICLE 39.

The International Labour Organisation shall possess full juridical personality and in particular the capacity—

(a) to contract;

(b) to acquire and dispose of immovable and movable property;

(c) to institute legal proceedings.

ARTICLE 40.

1. The International Labour Organisation shall enjoy in the territory of each of its Members such privileges and immunities as are necessary for the fulfilment of its purposes.

2. Delegates to the Conference, members of the Governing Body and the Director-General and officials of the Office shall likewise enjoy such privileges and immunities as are necessary for the independent exercise of their functions in connection with the Organisation.

3. Such privileges and immunities shall be defined in a separate agreement to be prepared by the Organisation with a view to its acceptance by the Members.

ANNEX

Declaration Concerning the Aims and Purposes of the International Labour Organisation

The General Conference of the International Labour Organisation, meeting in its Twenty-sixth Session in Philadelphia, hereby adopts, this tenth day of May in the year nineteen hundred and forty-four, the present Declaration of the aims and purposes of the International Labour Organisation and of the principles which should inspire the policy of its Members.

I

The Conference reaffirms the fundamental principles on which the Organisation is based and, in particular, that:

(a) Labour is not a commodity;

(b) freedom of expression and of association are essential to sustained progress;

(c) poverty anywhere constitutes a danger to prosperity everywhere;

(d) the war against want requires to be carried on with unrelenting vigour within each nation, and by continuous and concerted international effort in which the representatives of workers and employers, enjoying equal status with those of Governments, join with them in free discussion and democratic decision with a view to the promotion of the common welfare.

II

Believing that experience has fully demonstrated the truth of the statement in the Constitution of the International Labour Organisation that lasting peace can be established only if it is based on social justice, the Conference affirms that:

(a) all human beings, irrespective of race, creed or sex, have the right to pursue both their material well-being and their spiritual development in conditions of freedom and dignity, of economic security and equal opportunity;

(b) the attainment of the conditions in which this shall be possible must constitute the central aim of national and international policy;

(c) all national and international policies and measures, in particular those of an economic and financial character, should be judged in this light and accepted only in so far as they

may be held to promote and not to hinder the achievement of this fundamental objective;

(d) it is a responsibility of the International Labour Organisation to examine and consider all international economic and financial policies and measures in the light of this fundamental objective;

(e) in discharging the tasks entrusted to it the International Labour Organisation, having considered all relevant economic and financial factors, may include in its decisions and recommendations any provisions which it considers appropriate.

III

The Conference recognizes the solemn obligation of the International Labour Organisation to further among the nations of the world programmes which will achieve:

(a) full employment and the raising of standards of living;

(b) the employment of workers in the occupations in which they can have the satisfaction of giving the fullest measure of their skill and attainments and make their greatest contribution to the common well-being;

(c) the provision, as a means to the attainment of this end and under adequate guarantees for all concerned, of facilities for training and the transfer of labour, including migration for employment and settlement;

(d) policies in regard to wages and earnings, hours and other conditions of work calculated to ensure a just share of the fruits of progress to all, and a minimum living wage to all employed and in need of such protection;

(e) the effective recognition of the right of collective bargaining, the co-operation of management and labour in the continuous improvement of productive efficiency, and the collaboration of workers and employers in the preparation and application of social and economic measures;

(f) the extension of social security measures to provide a basic income to all in need of such protection and comprehensive medical care;

(g) adequate protection for the life and health of workers in all occupations;

(h) provision for child welfare and maternity protection;

(i) the provision of adequate nutrition, housing and facilities for recreation and culture;

(j) the assurance of equality of educational and vocational opportunity.

IV

Confident that the fuller and broader utilisation of the world's productive resources necessary for the achievement of the objectives set forth in this Declaration can be secured by effective international and national action, including measures to expand production and consumption, to avoid severe economic fluctuations, to promote the economic and social advancement of the less developed regions of the world, to assure greater stability in world prices of primary products, and to promote a high and steady volume of international trade, the Conference pledges the full co-operation of the International Labour Organisation with such international bodies as may be entrusted with a share of the responsibility for this great task and for the promotion of the health, education and well-being of all peoples.

V

The Conference affirms that the principles set forth in this Declaration are fully applicable to all peoples everywhere and that, while the manner of their application must be determined with due regard to the stage of social and economic development reached by each people, their progressive application to peoples who are still dependent, as well as to those who have already achieved self-government, is a matter of concern to the whole civilized world.

ANNEX IV

Agreement Between the United Nations and the International Labour Organisation

Article 57 of the Charter of the United Nations provides that specialized agencies established by intergovernmental agreement and having wide international responsibilities as defined in their basic instruments in economic, social, cultural, educational, health and related fields shall be brought into relationship with the United Nations.

The International Labour Conference, meeting in its twenty-seventh session in Paris on 3 November 1945, adopted a resolution confirming the desire of the International Labour Organization to enter into relationship with the United Nations on terms to be determined by agreement.

Therefore, the United Nations and the International Labour Organization agree as follows:

ARTICLE I.

The United Nations recognizes the International Labour Organization as a specialized agency responsible for taking such action as may be appropriate under its basic instrument for the accomplishment of the purposes set forth therein.

ARTICLE II.

Reciprocal representation

1. Representatives of the United Nations shall be invited to attend the meetings of the

International Labour Conference (hereinafter called the Conference) and its committees, the Governing Body and its committees, and such general, regional or other special meetings as the International Labour Organization may convene, and to participate, without vote, in the deliberations of these bodies.

2. Representatives of the International Labour Organization shall be invited to attend meetings of the Economic and Social Council of the United Nations (hereinafter called the Council) and of its commissions and committees and to participate, without vote, in the deliberations of these bodies with respect to items on their agenda in which the International Labour Organization has indicated that it has an interest.

3. Representatives of the International Labour Organization shall be invited to attend, in a consultative capacity, meetings of the General Assembly and shall be afforded full opportunity for presenting to the General Assembly the views of the International Labour Organization on questions within the scope of its activities.

4. Representatives of the International Labour Organization shall be invited to attend meetings of the main committees of the General Assembly in which the International Labour Organization has an interest and to participate, without vote, in the deliberations thereof.

5. Representatives of the International Labour Organization shall be invited to attend the meetings of the Trusteeship Council and to participate, without vote, in the deliberations thereof with respect to items on the agenda in which the International Labour Organization has indicated that it has an interest.

6. Written statements of the Organization shall be distributed by the Secretariat of the United Nations to all Members of the General Assembly, the Council and its commissions and the Trusteeship Council as appropriate.

ARTICLE III.

Proposal of agenda items

Subject to such preliminary consultation as may be necessary, the International Labour Organization shall include on the agenda of the Governing Body items proposed to it by the United Nations. Similarly, the Council and its commissions and the Trusteeship Council shall include on their agenda items proposed by the International Labour Organization.

ARTICLE IV.

Recommendations of the General Assembly and of the Council

1. The International Labour Organization, having regard to the obligation of the United Nations to promote the objectives set forth in Article 55 of the Charter and the function and power of the Council under Article 62 of the Charter, to make or initiate studies and reports with respect to international economic, social, cultural, educational, health and related matters and to make recommendations concerning these matters to the specialized agencies concerned, and having regard, also to the responsibility of the United Nations, under Articles 58 and 63 of the Charter, to make recommendations for the co-ordination of the policies and activities of such specialized agencies, agrees to arrange for the submission, as soon as possible, to the Governing Body, the Conference or such other organ of the International Labour Organization, as may be appropriate, of all formal recommendations which the General Assembly or the Council may make to it.

2. The International Labour Organization agrees to enter into consultation with the United Nations upon request, with respect to such recommendations, and in due course to report to the United Nations on the action taken, by the Organization or by its members, to give effect to such recommendations, or on the other results of their consideration.

3. The International Labour Organization affirms its intention of co-operating in whatever further measures may be necessary to make co-ordination of the activities of specialized agencies and those of the United Nations fully effective. In particular, it agrees to participate in, and to co-operate with, any body or bodies which the Council may establish for the purpose of facilitating such co-ordination, and to furnish such information as may be required for the carrying out of this purpose.

ARTICLE V.

Exchange of information and documents

1. Subject to such arrangements as may be necessary for the safeguarding of confidential material, the fullest and promptest exchange of information and documents shall be made between the United Nations and the International Labour Organization.

2. Without prejudice to the generality of the provisions of paragraph 1:

(*a*) the International Labour Organization agrees to transmit to the United Nations regular reports on the activities of the International Labour Organization;

(*b*) the International Labour Organization agrees to comply to the fullest extent practicable with any request which the United Nations may make for the furnishing of special reports, studies or information, subject to the conditions set forth in article XV; and

(*c*) the Secretary-General shall, upon request, consult with the Director regarding the provision to the International Labour Organization of such information as may be of special interest to the Organization.

ARTICLE VI.

Assistance to the Security Council

The International Labour Organization agrees to co-operate with the Economic and Social Council in furnishing such information and rendering such assistance to the Security Council as that Council may request including assistance in carrying out decisions of the Security Council for the maintenance or restoration of international peace and security.

ARTICLE VII.

Assistance to the Trusteeship Council

The International Labour Organization agrees to co-operate with the Trusteeship Council in the carrying out of its functions and in particular agrees that it will, to the greatest extent possible, render such assistance as the Trusteeship Council may request, in regard to matters with which the Organization is concerned.

ARTICLE VIII.

Non-Self-Governing Territories

The International Labour Organization agrees to co-operate with the United Nations in giving effect to the principles and obligations set forth in Chapter XI of the Charter with regard to matters affecting the well-being and development of the peoples of Non-Self-Governing Territories.

ARTICLE IX.

Relations with the International Court of Justice

1. The International Labour Organization agrees to furnish any information which may be requested by the International Court of Justice in pursuance of Article 34 of the Statute of the Court.

2. The General Assembly authorizes the International Labour Organization to request advisory opinions of the International Court of Justice on legal questions arising within the scope of its activities other than questions concerning the mutual relationships of the Organization and the United Nations or other specialized agencies.

3. Such request may be addressed to the Court by the Conference, or by the Governing Body acting in pursuance of an authorization by the Conference.

4. When requesting the International Court of Justice to give an advisory opinion, the International Labour Organization shall inform the Economic and Social Council of the request.

ARTICLE X.

Headquarters and regional offices

1. The International Labour Organization, having regard to the desirability of the headquarters of specialized agencies being situated at the permanent seat of the United Nations, and to the advantages that flow from such centralization, agrees to consult the United Nations before making any decision concerning the location of its permanent headquarters.

2. Any regional or branch offices which the International Labour Organization may establish shall, so far as practicable, be closely associated with such regional or branch offices as the United Nations may establish.

ARTICLE XI.

Personnel arrangements

1. The United Nations and the International Labour Organization recognize that the eventual development of a single unified international civil service is desirable from the standpoint of effective administrative co-ordination, and, with this end in view, agree to develop common personnel standards, methods and arrangements designed to avoid serious discrepancies in terms and conditions of employment, to avoid competition in recruitment of personnel, and to facilitate interchange of personnel in order to obtain the maximum benefit from their services.

2. The United Nations and the International Labour Organization agree to co-operate to the fullest extent possible in achieving these ends and in particular they agree to:

(*a*) consult together concerning the establishment of an International Civil Service Commission to advise on the means by which common standards of recruitment in the secretariats of the United Nations and of the specialized agencies may be ensured;

(*b*) consult together concerning other matters relating to the employment of their officers and staff, including conditions of service, duration of appointments, classification, salary scales and allowances, retirement and pension rights and staff regulations and rules with a view to securing as much uniformity in these matters as shall be found practicable;

(*c*) co-operate in the interchange of personnel, when desirable, on a temporary or permanent basis, making due provision for the retention of seniority and pension rights;

(*d*) co-operate in the establishment and operation of suitable machinery for the settlement of disputes arising in connection with the employment of personnel and related matters.

ARTICLE XII.

Statistical services

1. The United Nations and the International Labour Organization agree to strive for maximum co-operation, the elimination of all undesirable duplication between them, and the most efficient use of their technical personnel in their respective collection, analysis, publication and dissemination of statistical information.

They agree to combine their efforts to secure the greatest possible usefulness and utilization of statistical information and to minimize the burdens placed upon national governments and other organizations from which such information may be collected.

2. The International Labour Organization recognizes the United Nations as the central agency for the collection, analysis, publication, standardization and improvement of statistics serving the general purposes of international organizations.

3. The United Nations recognizes the International Labour Organization as the appropriate agency for the collection, analysis, publication, standardization and improvement of statistics within its special sphere, without prejudice to the right of the United Nations to concern itself with such statistics so far as they may be essential for its own purposes or for the improvement of statistics throughout the world.

4. The United Nations shall develop administrative instruments and procedures through which effective statistical co-operation may be secured between the United Nations and the agencies brought into relationship with it.

5. It is recognized as desirable that the collection of statistical information should not be duplicated by the United Nations or any of the specialized agencies whenever it is practicable for any of them to utilize information or materials which another may have available.

6. In order to build up a central collection of statistical information for general use, it is agreed that data supplied to the International Labour Organization for incorporation in its basic statistical series or special reports should, so far as practicable, be made available to the United Nations.

ARTICLE XIII.

Administrative and technical services

1. The United Nations and the International Labour Organization recognize the desirability, in the interest of administrative and technical uniformity and of the most efficient use of personnel and resources, of avoiding, whenever possible, the establishment and operation of competitive or overlapping facilities and services among the United Nations and the specialized agencies.

2. Accordingly, the United Nations and the International Labour Organization agree to consult together concerning the establishment and use of common administrative and technical services and facilities in addition to those referred to in articles XI, XII and XIV, in so far as the establishment and use of such services may from time to time be found practicable and appropriate.

3. Arrangements shall be made between the United Nations and the International Labour Organization in regard to the registration and deposit of official documents.

ARTICLE XIV.

Budgetary and financial arrangements

1. The International Labour Organization recognizes the desirability of establishing close budgetary and financial relationships with the United Nations in order that the administrative operations of the United Nations and of the specialized agencies shall be carried out in the most efficient and economical manner possible, and that the maximum measure of co-ordination and uniformity with respect to these operations shall be secured.

2. The United Nations and the International Labour Organization agree to co-operate to the fullest extent possible in achieving these ends and, in particular, making appropriate arrangements for the inclusion of the budget of the Organization within a general budget of the United Nations. Any such arrangements which may be made shall be defined in a supplementary agreement between the two organizations.

3. In the preparation of the budget of the International Labour Organization the Organization shall consult with the United Nations.

4. The International Labour Organization agrees to transmit its proposed budget to the United Nations annually at the same time as such budget is transmitted to its members. The General Assembly shall examine the budget or proposed budget of the Organization and may make recommendations to it concerning any item or items contained therein.

5. Representatives of the International Labour Organization shall be entitled to participate, without vote, in the deliberations of the General Assembly or any committee thereof at all times when the budget of the Organization or general administrative or financial questions affecting the Organization are under consideration.

6. The United Nations may undertake the collection of contributions from those members of the International Labour Organization which are also Members of the United Nations in accordance with such arrangements as may be defined by a later agreement between the United Nations and the International Labour Organization.

7. The United Nations shall, upon its own initiative or upon the request of the International Labour Organization, arrange for studies to be undertaken concerning other financial and fiscal questions of interest to the Organization and to other specialized agencies with a view to the provision of common services and the securing of uniformity in such matters.

8. The International Labour Organization agrees to conform as far as may be practicable to standard practices and forms recommended by the United Nations.

ARTICLE XV.

Financing of special services

1. In the event of the International Labour Organization being faced with the necessity of incurring substantial extra expense as a result of any request which the United Nations may make for special reports, studies or assistance in accordance with articles V, VI or VII or with other provisions of this agreement, consultation shall take place with a view to determining the most equitable manner in which such expense shall be borne.

2. Consultation between the United Nations and the International Labour Organization shall similarly take place with a view to making such arrangements as may be found equitable for covering the costs of central administrative, technical or fiscal services or facilities or other special assistance provided by the United Nations.

ARTICLE XVI.

Inter-agency agreements

The International Labour Organization agrees to inform the Council of the nature and scope of any formal agreement between the International Labour Organization and any other specialized agency or inter-governmental organization and in particular agrees to inform the Council before any such agreement is concluded.

ARTICLE XVII.

Liaison

1. The United Nations and the International Labour Organization agree to the foregoing provisions in the belief that they will contribute to the maintenance of effective liaison between the two organizations. They affirm their intention of taking whatever further measures may be necessary to make this liaison fully effective.

2. The liaison arrangements provided for in the foregoing articles of this Agreement apply as far as appropriate to the relations between such branch or regional offices as may be established by the two organizations as well as between their central machinery.

ARTICLE XVIII.

Implementation of the Agreement

The Secretary-General and the Director may enter into such supplementary arrangements for the implementation of this Agreement as may be found desirable in the light of the operating experience of the two organizations.

ARTICLE XIX.

Revision

This Agreement shall be subject to revision by agreement between the United Nations and the International Labour Organization.

ARTICLE XX.

Entry into force

This Agreement shall come into force on its approval by the General Assembly of the United Nations and the General Conference of the International Labour Organization.

II. The Food and Agriculture Organization of the United Nations

A. THE HOT SPRINGS CONFERENCE

The Food and Agriculture Organization of the United Nations was the first of the permanent United Nations organizations to be launched after the war. It fulfils the ideas of President Roosevelt, who, realizing that food is basic to human well-being and the future peace of the world, convened as early as May 1943 the United Nations Conference on Food and Agriculture at Hot Springs, Virginia.

The result of this Conference was clear agreement on such points as these:

The world has never had enough to eat. At least two-thirds of its people are ill-nourished; many face periodic starvation; and this in spite of the fact that two thirds of the world's people are farmers.

The modern science of nutrition proves beyond doubt that if all people could get enough of the right kinds of foods, the average level of health and well-being could be raised much higher than it is now.

The modern science of production shows how to produce enough of the right kinds of foods. To do it, farmers everywhere must have the opportunity to use modern production methods.

But production alone is not enough. Foods must be so distributed that the levels of consumption of those who do not have enough are progressively raised.

This implies an expanding world economy, in which each nation will play its own part, but all will act together. Only by acting together can nations, in the close-knit modern world, achieve peace, prosperity and rising standards of living.

B. INTERIM COMMISSION

On the recommendation of the Hot Springs Conference, the United Nations Interim Commission on Food and Agriculture was set up in July 1943 to make plans for a permanent organization which would deal not only with food and agriculture but with forestry and fisheries as well. Each of the governments which attended the Conference appointed a representative on the Interim Commission. The commission was assisted by a small international secretariat and by a number of technical committees on economics, nutrition and food management, agricultural production, forestry, fisheries, and statistics. The work of the Commission was financed by contributions advanced by member governments.

The Commission prepared a Constitution for FAO and submitted it to governments, more than twenty of which indicated their acceptance, thus fulfilling the terms of the Constitution and making the establishment of FAO possible; it also prepared a report on the suggested structure and functions of the Organization, and technical reports to serve as a working basis for the Organization's first conference.

FAO officially came into being with the signing of its Constitution on October 16, 1945. This ceremony took place at the opening meeting of the first session of the Conference, which was held in Quebec, Canada, from October 16 to November 1, 1945. Thus, the preparations begun at Hot Springs and continued for over two years at Washington came to an end, and the work of FAO began.

C. PURPOSES AND FUNCTIONS

The preamble to the Constitution of FAO tells the reason for its existence in a few words:

The Nations accepting this Constitution, being determined to promote the common welfare by furthering separate and collective action on their part for the purposes of raising levels of nutrition and standards of living of the peoples under their respective jurisdictions, securing improvements in the efficiency of the production and distribution of all food and agricultural products, bettering the condition of rural populations, and thus contributing toward an expanding world economy, hereby establish the Food and Agriculture Organization of the United Nations . . . through which the Members will report to one another on the measures taken and the progress achieved in the fields of action set forth above.

The functions of the Organization are described in the FAO Constitution as follows:

1. The Organization shall collect, analyze, interpret and disseminate information relating to nutrition, food and agriculture.

2. The Organization shall promote and, where appropriate, shall recommend national and international action with respect to

(a) scientific, technological, social and economic research relating to nutrition, food and agriculture;

(b) the improvement of education and administration relating to nutrition, food and agriculture, and the spread of public knowledge of nutritional and agricultural science and practice;

(c) the conservation of natural resources and the adoption of improved methods of agricultural production;

(d) the improvement of the processing, marketing and distribution of food and agricultural products;

(e) the adoption of policies for the provision of adequate agricultural credit, national and international;

(f) the adoption of international policies with respect to agricultural commodity arrangements.

3. It shall also be the function of the Organization

(a) to furnish such technical assistance as governments may request;

(b) to organize, in cooperation with the governments concerned, such missions as may be needed to assist them to fulfil the obligations arising from their acceptance of the recommendations of the United Nations Conference on Food and Agriculture; and

(c) generally to take all necessary and appropriate action to implement the purposes of the Organization as set forth in the Preamble.

D. STRUCTURE

FAO consists of a Conference, an Executive Committee and a staff headed by a Director-General.

The Conference is composed of one representative from each member nation. Each nation has one vote in the Conference, which meets at least once each year to review the work of the Organization. The Conference determines the policy and approves the budget of the Organization.

The Executive Committee consists of from nine to fifteen members appointed by the Conference; only one member may be appointed from any member nation. The members of the Executive Committee exercise the powers delegated to them by the Conference on behalf of the whole Conference and not as representatives of their respective governments. The Committee acts for the Conference between sessions.

The Director-General of FAO, appointed by the Conference, has full power and authority to direct the work of the Organization, subject to the general supervision of the Conference and its Executive Committee. He appoints the staff of FAO and directs its work.

E. FIRST SESSION OF THE CONFERENCE

The first session of the Conference took place during a period of transition from war to peace. Many countries were concerned with the problem of readjusting their agriculture and overhauling their institutions and policies. At this session the Conference accomplished several things. First, it constructed the framework for operating FAO. It worked out rules of procedure and financial regulations, set up a budget for the first and second financial years, and worked out bases for the first year's activities. It appointed FAO's first Director-

General and an Executive Committee. In the technical fields numerous recommendations were made, out of which emerged two dominant lines of thought: (1) expansion of production and consumption, the one to be adjusted to the other in various specific ways, through international commodity arrangements and expanded trade, raising the nutrition level of vulnerable and low-consumption groups, reorientation of production and new uses of commodities; (2) recognition of the principle that agriculture and industry are interdependent and that, therefore, agricultural and industrial development must go hand in hand in the less developed countries.

An important organizational resolution approved by the Conference was one urging the closest relationship with the United Nations and the other specialized agencies established in connection therewith. Other recommendations and resolutions dealt with winding up the affairs of the International Institute of Agriculture, its Annex, the *Centre International de Sylviculture*, and the *Comité International du Bois*, transferring their libraries, archives and properties to FAO; and adopting after the first session the same procedure in the use of languages in proceedings and documentation as that decided upon by the United Nations.

F. ACTIVITIES BETWEEN FIRST AND SECOND SESSIONS

FAO activities between the first session of the Conference, which ended on November 1, 1945, and the second session, which began on September 2, 1946, may be summarized as follows:

The temporary headquarters of FAO were established in Washington. A nucleus of carefully chosen staff was appointed. To deal with the collection, analysis and dissemination of statistical and technical information, FAO set up five technical divisions consisting of Nutrition, Economics and Statistics, Agricultural Production and Research, Forestry and Forest Products, and Fisheries. A Rural Welfare Division is also to be established.

A member of the staff of FAO assumed direction of the work of the International Institute of Agriculture in Rome on August 1, 1946, and early in 1947 this became the Temporary European Regional Office of FAO. FAO plans to set up regional offices in China, India, the Middle East, and Latin America.

A detailed world survey of food production and consumption, the first of its kind, together with practicable consumption targets for the future, was drawn up to be submitted to the second session of the FAO Conference. This world survey was the essential foundation for much of FAO's future work. A survey for forestry and one for fisheries similar to that for agriculture were undertaken.

The facts of the continuing food crisis were brought to the attention of governments and peoples through a resolution passed at the first part of the first session of the General Assembly of the United Nations in London, and FAO, as the permanent Organization concerned with food, accepted the responsibility for co-ordinating activities undertaken to relieve the crisis. A special Meeting on Urgent Food Problems, attended by ministers and other responsible representatives from 22 nations, and from the principal international organizations concerned, was called by FAO in Washington on May 20, 1946, to make plans for dealing with the continuing crisis. As a result of this meeting, the Combined Food Board was replaced by a temporary International Emergency Food Council, with a beginning membership of nineteen nations, to deal with the food crisis; recommendations for national action to meet the continuing food crisis were agreed upon; and FAO was asked to draw up proposals, to be presented to its next Conference, for a long-term world program to assist in expanding both production and consumption of food.

The Economic and Social Council passed a resolution on June 21 requesting the Secretary-General to offer all possible assistance to the Director-General of the Food and Agriculture Organization in making surveys of existing and proposed inter-governmental organizations in this field and in preparing any new proposals with a view to ensuring that such proposals were in harmony with the broad pattern of United Nations policies.

A meeting of experts was held in London which laid the foundation for some of FAO's most important services, especially in statistics.

A mission was sent to Greece in May 1946 to work out long-term plans for the development of agriculture and fisheries in that country. It was composed of experts in crops, livestock, reclamation activities and agricultural economics. The mission worked in Greece through July 1946 and drew up a comprehensive plan covering immediate and long-range problems.

A draft agreement establishing relations between FAO and the United Nations was prepared in negotiations with the Economic and Social Council and later submitted to the FAO Conference.

C. SECOND SESSION OF THE CONFERENCE

The second session of the Conference, which met in Copenhagen from September 2 to 13, 1946, divided into three commissions: Commission A (Technical Questions); Commission B (Organization and Administration); and Commission C (World Food Policy). Commission A established six committees to consider matters falling under the following headings: Agriculture, Nutrition, Forestry, Fisheries, Economics and Statistics, and FAO Missions. Commission B divided its work between two committees: Constitution and Organization, and Finance. Commission C also divided up into two committees: World Food Board and 1946-47 Food Situation.

The various Committees of Commission A reviewed the technical work of FAO during the past year and laid down lines of general policy for the Organization's program during the year to come. As the session at Copenhagen was the first since the creation of FAO in October 1945 at Quebec, this phase of the work of the Conference was of special significance. Even greater interest, however, centered on long-term and short-term world food policy. This was dealt with by Commission C, which had before it a report by Sir John Boyd Orr, Director-General of FAO, embodying proposals for a World Food Board. Commission C suggested that the objective of the proposals be approved and that a Preparatory Commission be established to draw up concrete recommendations for achieving the two major objectives—namely, providing diets on a health standard for the peoples of all countries and stabilizing agricultural prices at levels fair to producers and consumers alike. This was made the subject of a formal resolution of the Conference.

The Conference designated sixteen members of FAO—Australia, Belgium, Brazil, Canada, China, Cuba, Czechoslovakia, Denmark, Egypt, France, India, Netherlands, the Philippines, Poland, the United Kingdom and the United States—to be members of the Preparatory Commission, and invited three non-members of FAO—Argentina, Siam and the U.S.S.R.—to be members of the Commission. It requested the United Nations Economic and Social Council to send two representatives, one of whom would speak for the proposed International Trade Organization; the International Labour Organisation, the World Health Organization, the International Monetary Fund and the International Bank for Reconstruction and Development were each asked to send one representative to the Preparatory Commission as advisors. The Commission was scheduled to meet in Washington before November 1, 1946.

On the report of Commission B, the Conference adopted resolutions and approved recommendations dealing with organizational, administrative, and financial matters, including amendments to the Constitution, Rules of Procedure, and Financial Regulations.

The Conference approved the agreement defining the relationships between the United Nations and FAO; this agreement[1] came into force on December 14, 1946, when it was approved by the General Assembly of the United Nations. The Conference granted the privilege of representation to the World Federation of Trade Unions, the International Co-operative Alliance and the International Federation of Agricultural Producers.

It admitted Hungary, Ireland, Italy, Portugal and Switzerland to the Conference, bringing the total membership in the FAO to 47.

The Conference endorsed the recommendations of the Washington Special Meeting on Urgent Food Problems for the maximum use of the year's food supplies and noted the need for continued enforcement of economy and allocation measures.

It accepted the conclusion of the FAO World Food Appraisal for 1946-47 that "despite the

[1] See Annex III for text of agreement.

recent improvement in crop prospects in certain countries, there will remain during that year a serious gap between prospective export supplies and import needs of bread and other grains, as well as continuing shortages of fats, meat, sugar, and other essential foods." The Conference therefore recommended, among other measures:

1) That all countries carry out as far as practicable the Washington meeting recommendations for economizing in the use of grains;

2) That all members of the International Emergency Food Council report at least quarterly on what they are doing to implement the recommendations;

3) That consideration of urgent need be paramount in world distribution of scarce foods;

4) That more consumer goods be made available as an incentive to primary producers, particularly in the Far East and Africa;

5) That the UNRRA Geneva resolution calling for special financial aid to enable countries heretofore helped by UNRRA to continue imports of food and essential agricultural production supplies be placed on the agenda of the United Nations General Assembly; and

6) That maximum production of basic foods be encouraged during the 1947-48 season.

The Conference approved the preliminary report of the FAO Mission for Greece. It recommended that this report and the detailed report later completed be brought to the attention of the Economic and Social Council and the interested international organizations.

H. FAO MISSIONS

The final report of the FAO Mission for Greece, which was published by FAO on March 14, 1947, made specific technical recommendations on long-term measures, including the following:

1) Broad development of water resources, including drainage, flood control, irrigation, and hydro-electric projects;

2) Modernization of agriculture, forestry and fisheries and extensive research and educational programs in these fields;

3) Increased agricultural production;

4) Extensive industrial development.

Before long-range development measures can be successful, the Mission states, vigorous efforts must be made to deal with immediate problems, such as

1) The current food shortage;

2) The need for outside financial aid for Greece to maintain essential imports after the withdrawal of UNRRA;

3) The need for continuing special feeding programs for children and other vulnerable groups;

4) The existing poor transportation facilities which are hindering efforts of reconstruction;

5) The necessity of checking inflation and restoring the flow of exports.

The report points out that immediate problems are aggravated by war devastation which, despite strenuous efforts by the farmers and people of Greece, has been only partly repaired.

It recommends that an initial loan of $100,000,000 for 1947-48 should be made by the International Bank for Reconstruction and Development or by other public financial agencies. The loan, it recommended, should be used for the rehabilitation and development of transportation facilities, water and hydro-electric projects, farms and marketing, and private industries in accordance with a program for the development and modernization of Greek agriculture and industry.

The Mission recommended that a United Nations advisory mission for Greece be established to give technical aid and advice to the Greek Government in carrying through the proposed program and expending the external loans involved. This mission would be composed of representatives of FAO, the Economic and Social Council, the International Bank for Reconstruction and Development, the International Monetary Fund, and other co-operating specialized international organizations.

At the request of the Polish Government, an FAO Mission similar in scope to the Mission to Greece was sent to Poland. Experts comprising the Mission met in Amsterdam on June 28 en route to Poland for a two-month survey of that country's major agricultural problems.

Other FAO missions are contemplated. FAO has been requested by the Governments of Siam, Hungary and Venezuela to send missions to their countries.

I. INTERNATIONAL EMERGENCY FOOD COUNCIL

The International Emergency Food Council, established as a result of the Special Meeting on Urgent Food Problems, had held four meetings up to June 30, 1947. Its Secretary-General, nominated by FAO, is D. A. Fitz-Gerald; FAO furnishes a portion of the staff for the temporary organization, and the Directors-General of UNRRA and of FAO sit on its Central Committee.

Membership of the Council totals 34 countries and two international organizations: Australia, Austria, Belgium, Brazil, Canada, Chile, China, Cuba, Czechoslovakia, Denmark, Ecuador, Egypt, Finland, France, Greece, Hungary, India, Ireland, Italy, Mexico, Netherlands, New Zealand, Norway, Peru, Poland, Portugal, Philippines, Siam, Sweden, Switzerland, Turkey, Union of South Africa, United Kingdom, United States, FAO and UNRRA. Only two countries, the U.S.S.R. and the Argentine, with significant interests in the international trade of food and auxiliary materials have not as yet accepted the obligations of membership.

The IEFC recommends allocations for the international distribution of export-import supplies of food. Through export control, the nations which have supplies of scarce foods for shipment direct them to the various destinations in the volumes recommended. By import controls, the nations needing scarce foods see to it that they bring in from each export source no more than the amounts recommended. Thus the distribution of the scarce and essential foods is carried on in a worldwide pattern that has been agreed to by the nations as equitable and efficient.

Although the Council can only recommend action by member nations, IEFC reports that exports and imports of commodities under the purview of the Council are controlled by governmental regulations, and these regulations have been so exercised as to direct the flow of exports and imports in accordance with the agreements reached in the Council's commodity committees and accepted by members.

Member governments have reported the actions they have taken with respect to the recommendations made by the Meeting on Urgent Food Problems in May 1946.

Commodities at present under allocation because of short supply are: beans and peas, cereals, cocoa and spices, dairy products, fats, oils and feeds, fertilizers, fishery products, fruits and vegetables, meat and meat products, rice, seeds, and sugar. Twelve commodity committees have been set up to deal with these products.

J. PREPARATORY COMMISSION ON WORLD FOOD PROPOSALS

The Preparatory Commission on World Food Proposals met in Washington, D. C., from October 28, 1946, to January 24, 1947. The Commission made recommendations on:

(1) development of agricultural and nutritional programs to provide for a rapid increase in the world's food production and a better distribution of the supply to those in need;

(2) industrialization and general economic development in relation to purchasing power for food and to the employment of labor surplus in agriculture;

(3) stabilization of agricultural prices and means of expanding international trade in agricultural products by international commodity arrangements, together with suggestions as to the type of commodity arrangement that might be applicable in each case.

The Commission stressed the need for regular international consultation among governments and the co-ordination of national programs and international commodity programs to maintain a balance not only between production and nutrition but also between commodity and commodity. To this end it recommended that the FAO Conference, beginning at its third session, conduct an "annual review" at which national production and nutritional programs would be reviewed and the activities of all agricultural commodity councils and study groups examined. In view of the need for consultation, review, and action between annual reviews, the Commission suggested the establishment by the Conference of a World Food Council or Council of FAO, consisting of eighteen representatives of members of FAO. The Council would stimulate and assist in working out commodity arrangements, in which both the producer and con-

sumer nations would participate, designed to stabilize agricultural prices in the international market and assure the creation of famine and emergency reserves.

The Commission noted the resolution of the London Session of the Preparatory Committee for an International Conference on Trade and Employment calling for the establishment of an Interim Co-ordinating Committee for International Commodity Arrangements. It therefore suggested that, pending the establishment of the proposed International Trade Organization, the United Nations create such a committee to keep informed of and facilitate inter-governmental consultation or action with respect to commodity arrangements. The Economic and Social Council, on March 28, 1947, accepted this suggestion and requested the Secretary-General of the United Nations to appoint a committee consisting of the Chairman, representing the Preparatory Committee of the United Nations Conference on Trade and Employment; a person nominated by FAO, to be concerned in particular with agricultural primary commodities; and a person to be concerned in particular with non-agricultural primary commodities. This committee was scheduled to meet in Geneva in July 1947.

The Preparatory Commission concluded that the closest co-operation of all the specialized agencies was necessary to develop production and stabilize prices.

K. FAO ACTIVITIES IN 1947

Activities of FAO to the end of June 1947 included a number of conferences, Executive Committee sessions, and meetings of FAO National Committees and technical committees.

The FAO Executive Committee met in Rome from March 3 to 6, 1947, to consider, among other questions, the report of the Preparatory Commission on World Food Proposals. In consultation with delegates of European National FAO Committees which were meeting at the Temporary European Office of the FAO at the Institute of Agriculture in Rome the Executive Committee approved an agreement between FAO and UNRRA. As a result of this agreement, FAO has taken over a number of technical and advisory services initiated by UNRRA to increase food production in war devastated areas. The European countries concerned are: Austria, Czechoslovakia, Greece, Italy, Poland and Yugoslavia. Certain UNRRA personnel have also been taken over and UNRRA has made available to FAO $600,000 to carry on this work. The Executive Committee and the delegates of the FAO National Committees also discussed the organization and work of the Temporary European Office of FAO, and food and agricultural problems calling for joint action of European countries.

On March 6, 1947, members of the staff of FAO met in Rome with experts from European governments to consider what items should be included in a 1950 World Census of Agriculture. Other regional meetings will be held in Latin America, the Middle East and the Far East before the census actually takes place. Countries are urged to collect data for the census soon after their harvest seasons. In the northern hemisphere the year for which information will be gathered will be the calendar year 1949; in the southern hemisphere, from July 1, 1949, to June 30, 1950.

The Second Conference on Forestry Statistics convened in Rome on March 31.

A Sub-Committee on Animal Health met in Washington on March 31 to consider world problems in this field.

The *ad hoc* Salt Fish Working Party met in Washington, D. C., from April 21 to 25 to advise the Fisheries Division of FAO regarding comprehensive investigation and analysis of the salted fish situation with a view to supplying governments with information of use when considering the desirability of a commodity agreement.

An International Timber Conference was held in Marianske-Lazne (near Prague), Czechoslovakia, from April 28 to May 10, 1947, to consider lumber requirements for reconstruction in Europe and nearby Mediterranean countries as well as long-range programs for forest rehabilitation and the use of forest products. Representatives of 34 countries attended the Conference, as well as representatives of the Allied Control Council for Germany, the International Bank for Reconstruction and Development, the Emergency Economic Committee for Europe, the European Coal Organization and the World Federation of Trade Unions. The Conference worked out estimates of the quantities of lumber needed by various European countries for reconstruction and essential new building. To meet these

needs, it estimated the supplies of wood obtainable from forests of European countries and ascertained the portion of European lumber requirements to be met by other parts of the world. The Conference also considered long-term problems such as the improvement of standards of housing in Europe, future forest policy, industrial policy and the development of new timber resources through opening of new forest regions in various parts of the world. FAO plans to convene similar international conferences in the Far East and in South America to lay the groundwork for a World Timber Conference scheduled for 1948.

The Rice Study Group met in India in May 1947. It investigated the technical problems relating to expansion of production, and those dealing with economic problems, such as improvement of rice marketing, stabilization of prices, establishment of reserves and co-ordination of national policies relating to production, distribution and consumption. The Study Group has prepared a report which will be submitted to the interested member governments and will form the basis for an international rice conference to be held later.

A Sub-Committee on Plant and Animal Stocks met in Washington from May 26 to 30 to discuss plans for a world catalog of all types of plants and animals of importance in agricultural production.

Experts from ten European countries met on June 23 at a Fisheries Conference in Rome to consider means of widening the distribution of fish in Europe.

Acting upon a resolution adopted on May 28 by the IEFC, FAO invited 52 nations and three international organizations to a Special Cereals Conference to be convened in Paris on July 9. The purpose of the Conference was to acquaint all nations with the fact that world grain stocks and production seemed likely to fall further short of world grain needs in 1947-48 than in 1946-47 and to formulate recommendations to ensure the best possible use of all available grain supplies.

L. THIRD SESSION OF THE CONFERENCE

The Executive Committee of FAO met in Washington in June to prepare the agenda for the third session of the FAO Conference, which is scheduled to convene in Geneva in August 1947. The Conference will consider the report of the Preparatory Commission on World Food Proposals. As recommended in this report, the Conference will hold the first annual review of the world situation and outlook for food, agriculture, forestry, and fisheries, including national nutrition and food production programs, and it will consider the creation of a World Food Council. The Conference will have before it constitutional amendments which, if approved, will change the structure of the Executive Committee, as they provide that its members shall hereafter represent governments rather than the whole Conference as at present.

M. BUDGET

The first annual Conference held in Quebec in October 1945 approved the budget of the Organization for the first financial period.

This budget covered the period from October 16, 1945, to June 30, 1946, and amounted to $1,954,696, the details of which were:

I.	The Conference, Committees and Technical Conferences	$ 345,000
II.	Missions, Investigations, and Special Projects	125,000
III.	Salaries	571,000
IV.	Official Travel and Removal Expenses	120,000
V.	Provident, Retirement and Health Insurance Funds	67,000
VI.	Office and Operational Expenses	160,000
VII.	Miscellaneous and Unforeseen	100,000
	TOTAL	$1,488,000
	Transfers to Working Capital Fund	466,696
	TOTAL	$1,954,696

In September 1946 the second annual Conference, meeting in Copenhagen, approved a second budget covering the period from July 1, 1946, to December 31, 1947.

The total amount of the budget was $6,782,000, the main details of which are:

I.	The Conference, Committees and Technical Conferences	$ 787,500
II.	Regional Commissions and Special Missions	225,000
III.	Salaries and Allowances	2,935,500
IV.	Office Travel and Removal Expenses	750,000
V.	Staff Provident Fund	342,600

VI.	Office and Operational Expenses	834,000
VII.	Contingencies	350,000
	TOTAL	$6,224,600
	Transfer to the Working Capital Fund	557,400
	TOTAL	$6,782,000

The second session of the Conference decided that, as from January 1, 1948, the financial year should be the calendar year, in order to conform to the United Nations practice.

ANNEX I.

Members and Officers
(as of July 1, 1947)

MEMBERS[1]

Australia
Belgium
Bolivia
Brazil
Canada
Chile
China
Colombia
Cuba
Czechoslovakia
Denmark
Dominican Republic
Ecuador
Egypt
France
Greece
Guatemala
Haiti
Honduras
Hungary
Iceland
India
Iraq
Ireland
Italy
Lebanon
Liberia
Luxembourg
Mexico
Netherlands
New Zealand
Nicaragua
Norway
Panama
Paraguay
Peru
Philippine Republic
Poland
Portugal
Switzerland
Syria
Union of South Africa
United Kingdom
United States
Uruguay
Venezuela
Yugoslavia

EXECUTIVE COMMITTEE

Sir Girja Shankar Bajpai	India
G. S. H. Barton	Canada
Newton de Castro Belleza	Brazil
R. R. Enfield	United Kingdom
E. J. Fawcett	New Zealand
Anders Fjelstad	Norway
Higinio Gonzalez	Chile
André Mayer (*Chairman*)	France
Stanislaw Mikolajcyzk	Poland
F. de P. Miranda	Mexico
P. W. Tsou	China
P. R. Viljoen	Union of South Africa
Arthur Wauters	Belgium
L. A. Wheeler (*Vice-Chairman*)	United States
Mahmoud Bey Zaki	Egypt

OFFICERS

Director-General of FAO:
Sir John Boyd Orr (United Kingdom)

Counselor:
F. L. McDougall (Australia)

Special Advisor:
S. L. Louwes (Netherlands)

Special Temporary Regional Advisor for China:
Chien Tien-Ho (China)

Special Temporary Regional Advisor for the Middle East:
M. T. Hefnawy Pasha (Egypt)

HEADQUARTERS

Address:
2000 Massachusetts Avenue, N.W., Washington, D. C.

Telephone:
DEcatur 6565

TEMPORARY EUROPEAN REGIONAL OFFICE

Address:
Institute International d'Agriculture, Villa Umberto 1, Rome, Italy.

ANNEX II.

Constitution of the Food and Agriculture Organization of the United Nations

PREAMBLE

The Nations accepting this Constitution, being determined to promote the common welfare by furthering separate and collective action on their part for the purposes of

raising levels of nutrition and standards of living of the peoples under their respective jurisdictions,

securing improvements in the efficiency of the production and distribution of all food and agricultural products,

bettering the condition of rural populations, and thus contributing toward an expanding world economy,

hereby establish the Food and Agriculture Organization of the United Nations, hereinafter referred to as the "Organization", through

[1] Costa Rica and El Salvador became members of FAO on July 10 and August 19, 1947, respectively.

which the Members will report to one another on the measures taken and the progress achieved in the fields of action set forth above.

ARTICLE I

Functions of the Organization

1. The Organization shall collect, analyse, interpret, and disseminate information relating to nutrition, food and agriculture.

2. The Organization shall promote and, where appropriate, shall recommend national and international action with respect to

(*a*) scientific, technological, social and economic research relating to nutrition, food and agriculture;

(*b*) the improvement of education and administration relating to nutrition, food and agriculture, and the spread of public knowledge of nutritional and agricultural science and practice;

(*c*) the conservation of natural resources and the adoption of improved methods of agricultural production;

(*d*) the improvement of the processing, marketing, and distribution of food and agricultural products;

(*e*) the adoption of policies for the provision of adequate agricultural credit, national and international;

(*f*) the adoption of international policies with respect to agricultural commodity arrangements.

3. It shall also be the function of the Organization

(*a*) to furnish such technical assistance as governments may request;

(*b*) to organize, in cooperation with the governments concerned, such missions as may be needed to assist them to fulfil the obligations arising from their acceptance of the recommendations of the United Nations Conference on Food and Agriculture; and

(*c*) generally to take all necessary and appropriate action to implement the purposes of the Organization as set forth in the Preamble.

ARTICLE II

Membership

1. The original Members of the Organization shall be such of the nations specified in Annex I as accept this Constitution in accordance with the provisions of Article XXI.

2. Additional Members may be admitted to the Organization by a vote concurred in by a two-thirds majority of all the members of the Conference and upon acceptance of this Constitution as in force at the time of admission.

ARTICLE III

The Conference

1. There shall be a Conference of the Organization in which each Member nation shall be represented by one member.

2. Each Member nation may appoint an alternate, associates, and advisers to its member of the Conference. The Conference may make rules concerning the participation of alternates, associates, and advisers in its proceedings, but any such participation shall be without the right to vote except in the case of an alternate or associate participating in the place of a member.

3. No member of the Conference may represent more than one Member nation.

4. Each Member nation shall have only one vote. A Member nation which is in arrears in the payment of its financial contributions to the Organization shall have no vote in the Conference if the amount of its arrears equals or exceeds the amount of the contributions due from it for the preceding two full years. The Conference may, nevertheless, permit such a Member nation to vote if it is satisfied that the failure to pay is due to conditions beyond the control of the Member nation.

5. The Conference may invite any public international organization which has responsibilities related to those of the Organization to appoint a representative who shall participate in its meetings on the conditions prescribed by the Conference. No such representative shall have the right to vote.

6. The Conference shall meet at least once in every year.

7. The Conference shall elect its own officers, regulate its own procedure, and make rules governing the convocation of sessions and the determination of agenda.

8. Except as otherwise expressly provided in this Constitution or by rules made by the Conference, all matters shall be decided by the Conference by a simple majority of the votes cast.

ARTICLE IV

Functions of the Conference

1. The Conference shall determine the policy and approve the budget of the Organization and shall exercise the other powers conferred upon it by this Constitution.

2. The Conference may by a two-thirds majority of the votes cast make recommendations concerning questions relating to food and agriculture to be submitted to Member nations for consideration with a view to implementation by national action.

3. The Conference may by a two-thirds majority of the votes cast submit conventions concerning questions relating to food and agriculture to Member nations for consideration with a view to their acceptance by the appropriate constitutional procedure.

4. The Conference shall make rules laying down the procedure to be followed to secure:

(*a*) proper consultation with governments and adequate technical preparation prior to consideration by the Conference of proposed recommendations and conventions; and

(*b*) proper consultation with governments in regard to relations between the Organization and national institutions or private persons.

5. The Conference may make recommendations to any public international organization regarding any matter pertaining to the purpose of the Organization.

6. The Conference may by a two-thirds majority of the votes cast agree to discharge any other functions consistent with the purposes of the Organization which may be assigned to it by governments or provided for by any arrangement between the Organization and any other public international organization.

ARTICLE V

The Executive Committee

1. The Conference shall appoint an Executive Committee consisting of not less than nine or more than fifteen members or alternate or associate members of the Conference or their advisers who are qualified by administrative experience or other special qualifications to contribute to the attainment of the purpose of the Organization. There shall be not more than one member from any Member nation. The tenure and other conditions of office of the members of the Executive Committee shall be subject to rules to be made by the Conference.

2. Subject to the provisions of paragraph 1 of this Article, the Conference shall have regard in appointing the Executive Committee to the desirability that its membership should reflect as varied as possible an experience of different types of economy in relation to food and agriculture.

3. The Conference may delegate to the Executive Committee such powers as it may determine, with the exception of the powers set forth in paragraph 2 of Article II, Article IV, paragraph 1 of Article VII, Article XIII, and Article XX of this Constitution.

4. The members of the Executive Committee shall exercise the powers delegated to them by the Conference on behalf of the whole Conference and not as representatives of their respective governments.

5. The Executive Committee shall appoint its own officers and, subject to any decisions of the Conference, shall regulate its own procedure.

ARTICLE VI

Other Committees and Conferences

1. The Conference may establish technical and regional standing committees and may appoint committees to study and report on any matter pertaining to the purpose of the Organization.

2. The Conference may convene general, technical, regional, or other special conferences and may provide for the representation at such conferences, in such manner as it may determine, of national and international bodies concerned with nutrition, food and agriculture.

ARTICLE VII

The Director-General

1. There shall be a Director-General of the Organization who shall be appointed by the Conference by such procedure and on such terms as it may determine.

2. Subject to the general supervision of the Conference and its Executive Committee, the Director-General shall have full power and authority to direct the work of the Organization.

3. The Director-General or a representative designated by him shall participate, without the right to vote, in all meetings of the Conference and of its Executive Committee and shall formulate for consideration by the Conference and the Executive Committee proposals for appropriate action in regard to matters coming before them.

ARTICLE VIII

Staff

1. The staff of the Organization shall be appointed by the Director-General in accordance with such procedure as may be determined by rules made by the Conference.

2. The staff of the Organization shall be responsible to the Director-General. Their responsibilities shall be exclusively international in character and they shall not seek or receive instructions in regard to the discharge thereof from any authority external to the Organization. The Member nations undertake fully to respect the international character of the responsibilities of the staff and not to seek to influence any of their nationals in the discharge of such responsibilities.

3. In appointing the staff the Director-General shall, subject to the paramount importance of securing the highest standards of efficiency and of technical competence, pay due regard to the importance of selecting personnel recruited on as wide a geographical basis as is possible.

4. Each Member nation undertakes, insofar as it may be possible under its constitutional procedure, to accord to the Director-General and senior staff diplomatic privileges and immunities and to accord to other members of the staff all facilities and immunities accorded to non-diplomatic personnel attached to diplomatic missions, or alternatively to accord to such other members of the staff the immunities and facilities which may hereafter be accorded to equivalent members of the staffs of other public international organizations.

ARTICLE IX

Seat

The seat of the Organization shall be determined by the Conference.

ARTICLE X

Regional and Liaison Offices

1. There shall be such regional offices as the Director-General with the approval of the Conference may decide.

2. The Director-General may appoint officials for liaison with particular countries or areas subject to the agreement of the government concerned.

ARTICLE XI

Reports by Members

1. Each Member nation shall communicate periodically to the Organization reports on the progress made toward achieving the purpose of the Organization set forth in the Preamble and on the action taken on the basis of recommendations made and conventions submitted by the Conference.

2. These reports shall be made at such times and in such form and shall contain such particulars as the Conference may request.

3. The Director-General shall submit these reports, together with analyses thereof, to the Conference and shall publish such reports and analyses as may be approved for publication by the Conference together with any reports relating thereto adopted by the Conference.

4. The Director-General may request any Member nation to submit information relating to the purpose of the Organization.

5. Each Member nation shall, on request, communicate to the Organization, on publication, all laws and regulations and official reports and statistics concerning nutrition, food and agriculture.

ARTICLE XII

Cooperation With Other Organizations

1. In order to provide for close cooperation between the Organization and other public international organizations with related responsibilities, the Conference may, subject to the provisions of Article XIII, enter into agreements with the competent authorities of such organizations defining the distribution of responsibilities and methods of cooperation.

2. The Director-General may, subject to any decisions of the Conference, enter into agreements with other public international organizations for the maintenance of common services, for common arrangements in regard to recruitment, training, conditions of service, and other related matters, and for interchanges of staff.

ARTICLE XIII

Relation to Any General World Organization

1. The Organization shall, in accordance with the procedure provided for in the following paragraph, constitute a part of any general international organization to which may be entrusted the coordination of the activities of international organizations with specialized responsibilities.

2. Arrangements for defining the relations between the Organization and any such general organization shall be subject to the approval of the Conference. Notwithstanding the provisions of Article XX, such arrangements may, if approved by the Conference by a two-thirds majority of the votes cast, involve modification of the provisions of this Constitution: Provided that no such arrangements shall modify the purposes and limitations of the Organization as set forth in this Constitution.

ARTICLE XIV

Supervision of Other Organizations

The Conference may approve arrangements placing other public international organizations dealing with questions relating to food and agriculture under the general authority of the Organization on such terms as may be agreed with the competent authorities of the organization concerned.

ARTICLE XV

Legal Status

1. The Organization shall have the capacity of a legal person to perform any legal act appropriate to its purpose which is not beyond the powers granted to it by this Constitution.

2. Each Member nation undertakes, insofar as it may be possible under its constitutional procedure, to accord to the Organization all the immunities and facilities which it accords to diplomatic missions, including inviolability of premises and archives, immunity from suit, and exemptions from taxation.

3. The Conference shall make provision for the determination by an administrative tribunal of disputes relating to the conditions and terms of appointment of members of the staff.

ARTICLE XVI

Fish and Forest Products

In this Constitution the term "agriculture" and its derivatives include fisheries, marine products, forestry, and primary forestry products.

ARTICLE XVII

Interpretation of Constitution

Any question or dispute concerning the interpretation of this Constitution or any international convention adopted thereunder shall be referred for determination to an appropriate international court or arbitral tribunal in the manner prescribed by rules to be adopted by the Conference.

ARTICLE XVIII

Expenses

1. Subject to the provisions of Article XXV, the Director-General shall submit to the Conference an annual budget covering the anticipated expenses of the Organization. Upon approval of a budget the total amount approved shall be allocated among the Member nations in proportions determined, from time to time, by the Conference. Each Member nation undertakes, subject to the requirements of its constitutional procedure, to contribute to the Organization promptly its share of the expenses so determined.

2. Each Member nation shall, upon its acceptance of this Constitution, pay as its first contribution its proportion of the annual budget for the current financial year.

3. The financial year of the Organization shall be July 1 to June 30 unless the Conference should otherwise determine.

ARTICLE XIX

Withdrawal

Any Member nation may give notice of withdrawal from the Organization at any time after the expiration of four years from the date of its acceptance of this Constitution. Such notice shall take effect one year after the date of its communication to the Director-General of the Organization subject to the Member nation's having at that time paid its annual contribution for each year of its membership including the financial year following the date of such notice.

ARTICLE XX

Amendment of Constitution

1. Amendments to this Constitution involving new obligations for Member nations shall require the approval of the Conference by a vote concurred by a two-thirds majority of all the members of the Conference and shall take effect on acceptance by two-thirds of the Member nations for each Member nation accepting the amendment and thereafter for each remaining Member nation on acceptance by it.

2. Other amendments shall take effect on adoption by the Conference by a vote concurred in by a two-thirds majority of all the members of the Conference.

ARTICLE XXI

Entry Into Force of Constitution

1. This Constitution shall be open to acceptance by the nations specified in Annex I.

2. The instruments of acceptance shall be transmitted by each government to the United Nations Interim Commission on Food and Agriculture, which shall notify their receipt to the governments of the nations specified in Annex I. Acceptance may be notified to the Interim Commission through a diplomatic representative, in which case the instrument of acceptance must be transmitted to the Commission as soon as possible thereafter.

3. Upon the receipt by the Interim Commission of twenty notifications of acceptance the Interim Commission shall arrange for this Constitution to be signed in a single copy by the diplomatic representatives, duly authorized thereto, of the nations who shall have notified their acceptance, and upon being so signed on behalf of not less than twenty of the nations specified in Annex I this Constitution shall come into force immediately.

4. Acceptances the notification of which is received after the entry into force of this Constitution shall become effective upon receipt by the Interim Commission or the Organization.

ARTICLE XXII

First Session of the Conference

The United Nations Interim Commission on Food and Agriculture shall convene the first session of the Conference to meet at a suitable date after the entry into force of this Constitution.

ARTICLE XXIII

Languages

Pending the adoption by the Conference of any rules regarding languages, the business of the Conference shall be transacted in English.

ARTICLE XXIV

Temporary Seat

The temporary seat of the Organization shall be at Washington unless the Conference should otherwise determine.

ARTICLE XXV

First Financial Year

The following exceptional arrangements shall apply in respect of the financial year in which this Constitution comes into force:

(*a*) The budget shall be the provisional budget set forth in Annex II to this Constitution; and

(*b*) The amounts to be contributed by the Member nations shall be in the proportions set forth in Annex II to this Constitution: Provided that each Member nation may deduct therefrom the amount already contributed by it toward the expenses of the Interim Commission.

ARTICLE XXVI

Dissolution of the Interim Commission

On the opening of the first session of the Conference, the United Nations Interim Commission on Food and Agriculture shall be deemed to be dissolved and its records and other property shall become the property of the Organization.

ANNEX I

Nations Eligible For Original Membership

AUSTRALIA
BELGIUM
BOLIVIA
BRAZIL
CANADA
CHILE
CHINA
COLOMBIA
COSTA RICA
CUBA
CZECHOSLOVAKIA
DENMARK
DOMINICAN REPUBLIC
ECUADOR
EGYPT
EL SALVADOR
ETHIOPIA
FRANCE
GREECE
GUATEMALA
HAITI
HONDURAS
ICELAND
INDIA
IRAN
IRAQ
LIBERIA
LUXEMBOURG
MEXICO
NETHERLANDS
NEW ZEALAND
NICARAGUA
NORWAY
PANAMA
PARAGUAY
PERU
PHILIPPINE COMMONWEALTH
POLAND
UNION OF SOUTH AFRICA
UNION OF SOVIET SOCIALIST REPUBLICS
UNITED KINGDOM
UNITED STATES OF AMERICA
URUGUAY
VENEZUELA
YUGOSLAVIA

ANNEX II

Budget For the First Financial Year

The provisional budget for the first financial year shall be a sum of 2,500,000 U. S. dollars, the unspent balance of which shall constitute the nucleus of a capital fund.

This sum shall be contributed by the Member nations in the following proportions:

	Per cent		*Per cent*
Australia	3.33	Costa Rica	.05
Belgium	1.28	Cuba	.71
Bolivia	.29	Czechoslovakia	1.40
Brazil	3.46	Denmark	.62
Canada	5.06	Dominican Republic	.05
Chile	1.15	Ecuador	.05
China	6.50	Egypt	1.73
Colombia	.71	El Salvador	.05
Ethiopia	.29	Panama	.05
France	5.69	Paraguay	.05
Greece	.38	Peru	.71
Guatemala	.05	Philippines	.25
Haiti	.05	Poland	1.19
Honduras	.05	Union of South Africa	2.31
Iceland	.05	U. S. S. R.	8.00
India	4.25	United Kingdom	15.00
Iran	.71	U. S. A.	25.00
Iraq	.44	Uruguay	.58
Liberia	.05	Venezuela	.58
Luxembourg	.05	Yugoslavia	.71
Mexico	1.87	Provision for new Members	2.00
Netherlands	1.38		
New Zealand	1.15	Total	100.00
Nicaragua	.05		
Norway	.62		

ANNEX III.

AGREEMENT BETWEEN THE UNITED NATIONS AND THE FOOD AND AGRICULTURE ORGANIZATION OF THE UNITED NATIONS

Article 57 of the Charter of the United Nations provides that specialized agencies, established by inter-governmental agreement and having wide international responsibilities as defined in their basic instruments in economic, social, cultural, educational, health, and related fields, shall be brought into relationship with the United Nations.

Article XIII of the Constitution of the Food and Agriculture Organization of the United Nations provides that the Organization shall constitute a part of any general international organization to which may be entrusted the co-ordination of the activities of international organizations with specialized responsibilities.

Therefore, the United Nations and the Organization agree as follows:

ARTICLE I

The United Nations recognizes the Food and Agriculture Organization of the United Nations as a specialized agency and as being responsible for taking such action as may be appropriate under its basic instrument for the accomplishment of the purposes set forth therein.

ARTICLE II

Reciprocal representation

1. Representatives of the United Nations shall be invited to attend the meetings of the Conference of the Food and Agriculture Organization of the United Nations and its committees, the Executive Committee, and such general, regional or other special meetings as the Organization may convene, and to participate, without vote, in the deliberations of these bodies.

2. Representatives of the Food and Agriculture Organization of the United Nations shall be invited to attend meetings of the Economic and Social Council of the United Nations (hereinafter called the Council) and of its commissions and committees and to participate, without vote, in the deliberations of these bodies with respect to items on their agenda relating to matters within the scope of its activities.

3. Representatives of the Food and Agriculture Organization of the United Nations shall be invited to attend meetings of the General Assembly for purposes of consultation on matters within the scope of its activities.

4. Representatives of the Food and Agriculture Organization of the United Nations shall be invited to attend meetings of the main committees of the General Assembly when matters within the scope of its activities are under discussion and to participate, without vote, in such discussions.

5. Representatives of the Food and Agriculture Organization of the United Nations shall be invited to attend the meetings of the Trusteeship Council and to participate, without vote, in the deliberations thereof with respect to items on the agenda relating to matters within the scope of its activities.

6. Written statements of the Food and Agriculture Organization of the United Nations shall be distributed by the Secretariat of the United Nations to all Members of the General Assembly, the Council and its commissions, and the Trusteeship Council as appropriate.

ARTICLE III

Proposal of agenda items

Subject to such preliminary consultation as may be necessary, the Food and Agriculture Organization of the United Nations shall include on the agenda of the Conference or Executive Committee items proposed to it by the United Nations. Similarly, the Council and its

commissions and the Trusteeship Council shall include on their agenda items proposed by the Conference or Executive Committee of the Organization.

ARTICLE IV

Recommendations of the United Nations

1. The Food and Agriculture Organization of the United Nations, having regard to the obligation of the United Nations to promote the objectives set forth in Article 55 of the Charter and the function and power of the Council, under Article 62 of the Charter, to make or initiate studies and reports with respect to international, economic, social, cultural, educational, health and related matters and to make recommendations concerning these matters to the specialized agencies concerned, and having regard also to the responsibility of the United Nations, under Articles 58 and 63 of the Charter, to make recommendations for the co-ordination of the policies and activities of such specialized agencies, agrees to arrange for the submission, as soon as possible, to the appropriate organ of the Organization, of all formal recommendations which the United Nations may make to it.

2. The Food and Agriculture Organization of the United Nations agrees to enter into consultation with the United Nations upon request with respect to such recommendations, and in due course to report to the United Nations on the action taken by the Organization or by its members to give effect to such recommendations, or on the other results of their consideration.

3. The Food and Agriculture Organization of the United Nations affirms its intention of co-operating in whatever further measures may be necessary to make co-ordination of the activities of specialized agencies and those of the United Nations fully effective. In particular, it agrees to participate in and to co-operate with any body or bodies which the Council may establish for the purpose of facilitating such co-ordination and to furnish such information as may be required for the carrying out of this purpose.

ARTICLE V

Exchange of information and documents

1. Subject to such arrangements as may be necessary for the safeguarding of confidential material, the fullest and promptest exchange of information and documents shall be made between the United Nations and the Food and Agriculture Organization of the United Nations.

2. Without prejudice to the generality of the provisions of paragraph 1:

(*a*) the Food and Agriculture Organization of the United Nations agrees to transmit to the United Nations regular reports on the activities of the Organization;

(*b*) the Food and Agriculture Organization of the United Nations agrees to comply to the fullest extent practicable with any request which the United Nations may make for the furnishing of special reports, studies or information, subject to the conditions set forth in article XV;

(*c*) the Secretary-General shall, upon request, consult with the Director-General regarding the provision to the Food and Agricultural Organization of the United Nations of such information as may be of special interest to the Organization.

ARTICLE VI

Assistance to the Security Council

The Food and Agriculture Organization of the United Nations agrees to co-operate with the Economic and Social Council in furnishing such information and rendering such assistance to the Security Council as that Council may request, including assistance in carrying out decisions of the Security Council for the maintenance or restoration of international peace and security.

ARTICLE VII

Assistance to the Trusteeship Council

The Food and Agriculture Organization of the United Nations agrees to co-operate with the Trusteeship Council in the carrying out of its functions and in particular agrees that it will, to the greatest extent possible, render such assistance as the Trusteeship Council may request in regard to matters with which the Organization is concerned.

ARTICLE VIII

Non-self-governing territories

The Food and Agriculture Organization of the United Nations agrees to co-operate with the United Nations in giving effect to the principles and obligations set forth in chapter XI of the Charter with regard to matters affecting the well-being and development of the peoples of non-self-governing territories.

ARTICLE IX

Relations with the International Court of Justice

1. The Food and Agriculture Organization of the United Nations agrees to furnish any information which may be requested by the International Court of Justice in pursuance of Article 34 of the Statute of the Court.

2. The General Assembly authorizes the Food and Agriculture Organization of the United Nations to request advisory opinions of the International Court of Justice on legal questions arising within the scope of its activities other than questions concerning the mutual relationships of the Organization and the United Nations or other specialized agencies.

3. Such request may be addressed to the Court by the Conference or by the Executive Committee acting in pursuance of an authorization by the Conference.

4. When requesting the International Court of Justice to give an advisory opinion the Food and Agriculture Organization of the United Nations shall inform the Economic and Social Council of the request.

ARTICLE X

Headquarters and regional offices

1. The permanent headquarters of the Food and Agriculture Organization of the United Nations shall be situated at the permanent seat of the United Nations subject to:

(*a*) the permanent headquarters of the United Nations being situated at a place where the Food and Agriculture Organization of the United Nations can effectively and economically discharge its duties and maintain effective liaison with those specialized agencies with which it is particularly concerned;

(*b*) satisfactory arrangements being made in a subsequent agreement between the Food and Agriculture Organization of the United Nations and the United Nations regarding the provision of a site and necessary facilities for the establishment of such headquarters.

The United Nations shall provide the Food and Agriculture Organization of the United Nations with appropriate assistance in the establishment of the permanent headquarters of the Organization at the permanent seat of the United Nations.

2. Any regional or branch offices which the Food and Agriculture Organization of the United Nations may establish shall, so far as practicable, be closely associated with such regional or branch offices as the United Nations may establish.

ARTICLE XI

Personnel arrangements

1. The United Nations and the Food and Agriculture Organization of the United Nations recognize that the eventual development of a single unified international civil service is desirable from the standpoint of effective administrative co-ordination, and with this end in view agree to develop common personnel standards, methods and arrangements designed to avoid serious discrepancies in terms and conditions of employment, to avoid competition in recruitment of personnel, and to facilitate interchange of personnel in order to obtain the maximum benefit from their services.

2. The United Nations and the Food and Agriculture Organization of the United Nations agree to co-operate to the fullest extent possible in achieving these ends and in particular they agree to:

(*a*) consult together concerning the establishment of an International Civil Service Commission to advise on the means by which common standards of recruitment in the secretariats of the United Nations and of the specialized agencies may be ensured;

(*b*) consult together concerning other matters relating to the employment of their officers and staff, including conditions of service, duration of appointments, classification, salary scales and allowances, retirement and pension rights and staff regulations and rules with a view to securing as much uniformity in these matters as shall be found practicable;

(*c*) co-operate in the interchange of personnel when desirable on a temporary or permanent basis, making due provision for the retention of seniority and pension rights;

(*d*) co-operate in the establishment and operation of suitable machinery for the settlement of disputes arising in connexion with the employment of personnel and related matters.

ARTICLE XII

Statistical services

1. The United Nations and the Food and Agriculture Organization of the United Nations agree to strive for maximum co-operation, the elimination of all undesirable duplication between them, and the most efficient use of their technical personnel in their respective collection, analysis, publication and dissemination of statistical information. They agree to combine their efforts to secure the greatest possible usefulness and utilization of statistical information and to minimize the burdens placed upon national governments and other organizations from which such information may be collected.

2. The Food and Agriculture Organization of the United Nations recognizes the United Nations as the central agency for the collection, analysis, publication, standardization and improvement of statistics serving the general purposes of international organizations.

3. The United Nations recognizes the Food and Agriculture Organization of the United Nations as the appropriate agency for the collection, analysis, publication, standardization and improvement of statistics within its special sphere, without prejudice to the right of the United Nations to concern itself with such statistics so far as they may be essential for its own purposes or for the improvement of statistics throughout the world.

4. The United Nations shall in consultation with the specialized agencies develop administrative instruments and procedures through which effective statistical co-operation may be secured between the United Nations and the agencies brought into relationship with it.

5. It is recognized as desirable that the collection of statistical information should not be duplicated by the United Nations or any of the specialized agencies whenever it is practicable for any of them to utilize information or materials which another may have available.

6. In order to build up a central collection of statistical information for general use, it is agreed that data supplied to the Food and Agricultural Organization of the United Nations for incorporation in its basic statistical series or special report should, so far as practicable, be made available to the United Nations.

ARTICLE XIII

Administrative and technical services

1. The United Nations and the Food and Agriculture Organization of the United Nations recognize the desirability, in the interest of administrative and technical uniformity and of the most efficient use of personnel and resources, of avoiding, whenever possible, the establishment and operation of competitive or overlapping facilities and services among the United Nations and the specialized agencies.

2. Accordingly, the United Nations and the Food and Agriculture Organization of the United Nations agree to consult together concerning the establishment and use of common administrative and technical services and facilities in addition to those referred to in articles XI, XII and XIV, in so far as the establishment and use of such services may from time to time be found practicable and appropriate.

3. Arrangements shall be made between the United Nations and the Food and Agriculture Organization of the United Nations in regard to the registration and deposit of official documents.

ARTICLE XIV

Budgetary and financial arrangements

1. The Food and Agriculture Organization of the United Nations recognizes the desirability of establishing close budgetary and financial relationships with the United Nations in order that the administrative operations of the United Nations and of the specialized agencies shall be carried out in the most efficient and economical manner possible, and that the maximum measure of co-ordination and uniformity with respect to these operations shall be secured.

2. The United Nations and the Food and Agriculture Organization of the United Nations agree to co-operate to the fullest extent possible in achieving these ends and, in particular, shall consult together concerning appropriate arrangements for the inclusion of the budget of the Organization within a general budget of the United Nations. Such arrangements shall be defined in a supplementary agreement between the two organizations.

3. Pending the conclusion of such agreement, the following arrangements shall govern budgetary and financial relationships between the Food and Agriculture Organization of the United Nations and the United Nations:

(*a*) The Secretary-General and the Director-General shall arrange for consultation in connexion with the preparation of the budget of the Food and Agriculture Organization of the United Nations.

(*b*) The Food and Agriculture Organization of the United Nations agrees to transmit its proposed budget to the United Nations annually at the same time as such budget is transmitted to its members. The General Assembly shall examine the budget or proposed budget of the Organization and may make such recommendations as it may consider necessary.

(*c*) Representatives of the Food and Agriculture Organization of the United Nations shall be entitled to participate, without vote, in the deliberations of the General Assembly or any committee thereof at all times when the budget of the Food and Agriculture Organization of the United Nations or general administrative or financial questions affecting the Organization are under consideration.

(*d*) The United Nations may undertake the collection of contributions from those members of the Food and Agriculture Organization of the United Nations which are also Members of the United Nations in accordance with such arrangements as may be defined by a later agreement between the United Nations and the Organization.

(*e*) The United Nations shall, upon its own initiative or upon the request of the Food and Agriculture Organization of the United Nations, arrange for studies to be undertaken concerning other financial and fiscal questions of interest to the Organization and to other specialized agencies with a view to the provision of common services and the securing of uniformity in such matters.

(*f*) The Food and Agriculture Organization of the United Nations agrees to conform, as far as may be practicable, to standard practices and forms recommended by the United Nations.

ARTICLE XV

Financing of special services

1. In the event of the Food and Agriculture Organization of the United Nations being faced with the necessity of incurring substantial extra expense as a result of any request which the United Nations may make for special reports, studies or assistance in accordance with articles V, VI, VII, or with other provisions of this agreement, consultation shall take place with a view to determining the most equitable manner in which such expense shall be borne.

2. Consultation between the United Nations and the Food and Agriculture Organization of the United Nations shall similarly take place with a view to making such arrangements as may be found equitable for covering the cost of central administrative, technical or fiscal services or facilities or other special assistance provided by the United Nations.

ARTICLE XVI

Inter-agency agreements

The Food and Agriculture Organization of the United Nations agrees to inform the Council of the nature and scope of any formal agreement between the Organization and any other specialized agency, inter-governmental organization or non-governmental organization and in particular agrees to inform the Council before any such agreement is concluded.

ARTICLE XVII

Liaison

1. The United Nations and the Food and Agriculture Organization of the United Nations agree to the foregoing provisions in the belief that they will contribute to the maintenance of effective liaison between the two organizations. They affirm their intention of taking whatever further measure may be necessary to make this liaison fully effective.

2. The liaison arrangements provided for in the foregoing articles of this agreement shall apply as far as appropriate to the relations between such branch or regional offices as may be established by the two organizations as well as between their central machinery.

ARTICLE XVIII

Implementation of the agreement

The Secretary-General and the Director-General may enter into such supplementary arrangements for the implementation of this agreement as may be found desirable in the light of the operating experience of the two organizations.

ARTICLE XIX

Revision

This agreement shall be subject to revision by agreement between the United Nations and the Food and Agriculture Organization of the United Nations.

ARTICLE XX

Entry into force

This agreement shall come into force on its approval by the General Assembly of the United Nations and the Conference of the Food and Agriculture Organization of the United Nations.

III. United Nations Educational, Scientific and Cultural Organization

A. THE LONDON CONFERENCE TO ESTABLISH UNESCO

The Conference for the Establishment of an Educational, Scientific and Cultural Organization of the United Nations was convened by the Government of the United Kingdom in association with the Government of France. The invitations were sent out in accordance with the recommendation of the United Nations Conference on International Organization held at San Francisco in 1945 and upon the request of the standing Conference of Allied Ministers of Education, which first met in London in 1942, in order to promote the aims set out in Article 1 (3) and Article 55 (b) of the Charter of the United Nations. The Conference met in London from November 1 to 16, 1945.

The Governments of the following countries were represented at the Conference by delegates and advisers:

Argentina
Australia
Belgium
Bolivia
Brazil
Canada
Chile
China
Colombia
Cuba
Czechoslovakia
Denmark
Dominican Republic
Ecuador
Egypt
El Salvador
France
Greece
Guatemala
Haiti
India
Iran
Iraq
Lebanon
Liberia
Luxembourg
Mexico
Netherlands
New Zealand
Nicaragua
Norway
Panama
Peru
Philippine Republic
Poland
Saudi Arabia
Syria
Turkey
Union of South Africa
United Kingdom
United States
Uruguay
Venezuela (represented by an observer)
Yugoslavia

The following international organizations were also represented by observers:

International Labour Organisation
League of Nations Secretariat
League of Nations Committee on Intellectual Co-operation
International Institute of Intellectual Co-operation
Pan-American Union
United Nations Relief and Rehabilitation Administration
International Bureau of Education
Preparatory Commission of the United Nations

The Conference had before it, and adopted as its basis of discussion, a draft Constitution prepared by the Conference of Allied Ministers of Education. It likewise had before it a draft Constitution prepared by the French Government and a number of proposals put forward by other governments and by various bodies and organizations.

After consideration of these drafts and proposals, the Conference drew up a Constitution establishing an Educational, Scientific and Cultural Organization and an Instrument establishing a Preparatory Educational, Scientific and Cultural Commission to function until UNESCO came into being.

The Conference also adopted the following resolution:

The seat of the United Nations Educational, Scientific and Cultural Organization shall be in Paris.

This Resolution shall not in any way affect the right of the General Conference to take decisions in regard to this matter by a two-thirds majority.

The Constitution of UNESCO came into force on November 4, 1946, when the instruments of acceptance of twenty of its signatories had been deposited with the Government of the United Kingdom.

B. PURPOSES AND FUNCTIONS

As set out in Article I of its Constitution, the purpose of UNESCO is to contribute to peace and security by promoting collaboration among the nations through education, science and culture in order to further universal respect for justice, for the rule of law and for the human rights and fundamental freedoms which are affirmed for the peoples of the world, without distinction of race, sex, language or religion, by the Charter of the United Nations.

To realize this purpose UNESCO (a) collaborates in the work of advancing the mutual knowledge and understanding of peoples through all means of mass communication, (b) gives fresh impulse to popular education and to the spread of culture and (c) maintains, increases and diffuses knowledge.

C. STRUCTURE

The organs of UNESCO are a General Conference, an Executive Board and a Secretariat.

The General Conference consists of representatives of the States members of the Organization. It determines the policies and the main lines of work of the Organization. It may summon international conferences on education, the sciences and humanities and the dissemination of knowledge. It meets annually.

The Executive Board consists of eighteen members elected by the General Conference. Under the authority of the General Conference the Board is responsible for the execution of the program adopted by the Conference. It meets in regular session at least twice a year.

The Secretariat consists of a Director-General and such staff as may be required. The Director-General is nominated by the Executive Board and is appointed by the General Conference for a period of six years as the chief administrative officer of the Organization.

D. THE PREPARATORY COMMISSION

Pending the coming into force of the UNESCO Constitution, a Preparatory Commission was established for the purpose of making arrangements for the first session of the General Conference, preparing its provisional agenda and the necessary documents and recommendations relating to all matters on the agenda, making studies and preparing recommendations concerning the program and the budget of the Organization and providing without delay for immediate action on urgent needs of educational, scientific and cultural reconstruction in devastated countries.

The Commission consisted of one representative of each of the governments signatory to the Instrument establishing it. This Instrument provided for the appointment of an Executive Secretary and such international staff as might be required. For working purposes, the Secretariat was organized temporarily into the following principal sections:

(1) Education
(2) Mass Communication
(3) Libraries and Museums
(4) Natural Sciences
(5) Human Sciences
(6) Creative Arts
(7) First General Conference and UNESCO Month
(8) Public Information
(9) External Relations
(10) Internal Organization
(11) Administration

The Preparatory Commission held five sessions in London: the first, on November 16, 1945; the second, on November 19; the third, on January 18, 1946; the fourth, from February 11 to 13; the fifth, from July 5 to 12. Its seat continued to be in London until the middle of September 1946, when it was transferred to Paris, the official seat of UNESCO. The Preparatory Commission ceased to exist when the Director General of UNESCO assumed office.

E. FIRST SESSION OF THE GENERAL CONFERENCE

Convened on September 13, 1946, by the late Miss Ellen Wilkinson, Chairman of the Preparatory Commission, the first session of the General Conference of UNESCO opened in Paris on November 19, 1946. It was attended by some 500 delegates, consultants and observers, representing 48 States.

Delegations were present from the following 30 States which had accepted the Constitution of UNESCO at the time of the General Conference's first session:[1]

Australia	Lebanon
Belgium	Mexico
Bolivia	Netherlands
Brazil	Norway
Canada	New Zealand
China	Peru
Czechoslovakia	Philippine Republic
Denmark	Poland
Dominican Republic	Saudi Arabia
Egypt	Syria
Ecuador	Turkey
France	United Kingdom
Greece	United States
Haiti	Union of South Africa
India	Venezuela

The following States which had signed the Final Act of the London Conference on November 16, 1946, but which had not yet accepted the Constitution of UNESCO, sent delegates who participated in the Conference without voting rights:

Argentina	Luxembourg
Chile	Nicaragua
Colombia	Panama
Cuba	Salvador
Guatemala	Uruguay
Iran	Yugoslavia
Iraq	

It had further been decided to invite to the Conference observers from Members of the United Nations which had not participated in the London Conference; of these States, Costa Rica and Paraguay sent observers.

During the course of the Conference, Iceland, Sweden and Switzerland, which were not Members of the United Nations at that time, asked to send observers, and a favorable reply was given by the Conference to this request.

In addition to representatives from the United Nations and other specialized agencies, the Conference was attended by observers from a dozen inter-governmental international organizations whose interests were related to those of UNESCO, and an opportunity was offered to some 70 non-governmental international organizations to follow the Conference in an unofficial capacity.

Thus the first session of the General Conference of UNESCO was fully representative of all of the forces which in the world of today believe that a major contribution towards the maintenance of peace and the development of international understanding can be made by the furthering of international co-operation and exchanges in the field of education, science and culture.

The first session of the General Conference lasted three weeks. Its agenda included many important items, such as the election of the Executive Board of eighteen members provided for by the Constitution, the appointment of the Director-General and the adoption of various administrative and financial regulations.

But by far the main task of the Conference was to provide the Organization with a program adapted to the general purposes defined in its Constitution and with a budget enabling it to develop its activities on the scale required.

Concerning the latter, a decision was made to provide UNESCO during its first year of existence with a budget somewhat smaller than that proposed by the Preparatory Commission. The final figure adopted by the representatives of the 30 member States amounted to $6,950,000, including an amount of $950,000 covering the expenses of the Preparatory Commission.

In addition, it was decided to set up a Revolving Fund of $3,000,000. By a later decision of the Executive Board, it was agreed that only $1,000,000 of this Revolving Fund would be collected in 1947.

As to the program of the Organization, the General Conference endorsed to a large extent, although modifying in some cases, the proposals submitted to it by the Preparatory Commission, whose preliminary studies had covered the period between November 1945 and November 1946.

Due, however, to the limited time at its disposal and to the magnitude of the field to be covered, it was not possible for the General Conference to crystallize in all details the proj-

[1] See Annex I for a current list of member States of UNESCO.

ects to be undertaken in 1947, nor to relate properly the plans proposed as to the financial resources granted to the Organization.

As a result it was necessary for the Executive Board to reconsider in great detail the decisions of the General Conference and to accept responsibility for drawing up the final plan of action.

F. UNESCO PROGRAM FOR 1947

The program of UNESCO, as finally adopted by its Executive Board in its second session, breaks down into two main groups of activities:

(a) Four large-scale projects of a comprehensive nature.

(b) Specialized activities within the fields of education, science and culture.

1. UNESCO-Wide Projects

Four large-scale projects of a comprehensive nature are being undertaken by UNESCO in 1947:

a. Reconstruction and Rehabilitation of Educational, Scientific and Cultural Life in Countries Devastated by War

In co-operation with other agencies and interested organizations, UNESCO is promoting a world-wide campaign for aid in educational, scientific and cultural reconstruction and rehabilitation. The purpose of the campaign is the collection of contributions in money, materials and services for distribution in the devastated areas. At the same time UNESCO is making a world-wide survey of existing needs.

UNESCO has requested information of requirements in sixteen devastated countries, and has circularized potential donor countries asking them for information as to available assistance. It has received large-scale contributions for this purpose from co-ordinating bodies, such as the American Commission for International Educational Reconstruction (CIER). It is expected that by the end of the present year contributions will reach the approximate figure of $48,000,000 and it is estimated that by the end of June 1948, the contributions will have reached UNESCO's goal of $100,000,000.

The head of the Reconstruction and Rehabilitation project made a tour of the United States and Canada to launch this campaign and the results of that tour have already produced individual gifts of money, fellowships, offers of assistance to artists in devastated areas and offers of assistance and exchange from technical schools in these countries to technical schools in the devastated countries.

A Temporary International Council for Educational Reconstruction (TICER) has been set up by UNESCO. It consists of representatives of non-governmental organizations active in the field of educational reconstruction and rehabilitation.

Contact with the Director of the International Children's Emergency Fund has been established, in order to ensure complete co-operation and avoidance of duplication, as well as the most fruitful results in the endeavors of both the ICEF and UNESCO.

In addition to a *Reconstruction Newsletter* which is published monthly in English, French and Spanish, one pamphlet entitled "The Teacher and the Post-War Child," which was made possible by a gift from the Greek Government, has already been printed. There are several other pamphlets and leaflets now under preparation and it is contemplated that they will be completed by the beginning of the school year in September.

Radio and television are also being used as a means of disseminating information about educational reconstruction.

Field survey work is under way and workers are already reporting from the following countries: Czechoslovakia, Greece, Poland and Yugoslavia, as well as Italy and Austria.

The provision of scientific and technical equipment has been the subject of discussion in a special committee formed to advise UNESCO on matters of distribution. The committee consists of two representatives from donor countries, two representatives from recipient countries and an independent chairman. This committee is concerned with the distribution of gifts received and the allocation of fellowships.

By virtue of the authority granted by the General Conference, UNESCO has been able to purchase $70,000 worth of war surplus and new material, especially scientific apparatus, which has been assembled for distribution to

technical schools in the devastated countries. Plans are under way for the purchase of an additional $45,000 worth of technical equipment.

UNESCO also assisted the development of a program for international understanding in Youth Service Camps held during the summer of 1947 in France, Belgium, Poland and Czechoslovakia.

b. Fundamental Education

This project, one of the most important in UNESCO's program, is approached from two angles--teaching the illiterates of the world, who number more than one-half of the population of the globe, to read and write, and simultaneously campaigning for provision of a basic minimum of education for all the peoples of the world. In view of the wide interest in this project, both among governments and private groups, one of UNESCO's initial tasks is to co-ordinate and stimulate campaigns under way, as well as to act as an international clearing house for the exchange of information on techniques, materials and experts available in this field.

The Fundamental Education Program for 1947 includes three pilot projects for the experimental application of fundamental education techniques. These projects have been undertaken with the consent, and at the invitation of the governments concerned, and will be conducted with the advice and guidance of a UNESCO consultant. Discussions are proceeding rapidly towards commencing operations of these projects in Haiti, in China, and in the Tanganyika and Nyasaland areas of British East Africa. In addition, the Hylean Amazon project, which is discussed elsewhere, includes the study of fundamental education problems in the area.

A group of experts in fundamental education was convened by UNESCO in April 1947 and has produced a series of recommendations for the guidance of the program in this field. A meeting of experts in language problems in fundamental education was held for four days at the end of June to discuss this facet of the problem.

A regional study conference, consisting of representatives of Far Eastern countries and non-self-governing territories, was scheduled to be held in Nanking from September 1 to 12.

c. Education for International Understanding

This project, which is of a continuing character, includes eight distinct, but closely correlated activities in its 1947 phase:

(i) An analysis of the methods used for developing international understanding in primary schools, secondary schools and institutes of higher education.

(ii) A seminar for teachers to discuss education for international understanding which is being held in Paris during July and August of 1947. UNESCO's member States and countries which have signed but not yet ratified UNESCO's Constitution, as well as those which have applied for membership, have designated leading educators to attend the seminar and exchange ideas on technique and teaching for international understanding.

(iii) A study of materials and techniques which are used in adult education for developing international good-will.

(iv) Assistance to international relations clubs organized for the study of world affairs.

(v) A draft model of textbook analyses with a view to encouraging governments, educational authorities and schools to improve textbooks and teaching materials as aids to increasing understanding among peoples.

(vi) A survey of the conditions under which exchange of persons contributes to mutual respect and understanding among peoples.

(vii) Development of the program for exchange of personnel on a large scale so that the formerly occupied countries may benefit from recent developments in other parts of the world. This is integrated into UNESCO's fellowship program.

(viii) Research into the possibility of setting up International Study Centres, perhaps under the auspices of UNESCO.

d. Hylean Amazon Project

This is a far-reaching program of research into the needs and possibilities of the forested Amazon area, which comprises four million square miles in the heart of the South American continent.

In April 1947 a team of UNESCO scientists left for Rio de Janeiro to undertake preliminary investigations prior to the meeting of an international commission in Belem do Para, Brazil, between August 10 and 18, to decide whether an international research institute should be established at the mouth of the Amazon River. This meeting was to be attended by representatives of Brazil, Bolivia, Colombia, Ecuador, Peru and Venezuela, as well as Great Britain, France, the Netherlands and the United States.

4. Staff Provident Fund and Staff Retirement Scheme

The General Assembly directed at the first part of the first session that the Secretary-General establish a provident fund for the benefit of the members of the staff of the United Nations. The receipts of this fund come from salary deductions and from contributions in an equal amount by the United Nations (6% of salary in each case). Outgoing payments are those to staff members upon termination of services. At the second part of the first session the General Assembly authorized the establishment of a provisional staff retirement scheme, which was to be further considered at the second session of the General Assembly, scheduled to convene in September 1947.[1]

5. Insurance

The General Assembly by a resolution of February 13, 1946, instructed the Secretary-General to ensure that the drivers of all official motor cars of the United Nations, and all members of the staff who owned or drove motor cars, be properly insured against third party risks. In accordance with this resolution, the United Nations carries a public liability insurance covering bodily or personal injury to persons not in the employ of the United Nations, and damage to property caused by the operations of the United Nations in the United States of America, including bodily or personal injury or property damage caused by the ownership or operation of automobiles.

6. Control of Expenditures

The responsibility for control of expenditures was vested by the resolutions of the General Assembly in the Secretary-General. Under the Secretary-General, the day to day responsibility rests with the Assistant Secretary-General for Administrative and Financial Services, whose Department is organized into three bureaus—the Bureau of Administrative Management and Budget, the Bureau of the Comptroller and the Bureau of Personnel. Each of these bureaus has a part in the operation of controls, which are exercised in three ways:

a) In formulating the budget, departments submit their own estimates to the Department of Administrative and Financial Services. These departmental estimates are reviewed by the Bureau of Administrative Management and Budget. Consultations are held with departments to obtain balanced departmental and overall figures, having regard to the necessity for efficient and economical administration on the one hand and the effective carrying out of the programs on the other.

b) After approval of the estimates, allotments are made to departments on an annual or quarterly basis as appropriate for control purposes, to meet expenditures and obligations. In making the quarterly allotments, the Bureau of Administrative Management and Budget reviews with each department its requirements for the quarter, taking account of changes which may have occurred since the annual estimates were approved.

c) The Financial Rules now in operation provide, *inter alia*, for the recording of obligations against allotments. A system of pre-audit of bills and vouchers submitted for payment has been introduced, as well as an internal post-audit designed to test the efficiency of the accounting system and the adequacy of the regulations and methods of control.

In accordance with a resolution adopted by the General Assembly on February 13, 1946,[2] the Secretary-General, after consulting with the Advisory Group of Experts, recommended to the General Assembly that it make provision for the audit of accounts by nominating in person the chief audit official of each of three Member nations (providing that their Governments agreed), the three auditors to constitute a Board of Auditors which would audit United Nations accounts and submit its report to the General Assembly. This recommendation was accepted by the General Assembly, and the chief audit officials of Canada, Sweden and the Ukrainian S.S.R. were elected to the Audit Board. The Members of this Board will normally serve for three years. The audit of the accounts for the financial year 1946 was completed in the spring of 1947, and the auditor's report was prepared for submission to the second session of the General Assembly in September 1947.

7. Formulation of the 1946 and 1947 Budgets

Planning for the 1946 and 1947 annual budgets was begun in May 1946. The budget items were submitted to the Advisory Group of Experts for examination, as provided by resolution of the General Assembly. The recommendations of the Advisory Group were incorporated in

[1] See pp. 225 ff.

[2] See pp. 95, 221 ff.

At the request of the United Nations, UNESCO has prepared a detailed report on the possibility of the establishment of International Scientific Laboratories and Observatories.

c. Social Sciences

One of the main projects which has been begun is a study of tensions affecting international understanding. A basic memorandum outlining the importance of this project and recommending areas for research and action has been prepared and circulated for comment to 450 social scientists in countries throughout the world, as well as to the United Nations, other specialized agencies and member governments.

Consideration is being given to the possibility of publishing a Social Science Year Book, and to the need for establishing an abstracting service in the field of Social Sciences.

In co-operation with the United Nations, UNESCO is considering the problem of housing and town planning and activities to be undertaken in the study of international law.

d. Philosophy and Humanities

A preliminary survey of the international aspects of philosophy and humanistic studies as they are related to UNESCO's objectives has been undertaken.

A preliminary enquiry is under way as to the possibility of a large-scale survey of possible "borrowings" between civilizations and as to how UNESCO's activities in the humanistic field can contribute to the maintenance of peace.

In collaboration with the United Nations, UNESCO is engaged in work on the proposed International Bill of Human Rights, and is surveying a project for the translation of the classics, in accordance with the resolutions of the United Nations General Assembly[1] and the Economic and Social Council.[2]

e. Arts and Letters

The Arts and Letters program includes projects in the fields of literature and theatre, as well as music and the visual arts.

In the field of literature a consultant has been appointed to lead an investigation of world literary journals with a view to creating an exchange centre for all types of literary material, thus promoting greater understanding between peoples through world-wide interchange of works. Material for an anthology of works of writers who suffered under Axis occupation will be collected through international associations and the national commissions of UNESCO.

Together with an investigation of reproduction techniques in music and the visual arts, a study will be made into the extent and conditions of cultural exchange between nations with a view to making known the experience, knowledge and achievements in the cultural field of each individual country so that all nations may share and benefit. The expansion of current cultural interchange programs which would result from this exchange of knowledge and experience will be an essential contributing factor to international understanding.

In the field of the theatre, there was to be a meeting in Paris during July 1947 of experts from various countries to discuss the possible organization of an international theatre institute to promote wide interchange of theatrical productions and dramatic literature. The institute will function as an independent body supported by private or by State initiative.

The 1947 UNESCO Conference will also be presented with the outline of a plan designed to place the methods and achievements of those countries where the arts are used to full advantage in general education at the disposal of those nations where the arts are not so advantageously utilized.

f. Libraries and Museums

During 1947 the major interest has been in library reconstruction with special emphasis on the needs of public libraries, and the creation of public libraries in countries with undeveloped systems. Great progress has been made in establishing accurate information on needs and resources and in assisting inter-library exchanges and contacts. In co-operation with the reconstruction project two questionnaires have been sent out since April, and a monthly *UNESCO Bulletin for Libraries* has been issued, 5,000 copies being distributed in 61 countries.

In February 1947, UNESCO took over the Inter-Allied Book Centre, the liquidation of whose assets was expected to be terminated at the end of August.

[1] See p. 184.

[2] See p. 541.

The important UNESCO Book Coupon Scheme has been outlined in a document which has been circulated to member States and which was discussed at a meeting of the International Federation of Library Associations in May 1947. It is possible that the scheme may be operated experimentally in a sample area so that specific evidence of its feasibility may be available for the UNESCO General Conference.

The Libraries Program also includes studies of exchange, distribution and loan of books, improvement of bibliographical services and studies of techniques of reproduction.

A "service library" for specialists in UNESCO is being established. It includes material from the library of the Institute of Intellectual Co-operation, whose assets, by a resolution of the General Assembly, have been loaned to UNESCO.

An exhibition on public libraries is being prepared for the 1947 Conference. It will be designed as an exhibition for circulation and is one of the main activities in promotion of public libraries projected for 1948. Progress has been made in the establishment of a program for archives, and a valuable report has been received from a special consultant.

The Museums Program includes science, art and historical museums, as well as zo-ological gardens and nature reserves. Its principal concern this year is with a survey of the losses and needs of museums and monuments in Europe. Further, investigators have already begun to survey conditions from Greece to Poland and from Poland to Italy. In this activity UNESCO is working closely with the newly formed International Council of Museums, which is assembling detailed and current documentation on museums all over the world.

UNESCO has fallen heir to the assets of the International Museums Office and these are being incorporated into the library of UNESCO House. Consideration is being given to the continuation of the publication of *Mouseion* which was the technical publication of this Office.

g. Mass Communication

This program is divided into three parts, one dealing with films, one with radio and one with the press. Its major interests break down into the following categories:

(i) The free flow of information and the removal of barriers.
(ii) Commission on Technical Needs.
(iii) Exchange of persons and information.

In the field which pertains to the free flow of information, UNESCO has been represented and has presented its views at a number of international conferences and other meetings, such as the United Nations Sub-Commission on Freedom of Information and of the Press, the International Telecommunications Union Conference and the Universal Postal Union Conference. UNESCO will continue to take an active part in any conferences devoted to this question, particularly the proposed United Nations International Conference, which is scheduled to be held in 1948.

A Commission on Technical Needs has been established to survey the needs of the war-damaged countries in the fields of press, radio and film. This year field inquiries are under way in France, Belgium, Luxembourg, Holland, Norway, Denmark, Czechoslovakia, Yugoslavia, Greece, Poland, China and the Philippines. All field workers making these surveys were to have returned to UNESCO headquarters by July 15 and the reports of the entire survey were to be completed by the beginning of August. Invitations were sent to fifteen experts from various countries to meet as a commission to consider the results of this survey. The meeting was to take place in Paris from August 25 to 30 to prepare a final report for submission to the UNESCO 1947 General Conference, and, at its request, to the United Nations Sub-Commission on Freedom of Information and of the Press.

The UNESCO Fellowship Program and the exchange of information is closely related to this program. The Organization therefore is vitally interested in the work of the proposed Conference on Passport and Frontier Formalities, particularly as this will affect the free passage of persons engaged in work with mass media and the free flow of all the materials of mass media, such as films, news, periodicals, etc.

In the field of radio, UNESCO, in collaboration with the United Nations, is studying the feasibility of a worldwide radio network. Nineteen governments were invited to send experts to two meetings which were to be held during August to consider this question. The United Nations and the International Broadcasting Organization were invited to send observers to these meetings, at which it was hoped that the lines would be set for development of international co-operative ventures in the production

and transmission of radio programs serving UNESCO's objectives. Work on UNESCO radio programs and a clearing house of radio information has already been begun.

In the field of films UNESCO is engaged in stimulating the production and wider international distribution of films and in the compilation of International Film Catalogs on subjects within UNESCO's field of competence. International catalogs are being compiled on the following subjects:

Fundamental Education
International Understanding
Painting and Culture
Libraries and Museums
Agriculture
Nutrition
Town and Country Planning
Health, Medicine and Surgery

Four of these catalogues will be published during 1947, with the collaboration of the United Nations and other specialized agencies concerned, through the medium of the United Nations Film Board.

Progress has been achieved in relation to the proposed convention for facilitating the international distribution of visual and auditory materials of an educational, scientific and cultural character.

In the field of press UNESCO will be particularly interested in the work of the United Nations Conference on Freedom of Information and of the Press. In addition, a service for an exchange of articles is being set up and will soon be in operation. UNESCO is in close contact with the International Organization of Journalists, at whose second congress in Prague it was represented.

Arrangements are being made for the reprinting in other countries of articles relative to UNESCO's priority projects for 1947, which have appeared in national publications.

G. SECOND SESSION OF THE GENERAL CONFERENCE

The second session of the General Conference of UNESCO is scheduled to convene in Mexico City in November 1947. It will have before it progress reports covering the activities of all sections of the UNESCO program, and proposed plans for 1948. The Conference is to approve the program of work and the budget of the Organization for the year 1948.

This session of the General Conference will be marked, as was the last, by a series of exhibitions constituting UNESCO Month.

H. BUDGET

During the period the Preparatory Commission was in London, the expenses of its maintenance were met by the Government of the United Kingdom on the understanding that the amount of the expenses so incurred would be deducted from the contributions of that Government to the new Organization, and that it would be open to the Commission, if circumstances so warranted, to seek contributions from other governments.

When the Commission was transferred to Paris, the financial responsibility passed to the French Government on the same terms.

Although the Preparatory Commission had recommended a budget of $7,565,000 for the first financial year of the Organization (1947), with a supplementary budget of $343,700 for educational, scientific and cultural reconstruction during this period, the budget for 1947, as adopted by the General Conference, totaled $6,000,000. In addition an amount of $950,000 was approved to cover the costs of the Preparatory Commission and the expenses incidental to the convening of the first General Conference. Since the allocation of the budget to the various projects requires adjustment and alteration as the UNESCO program develops and matures, the General Conference provided the Director-General with the necessary authority to effect transfers within the budget during the financial year 1947. The Executive Board, meeting in April 1947, approved the estimated allocation of funds shown below. As large a sum as possible was left undistributed to provide the Director-General with funds for new activities, revised estimates, or increased costs. The estimated distribution of funds for 1947 was as follows:

1947 Budget Estimates

Conferences and Meetings	$ 107,862
Personnel Services	2,479,506
Common Services	965,935
Grants and Subsidies	731,399
Expenses on Initial Recruitment	858,047
Preparatory Commission	1,074,641
Re-education of Ex-enemy Countries	50,000
Distributed Appropriation	6,267,390
Undistributed Appropriation	682,610
TOTAL APPROPRIATION	$6,950,000

The General Conference also established a revolving fund of $3,000,000, only $1,000,000 of which was to be collected in 1947.

Contributions to the budget and deposits to the revolving fund are made by members of UNESCO according to the scale adopted for the administrative budget of the United Nations, with adjustments to provide for the difference in membership of the two organizations.

ANNEX I

Members and Officers

Members of UNESCO

Australia
Belgium
Bolivia
Brazil
Canada
China
Czechoslovakia
Denmark
Dominican Republic
Ecuador
Egypt
France
Greece
Haiti
India
Lebanon
Liberia
Mexico
Netherlands
New Zealand
Norway
Peru
Philippine Republic
Poland
Saudi Arabia
Syria
Turkey
Union of South Africa
United Kingdom
United States
Venezuela

Members of Executive Board

Elected for one year:

M. Martinez Baez .....(Mexico)
Chen Yuan .....(China)
Marian Falski .....(Poland)
H. R. Kruyt .....(Netherlands)
Sir John Maud .....(United Kingdom)
E. Walker .....(Australia)

Elected for two years:

Shafik Ghorbal Bey.....(Egypt)
Victor Doré (Chairman) .....(Canada)
Jan Opocensky .....(Czechoslovakia)
Alex Photiades .....(Greece)
Sir S. Radhakrishnan.....(India)
P. Verniers .....(Belgium)

Elected for three years:

Pierre Auger .....(France)
Paulo Carneiro .....(Brazil)
Milton Eisenhower[1] .....(United States)
R. Guntekin .....(Turkey)
C. Parra Perez.....(Venezuela)
S. Sommerfelt .....(Norway)

Director-General

Julian Huxley (United Kingdom)

Deputy Director-General

Walter H. C. Laves (United States)

Assistant Director-General

Jean Thomas (France)

Headquarters of UNESCO

Address: UNESCO (Organisation des Nations Unies pour l'Education, la Science et la Culture)
19 Avenue Kléber, Paris XVI, France
Telephone: Kléber 52-00
Cable address: UNESCO, Paris

New York Office

United Nations Educational, Scientific and Cultural Organization
American Museum of Natural History
15 West 77th Street
New York, N. Y.
Telephone: ENdicott 2-8500, Extension 317

ANNEX II

Constitution of the United Nations Educational, Scientific and Cultural Organization

The Governments of the States parties to this Constitution on behalf of their peoples declare, that since wars begin in the minds of men, it is in the minds of men that the defences of peace must be constructed;

that ignorance of each other's ways and lives has been a common cause, throughout the history of mankind, of that suspicion and mistrust between the peoples of the world through which their differences have all to often broken into war;

[1] Mr. Eisenhower is substitute for Archibald MacLeish, who resigned from the Board on May 1, 1947.

that the great and terrible war which has now ended was a war made possible by the denial of the democratic principles of the dignity, equality and mutual respect of men, and by the propagation, in their place, through ignorance and prejudice, of the doctrine of the inequality of men and races;

that the wide diffusion of culture, and the education of humanity for justice and liberty and peace are indispensable to the dignity of man and constitute a sacred duty which all the nations must fulfil in a spirit of mutual assistance and concern;

that a peace based exclusively upon the political and economic arrangements of governments would not be a peace which could secure the unanimous, lasting and sincere support of the peoples of the world, and that the peace must therefore be founded, if it is not to fail, upon the intellectual and moral solidarity of mankind.

for these reasons, the States parties to this Constitution, believing in full and equal opportunities for education for all, in the unrestricted pursuit of objective truth, and in the free exchange of ideas and knowledge, are agreed and determined to develop and to increase the means of communication between their peoples and to employ these means for the purposes of mutual understanding and a truer and more perfect knowledge of each other's lives;

in consequence whereof they do hereby create the United Nations Educational, Scientific and Cultural Organisation for the purpose of advancing, through the educational and scientific and cultural relations of the peoples of the world, the objectives of international peace and of the common welfare of mankind for which the United Nations Organisation was established and which its Charter proclaims.

ARTICLE I.

Purposes and Functions

1. The purpose of the Organisation is to contribute to peace and security by promoting collaboration among the nations through education, science and culture in order to further universal respect for justice, for the rule of law and for the human rights and fundamental freedoms which are affirmed for the peoples of the world, without distinction of race, sex, language or religion, by the Charter of the United Nations.

2. To realise this purpose the Organisation will:

(*a*) collaborate in the work of advancing the mutual knowledge and understanding of peoples, through all means of mass communication and to that end recommend such international agreements as may be necessary to promote the free flow of ideas by word and image;

(*b*) give fresh impulse to popular education and to the spread of culture;

by collaborating with Members, at their request, in the development of educational activities;

by instituting collaboration among the nations to advance the ideal of equality of educational opportunity without regard to race, sex or any distinctions, economic or social;

by suggesting educational methods best suited to prepare the children of the world for the responsibilities of freedom;

(*c*) maintain, increase and diffuse knowledge;

by assuring the conservation and protection of the world's inheritance of books, works of art and monuments of history and science, and recommending to the nations concerned the necessary international conventions;

by encouraging co-operation among the nations in all branches of intellectual activity, including the international exchange of persons active in the fields of education, science and culture and the exchange of publications, objects of artistic and scientific interest and other materials of information;

by initiating methods of international co-operation calculated to give the people of all countries access to the printed and published materials produced by any of them.

3. With a view to preserving the independence, integrity and fruitful diversity of the cultures and educational systems of the States Members of this Organisation, the Organisation is prohibited from intervening in matters which are essentially within their domestic jurisdiction.

ARTICLE II.

Membership

1. Membership of the United Nations Organisation shall carry with it the right to membership of the United Nations Educational, Scientific and Cultural Organisation.

2. Subject to the conditions of the agreement between this Organisation and the United Nations Organisation, approved pursuant to Article X of this Constitution, States not members of the United Nations Organisation may be admitted to membership of the Organisation, upon recommendation of the Executive Board, by a two-thirds majority vote of the General Conference.

3. Members of the Organisation which are suspended from the exercise of the rights and privileges of membership of the United Nations Organisation shall, upon the request of the latter, be suspended from the rights and privileges of this Organisation.

4. Members of the Organisation which are expelled from the United Nations Organisation shall automatically cease to be members of this Organisation.

ARTICLE III.

Organs

The Organisation shall include a General Conference, an Executive Board and a Secretariat.

ARTICLE IV.

The General Conference

A. Composition

1. The General Conference shall consist of the representatives of the States Members of the Organisation. The Government of each Member State shall appoint not more than five delegates, who shall be selected after consultation with the National Commission, if established, or with educational, scientific and cultural bodies.

B. Functions

2. The General Conference shall determine the policies and the main lines of work of the Organisation. It shall take decisions on programmes drawn up by the Executive Board.

3. The General Conference shall, when it deems it desirable, summon international conferences on education, the sciences and humanities and the dissemination of knowledge.

4. The General Conference shall, in adopting proposals for submission to the Member States, distinguish between recommendations and international conventions submitted for their approval. In the former case a majority vote shall suffice; in the latter case a two-thirds majority shall be required. Each of the Member States shall submit recommendations or conventions to its competent authorities within a period of one year from the close of the session of the General Conference at which they were adopted.

5. The General Conference shall advise the United Nations Organisation on the educational, scientific and cultural aspects of matters of concern to the latter, in accordance with the terms and procedure agreed upon between the appropriate authorities of the two Organisations.

6. The General Conference shall receive and consider the reports submitted periodically by Member States as provided by Article VIII.

7. The General Conference shall elect the members of the Executive Board and, on the recommendation of the Board, shall appoint the Director-General.

C. Voting

8. Each Member State shall have one vote in the General Conference. Decisions shall be made by a simple majority except in cases in which a two-thirds majority is required by the provisions of this Constitution. A majority shall be a majority of the Members present and voting.

D. Procedure

9. The General Conference shall meet annually in ordinary session; it may meet in extraordinary session on the call of the Executive Board. At each session the location of its next session shall be designated by the General Conference and shall vary from year to year.

10. The General Conference shall, at each session, elect a President and other officers and adopt rules of procedure.

11. The General Conference shall set up special and technical committees and such other subordinate bodies as may be necessary for its purposes.

12. The General Conference shall cause arrangements to be made for public access to meetings, subject to such regulations as it shall prescribe.

E. Observers

13. The General Conference, on the recommendation of the Executive Board and by a two-thirds majority may, subject to its rules of procedure, invite as observers at specified sessions of the Conference or of its commissions representatives of international organisations, such as those referred to in Article XI, paragraph 4.

ARTICLE V.

Executive Board

A. Composition

1. The Executive Board shall consist of eighteen members elected by the General Conference from among the delegates appointed by the Member States, together with the President of the Conference who shall sit *ex officio* in an advisory capacity.

2. In electing the members of the Executive Board the General Conference shall endeavour to include persons competent in the arts, the humanities, the sciences, education and the diffusion of ideas, and qualified by their experience and capacity to fulfil the administrative and executive duties of the Board. It shall also have regard to the diversity of cultures and a balanced geographical distribution. Not more than one national of any Member State shall serve on the Board at any one time, the President of the Conference excepted.

3. The elected members of the Executive Board shall serve for a term of three years, and shall be immediately eligible for a second term, but shall not serve consecutively for more than two terms. At the first election eighteen members shall be elected of whom one third shall retire at the end of the first year and one third at the end of the second year, the order of retirement being determined immediately after the election by the drawing of lots. Thereafter six members shall be elected each year.

4. In the event of the death or resignation of one of its members, the Executive Board shall appoint, from among the delegates of the Member State concerned, a substitute, who shall serve until the next session of the General Conference which shall elect a member for the remainder of the term.

B. Functions

5. The Executive Board, acting under the authority of the General Conference, shall be responsible for the execution of the programme adopted by the Conference and shall prepare its agenda and programme of work.

6. The Executive Board shall recommend to the General Conference the admission of new Members to the Organisation.

7. Subject to decisions of the General Conference, the Executive Board shall adopt its own rules of procedure. It shall elect its officers from among its members.

8. The Executive Board shall meet in regular session at least twice a year and may meet in special session if convoked by the Chairman on his own initiative or upon the request of six members of the Board.

9. The Chairman of the Executive Board shall present to the General Conference, with or without comment, the annual report of the Director-General on the activities of the Organisation, which shall have been previously submitted to the Board.

10. The Executive Board shall make all necessary arrangements to consult the representatives of international organisations or qualified persons concerned with questions within its competence.

11. The members of the Executive Board shall exercise the powers delegated to them by the General Conference on behalf of the Conference as a whole and not as representatives of their respective Governments.

ARTICLE VI.

Secretariat

1. The Secretariat shall consist of a Director-General and such staff as may be required.

2. The Director-General shall be nominated by the Executive Board and appointed by the General Conference for a period of six years, under such conditions as the Conference may approve, and shall be eligible for re-appointment. He shall be the chief administrative officer of the Organisation.

3. The Director-General, or a deputy designated by him, shall participate, without the right to vote, in all meetings of the General Conference, of the Executive Board, and of the committees of the Organisation. He shall formulate proposals for appropriate action by the Conference and the Board.

4. The Director-General shall appoint the staff of the Secretariat in accordance with staff regulations to be approved by the General Conference. Subject to the paramount consideration of securing the highest standards of integrity, efficiency and technical competence, appointment to the staff shall be on as wide a geographical basis as possible.

5. The responsibilities of the Director-General and of the staff shall be exclusively international in character. In the discharge of their duties they shall not seek or receive instructions from any government or from any authority external to the Organisation. They shall refrain from any action which might prejudice their position as international officials. Each State Member of the Organisation undertakes to respect the international character of the responsibilities of the Director-General and the staff, and not to seek to influence them in the discharge of their duties.

6. Nothing in this Article shall preclude the Organisation from entering into special arrangements within the United Nations Organisation for common services and staff and for the interchange of personnel.

ARTICLE VII.

National Co-operating Bodies

1. Each Member State shall make such arrangements as suit its particular conditions for the purpose of associating its principal bodies interested in educational, scientific and cultural matters with the work of the Organisation, preferably by the formation of a National Commission broadly representative of the Government and such bodies.

2. National Commissions or national co-operating bodies, where they exist, shall act in an advisory capacity to their respective delegations to the General Conference and to their Governments in matters relating to the Organisation and shall function as agencies of liaison in all matters of interest to it.

3. The Organisation may, on the request of a Member State, delegate, either temporarily or permanently, a member of its Secretariat to serve on the National Commission of that State, in order to assist in the development of its work.

ARTICLE VIII.

Reports by Member States

Each Member State shall report periodically to the Organisation, in a manner to be determined by the General Conference, on its laws, regulations and statistics relating to educational, scientific and cultural life and institutions, and on the action taken upon the recommendations and conventions referred to in Article IV, paragraph 4.

ARTICLE IX.

Budget

1. The budget shall be administered by the Organisation.

2. The General Conference shall approve and give final effect to the budget and to the apportionment of financial responsibility among the States Members of the Organisation subject to such arrangement with the United Nations as may be provided in the agreement to be entered into pursuant to Article X.

3. The Director-General, with the approval of the Executive Board, may receive gifts, bequests, and subventions directly from governments, public and private institutions, associations and private persons.

ARTICLE X.

Relations with the United Nations Organisation

This Organisation shall be brought into relation with the United Nations Organisation, as soon as practicable, as one of the specialised agencies referred to in Article 57 of the Charter of the United Nations. This relationship shall be effected through an agreement with the United Nations Organisation under Article 63 of the Charter, which agreement shall be subject to the approval of the General Conference of this Organisation. The agreement shall provide for effective co-operation between the two Organisations in the pursuit of their common purposes, and at the same time shall recognise the autonomy of this Organisation, within the fields of its competence as defined in this Constitution. Such agreement may, among other matters, provide for the approval and financing of the budget of the Organisation by the General Assembly of the United Nations.

ARTICLE XI.

Relations with other specialised international Organisations and agencies

1. This Organisation may co-operate with other specialised inter-governmental organisations and agencies whose interests and activities are related to its purposes. To this end the Director-General, acting under the general authority of the Executive Board, may establish effective working relationships with such organisations and agencies and establish such joint committees as may be necessary to assure effective co-operation. Any formal arrangements entered into with such organisations or agencies shall be subject to the approval of the Executive Board.

2. Whenever the General Conference of this Organisation and the competent authorities of any other specialised inter-governmental organisations or agencies whose purposes and functions lie within the competence of this Organisation, deem it desirable to effect a transfer of their resources and activities to this Organisation, the Director-General, subject to the approval of the Conference, may enter into mutually acceptable arrangements for its purpose.

3. This Organisation may make appropriate arrangements with other inter-governmental organisations for reciprocal representation at meetings.

4. The United Nations Educational, Scientific and Cultural Organisation may make suitable arrangements for consultation and co-operation with non-governmental international organisations concerned with matters within its competence, and may invite them to undertake specific tasks. Such co-operation may also include appropriate participation by representatives of such organisations on advisory committees set up by the General Conference.

ARTICLE XII.

Legal status of the Organisation

The provisions of Articles 104 and 105 of the Charter of the United Nations Organisation concerning the legal status of that Organisation, its privileges and immunities shall apply in the same way to this Organisation.

ARTICLE XIII.

Amendments

1. Proposals for amendments to this Constitution shall become effective upon receiving the approval of the General Conference by a two-thirds majority; provided, however, that those amendments which involve fundamental alterations in the aims of the Organisation or new obligations for the Member States shall require subsequent acceptance on the part of two-thirds of the Member States before they come into force. The draft texts of proposed amendments shall be communicated by the Director-General to the Member States at least six months in advance of their consideration by the General Conference.

2. The General Conference shall have power to adopt by a two-thirds majority rules of procedure for carrying out the provisions of this Article.

ARTICLE XIV.

Interpretation

1. The English and French texts of this Constitution shall be regarded as equally authoritative.

2. Any question or dispute concerning the interpretation of this Constitution shall be referred for determination to the International Court of Justice or to an arbitral tribunal, as the General Conference may determine under its rules of procedure.

ARTICLE XV.

Entry into force

1. This Constitution shall be subject to acceptance. The instruments of acceptance shall be deposited with the Government of the United Kingdom.

2. This Constitution shall remain open for signature in the archives of the Government of the United Kingdom. Signature may take place either before or after the deposit of the instrument of acceptance. No acceptance shall be valid unless preceded or followed by signature.

3. This Constitution shall come into force when it has been accepted by twenty of its signatories. Subsequent acceptances shall take effect immediately.

4. The Government of the United Kingdom will inform all Members of the United Nations of the receipt of all instruments of acceptance and of the date on which the Constitution comes into force in accordance with the preceding paragraph.

In faith whereof, the undersigned, duly authorised to that effect, have signed this Constitution in the English and French languages, both texts being equally authentic.

Done in London the sixteenth day of November, 1945, in a single copy, in the English and French languages, of which certified copies will be communicated by the Government of the United Kingdom to the Governments of all the Members of the United Nations.

ANNEX III

Agreement Between the United Nations and the United Nations Educational, Scientific and Cultural Organization

1. Article 57 of the Charter of the United Nations provides that specialized agencies, established by inter-governmental agreement and having wide international responsibilities as defined in their basic instruments in economic, social, cultural, educational, health, and related fields, shall be brought into relationship with the United Nations.

2. Articles X and IV, paragraph B, subparagraph 5, of the constitution establishing the United Nations Educational, Scientific and Cultural Organization provide that this Organization shall be brought into relation with the United Nations as soon as practicable, as one of the specialized agencies referred to in Article 57 of the Charter of the United Nations, with the function of advising the United Nations on the educational, scientific and cultural aspects of matters of concern to the latter.

Therefore the United Nations and the United Nations Educational, Scientific and Cultural Organization agree as follows:

ARTICLE I.

The United Nations recognizes the United Nations Educational, Scientific and Cultural Organization (UNESCO) as a specialized agency responsible for taking such action as may be appropriate under its basic instrument for the accomplishment of the purposes set forth therein.

ARTICLE II.

Admission of States not members of the United Nations

Applications submitted by States not members of the United Nations for admission to the United Nations Educational, Scientific and Cultural Organization shall be immediately transmitted by the secretariat of the Organization to the Economic and Social Council of the United Nations (hereinafter called the Council). The Council may recommend the rejection of such applications and any such recommendation shall be accepted by the Organization. If, within six months of the receipt of an application by the Council, no such recommendation has been made, the application shall be dealt with according to Article II, paragraph 2, of the constitution of the Organization.

ARTICLE III.

Reciprocal representation

1. Representatives of the United Nations shall be invited to attend the meetings of the General Conference of the United Nations Educational, Scientific and Cultural Organization and its committees, the Executive Board and its committees, and such general, regional or other special meetings as the Organization may convene, and to participate, without vote, in the deliberations of these bodies.

2. Representatives of the United Nations Educational, Scientific and Cultural Organization shall be invited to attend meetings of the Economic and Social Council and of its commissions and committees and to participate, without vote, in the deliberations of these bodies with respect to items on their agenda relating to educational, scientific and cultural matters.

3. Representatives of the United Nations Educational, Scientific and Cultural Organization shall be invited to attend meetings of the General Assembly of the United Nations for the purposes of consultation on educational, scientific and cultural matters.

4. Representatives of the United Nations Educational, Scientific and Cultural Organization shall be invited to attend meetings of the main committees of the General Assembly when educational, scientific or cultural matters are under discussion, and to participate, without vote, in such discussions.

5. Representatives of the United Nations Educational, Scientific and Cultural Organization shall be invited to attend the meetings of the Trusteeship Council of the United Nations and to participate, without vote, in the deliberations thereof, with respect to items on the agenda relating to educational, scientific and cultural matters.

6. Written statements of the United Nations Educational, Scientific and Cultural Organization shall be distributed by the Secretariat of the United Nations to all Members of the General Assembly, the Council and its commissions, and the Trusteeship Council as appropriate.

ARTICLE IV.

Proposal of agenda items

Subject to such preliminary consultation as may be necessary, the United Nations Educational, Scientific and Cultural Organizatior shall include on the agenda of the Genera Conference or Executive Board items propose

to it by the United Nations. Similarly, the Council and its commissions and the Trusteeship Council shall include on their agenda items proposed by the General Conference or Executive Board of the Organization.

ARTICLE V.

Recommendations of the United Nations

1. The United Nations Educational, Scientific and Cultural Organization, having regard to the obligation of the United Nations to promote the objectives set forth in Article 55 of the Charter and the function and power of the Council, under Article 62 of the Charter, to make or initiate studies and reports with respect to international economic, social, cultural, educational, health and related matters and to make recommendations concerning these matters to the specialized agencies concerned, and having regard also to the responsibility of the United Nations, under Articles 58 and 63 of the Charter, to make recommendations for the co-ordination of the policies and activities of such specialized agencies, agrees to arrange for the submission, as soon as possible, to the appropriate organ of the Organization, of all formal recommendations which the United Nations may make to it.

2. The United Nations Educational, Scientific and Cultural Organization agrees to enter into consultation with the United Nations upon request with respect to such recommendations, and in due course to report to the United Nations on the action taken by the Organization or by its members to give effect to such recommendations, or on the other results of their consideration.

3. The United Nations Educational, Scientific and Cultural Organization affirms its intention of co-operating in whatever further measures may be necessary to make co-ordination of the activities of specialized agencies and those of the United Nations, fully effective. In particular, it agrees to participate in, and to co-operate with, any body or bodies which the Council may establish for the purpose of facilitating such co-ordination and to furnish such information as may be required for the carrying out of this purpose.

ARTICLE VI.

Exchange of information and documents

1. Subject to such arrangements as may be necessary for the safeguarding of confidential material, the fullest and promptest exchange of information and documents shall be made between the United Nations and the United Nations Educational, Scientific and Cultural Organization.

2. Without prejudice to the generality of the provisions of paragraph 1:

(*a*) the United Nations Educational, Scientific and Cultural Organization agrees to transmit to the United Nations regular reports on the activities of the Organization;
(*b*) the United Nations Educational, Scientific and Cultural Organization agrees to comply to the fullest extent practicable with any request which the United Nations may make for the furnishing of special reports, studies or information, subject to the conditions set forth in Article XVII;
(*c*) the Secretary-General shall, upon request, consult with the Director-General regarding the provision to the United Nations Educational, Scientific and Cultural Organization of such information as may be of special interest to the Organization.

ARTICLE VII.

Public information

Having regard to the functions of the United Nations Educational, Scientific and Cultural Organization, as defined in Article I, paragraphs 2(*a*) and (*c*), of its constitution, to collaborate in the work of advancing the mutual knowledge and understanding of peoples through all means of mass communication, and with a view to co-ordinating the activities of the Organization in this field with the operations of the information services of the United Nations, a subsidiary agreement regarding these matters shall be concluded as soon as possible after the coming into force of the present agreement.

ARTICLE VIII.

Assistance to the Security Council

The United Nations Educational, Scientific and Cultural Organization agrees to co-operate with the Economic and Social Council in furnishing such information and rendering such assistance to the Security Council as that Council may request, including assistance in carrying out decisions of the Security Council for the maintenance or restoration of international peace and security.

ARTICLE IX.

Assistance to the Trusteeship Council

The United Nations Educational, Scientific and Cultural Organization agrees to co-operate with the Trusteeship Council in the carrying out of its functions and in particular agrees that it will, to the greatest extent possible, render such assistance as the Trusteeship Council may request in regard to matters with which the Organization is concerned.

ARTICLE X.

Non-self-governing territories

The United Nations Educational, Scientific and Cultural Organization agrees to co-operate with the United Nations in giving effect to the principles and obligations set forth in chapter XI of the Charter with regard to matters affecting the well-being and development of the peoples of non-self-governing territories.

ARTICLE XI.

Relations with the International Court of Justice

1. The United Nations Educational, Scientific and Cultural Organization agrees to furnish any information which may be requested by the International Court of Justice in pursuance of Article 34 of the Statute of the Court.

2. The General Assembly authorized the United Nations Educational, Scientific and Cultural Organization to request advisory opinions of the International Court of Justice on legal questions arising within the scope of its activities other than questions concerning the mutual relationships of the Organization and the United Nations or other specialized agencies.

3. Such request may be addressed to the Court by the General Conference or by the Executive Board acting in pursuance of an authorization by the Conference.

4. When requesting the International Court of Justice to give an advisory opinion the United Nations Educational, Scientific and Cultural Organization shall inform the Economic and Social Council of the request.

ARTICLE XII.

Regional offices

Any regional or branch offices which the United Nations Educational, Scientific and Cultural Organization may establish shall, so far as practicable, be closely associated with such regional or branch offices as the United Nations may establish.

ARTICLE XIII.

Personnel arrangements

1. The United Nations and the United Nations Educational, Scientific and Cultural Organization recognize that the eventual development of a single unified international civil service is desirable from the standpoint of effective administrative co-ordination, and with this end in view agree to develop common personnel standards, methods and arrangements designed to avoid serious discrepancies in terms and conditions of employment, to avoid competition in recruitment of personnel, and to facilitate interchange of personnel in order to obtain the maximum benefit from their services.

2. The United Nations and the United Nations Educational, Scientific and Cultural Organization agree to co-operate to the fullest extent possible in achieving these ends and in particular they agree to:

(*a*) consult together concerning the establishment of an International Civil Service Commission to advise on the means by which common standards of recruitment in the secretariats of the United Nations and of the specialized agencies may be ensured;

(*b*) consult together concerning other matters relating to the employment of their officers and staff, including conditions of service, duration of appointments, classification, salary scales and allowances, retirement and pension rights and staff regulations and rules with a view to securing as much uniformity in these matters as shall be found practicable;

(*c*) co-operate in the interchange of personnel when desirable on a temporary or permanent basis, making due provision for the retention of seniority and pension rights;

(*d*) co-operate in the establishment and operation of suitable machinery for the settlement of disputes arising in connexion with the employment of personnel and related matters.

ARTICLE XIV.

Statistical services

1. The United Nations and the United Nations Educational, Scientific and Cultural Organization agree to strive for maximum co-operation, the elimination of all undesirable duplication between them, and the most efficient use of their technical personnel in their respective collection, analysis, publication and dissemination of statistical information. They agree to combine their efforts to secure the greatest possible usefulness and utilization of statistical information and to minimize the burdens placed upon national governments and other organizations from which such information may be collected.

2. The United Nations Educational, Scientific and Cultural Organization recognizes the United Nations as the central agency for the collection, analysis, publication, standardization and improvement of statistics serving the general purposes of international organizations.

3. The United Nations recognizes the United Nations Educational, Scientific and Cultural Organization as the appropriate agency for the collection, analysis, publication, standardization and improvement of statistics within its special sphere, without prejudice to the right of the United Nations to concern itself with such statistics so far as they may be essential for its own purposes or for the improvement of statistics throughout the world.

4. The United Nations shall develop administrative instruments and procedures through which effective statistical co-operation may be secured between the United Nations and the agencies brought into relationship with it.

5. It is recognized as desirable that the collection of statistical information should not be duplicated by the United Nations or any of the specialized agencies whenever it is practicable for any of them to utilize information or materials which another may have available.

6. In order to build up a central collection of statistical information for general use, it is agreed that data supplied to the United Nations Educational, Scientific and Cultural Or-

ganization for incorporation in its basic statistical series or special reports should, so far as practicable, be made available to the United Nations.

ARTICLE XV.

Administrative and technical services

1. The United Nations and the United Nations Educational, Scientific and Cultural Organization recognize the desirability, in the interest of administrative and technical uniformity and of the most efficient use of personnel and resources, of avoiding, whenever possible, the establishment and operation of competitive or overlapping facilities and services among the United Nations and the specialized agencies.

2. Accordingly, the United Nations and the United Nations Educational, Scientific and Cultural Organization agree to consult together concerning the establishment and use of common administrative and technical services and facilities in addition to those referred to in Articles XIII, XIV and XVI, in so far as the establishment and use of such services may from time to time be found practicable and appropriate.

3. Arrangements shall be made between the United Nations and the United Nations Educational, Scientific and Cultural Organization in regard to the registration and deposit of official documents.

ARTICLE XVI.

Budgetary and financial arrangements

1. The United Nations Educational, Scientific and Cultural Organization recognizes the desirability of establishing close budgetary and financial relationships with the United Nations in order that the administrative operations of the United Nations and of the specialized agencies shall be carried out in the most efficient and economical manner possible, and that the maximum measure of co-ordination and uniformity with respect to these operations shall be secured.

2. The United Nations and the United Nations Educational, Scientific and Cultural Organization agree to co-operate to the fullest extent possible in achieving these ends and, in particular, shall consult together concerning appropriate arrangements for the inclusion of the budget of the Organization within a general budget of the United Nations. Such arrangements shall be defined in a supplementary agreement between the two organizations.

3. Pending the conclusion of such agreement, the following arrangements shall govern budgetary and financial relationships between the United Nations and the United Nations Educational, Scientific and Cultural Organization:

(*a*) In the preparation of the budget of the United Nations Educational, Scientific and Cultural Organization, the Organization shall consult with the United Nations.

(*b*) The United Nations Educational, Scientific and Cultural Organization agrees to transmit its proposed budget to the United Nations annually at the same time as such budget is transmitted to its members. The General Assembly shall examine the budget or proposed budget of the Organization and may make recommendations to it concerning any item or items contained therein.

(*c*) Representatives of the United Nations Educational, Scientific and Cultural Organization shall be entitled to participate, without vote, in the deliberations of the General Assembly or any committee thereof at all times when the budget of the Organization or general administrative or financial questions affecting the Organization are under consideration.

(*d*) The United Nations may undertake the collection of contributions from those members of the United Nations Educational, Scientific and Cultural Organization which are also Members of the United Nations in accordance with such arrangements as may be defined by a later agreement between the United Nations and the Organization.

(*e*) The United Nations shall, upon its own initiative or upon the request of the United Nations Educational, Scientific and Cultural Organization, arrange for studies to be undertaken concerning other financial and fiscal questions of interest to the Organization and to other specialized agencies with a view to the provision of common services and the securing of uniformity in such matters.

(*f*) The United Nations Educational, Scientific and Cultural Organization agrees to conform, as far as may be practicable, to standard practices and forms recommended by the United Nations.

ARTICLE XVII.

Financing of special services

1. In the event of the United Nations Educational, Scientific and Cultural Organization being faced with the necessity of incurring substantial extra expense as a result of any request which the United Nations may make for special reports, studies or assistance in accordance with Articles VII, VIII, or IX or with other provisions of this agreement, consultation shall take place with a view to determining the most equitable manner in which such expense shall be borne.

2. Consultation between the United Nations and the United Nations Educational, Scientific and Cultural Organization shall similarly take place with a view to making such arrangements as may be found equitable for covering the costs of central administrative, technical or fiscal services or facilities or other special assistance provided by the United Nations.

ARTICLE XVIII.

Inter-agency agreements

The United Nations Educational, Scientific and Cultural Organization agrees to inform the Council of the nature and scope of any formal agreement between the Organization and any other specialized agency, inter-governmental or non-governmental organization, and in particular agrees to inform the Council before any such agreement is concluded.

ARTICLE XIX.

Liaison

1. The United Nations and the United Nations Educational, Scientific and Cultural Organization agree to the foregoing provisions in the belief that they will contribute to the maintenance of effective liaison between the two organizations. They affirm their intention of taking whatever further measures may be necessary to make this liaison fully effective.

2. The liaison arrangements provided for in the foregoing articles of this agreement shall apply as far as appropriate to the relations between such branch or regional offices as may be established by the two organizations as well as between their central machinery.

ARTICLE XX.

Implementation of the agreement

The Secretary-General and the Director-General may enter into such supplementary arrangements for the implementation of this agreement as may be found desirable in the light of the operating experience of the two organizations.

ARTICLE XXI.

Revision

This agreement shall be subject to revision by agreement between the United Nations and the United Nations Educational, Scientific and Cultural Organization, and shall be reviewed not later than three years after the agreement has come into force.

ARTICLE XXII.

Entry into force

This agreement shall come into force on its approval by the General Assembly of the United Nations and the General Conference of the United Nations Educational, Scientific and Cultural Organization.

IV. The International Civil Aviation Organization

A. THE CHICAGO CONFERENCE

In the early months of 1944 the United States initiated a series of exploratory discussions with other governments interested in the development of international civil aviation. These discussions revealed sufficient agreement among the principal air powers to justify the expectation that "final dispositions" could be reached at an international conference. Accordingly, the United States issued invitations to 55 allied and neutral states to meet in Chicago on November 1, 1944.

Fifty-two nations accepted the invitation. The deliberations of the representatives of these nations at Chicago resulted in the adoption of a number of resolutions and recommendations constituting the Final Act of the Conference. The Final Act contained the texts of a Convention on International Civil Aviation, an International Air Services Transit (Two Freedoms) Agreement, an International Air Transport (Five Freedoms) Agreement and an Interim Agreement on International Civil Aviation.

Previously, in 1919, the Paris Convention had established the International Commission for Air Navigation, which set up standards on technical matters. In 1928 the Pan-American Convention on Air Navigation was drawn up at Havana and pledged members to observe certain principles, including that of freedom of air passage, in their dealings with one another. The Paris and Havana Conventions were no longer considered adequate to meet the present situation in the air resulting from the enormous development of flight during the war.

The International Civil Aviation Organization came into being on April 4, 1947, 30 days after the Convention on International Civil Aviation had been ratified by 26 states, as required by the Convention.

The Convention on International Civil Aviation lays down certain principles and sets up machinery "in order that international civil aviation may be developed in a safe and orderly manner and that international air transport services may be established on the basis of equality of opportunity and operated soundly and economically."

B. STRUCTURE

The governing bodies of the Organization are the Assembly and the Council.

The Assembly of ICAO is composed of delegates from member States, each State represented being entitled to one vote. Decisions are made, unless otherwise provided, by a simple majority of the member States present. The Assembly is convened by the Council and meets annually.

The Assembly determines its own rules of procedure and is responsible for the financial arrangements of the Organization, including the approval of an annual budget. It also examines and takes action in matters referred to it by the Council and may, at its discretion, refer to the Council specific matters for the consideration of the latter body. Finally, the Assembly deals with such matters as come within the sphere of action of the Organization but are not specifically assigned to the Council.

The Council is the executive body of the Organization and derives its powers and authority from the Assembly and from the Convention itself. It is composed of 21 member States, elected by the Assembly for a period of three years. In electing these States, the Assembly must give adequate representation to: (1) those member States of major importance in air transport; (2) those member States not otherwise included which make the largest contribution to the provision of facilities for international civil air navigation; and (3) those member States not otherwise included whose election will ensure that all major geographical

areas of the world are represented. At the first meeting of the Assembly, held in Montreal during May 1947, 21 States were elected to the Council on the following basis: eight for group (1), seven for group (2) and six for group (3).

Among other duties, the Council is charged with providing for the establishment of subsidiary working groups to assist it in furthering ICAO's work, much of which is of a highly technical or specialized nature. Two such bodies, established by the provisional organization, have already been functioning: the Air Navigation Committee, which covers the technical aspects of international civil aviation, and the Air Transport Committee, which covers its economic and statistical aspects. The Air Navigation Committee assigns its technical work to the following divisions: Accident Investigation; Aerodromes, Air Routes and Ground Aids; Aeronautical Maps and Charts; Airworthiness; Communications; Meteorological; Operations; Personnel Licensing; Rules of the Air and Air Traffic Control; Search and Rescue. The Air Transport Committee is assisted by the Division on the Facilitation of Air Transport. The first Assembly of ICAO decided to continue these Committees in their present form for the time being, and recommended that three new Committees be established: on International Air Law, on the Convention on International Civil Aviation and on Joint Support of Air Navigation Services.

The Council supervises and co-ordinates the work of its Committees, receives and considers their reports, transmits to each member State these reports together with the findings of the Council, and makes recommendations, with respect to technical matters, to the member States of the Organization individually or collectively.

The Council elects the President of the Council and appoints the Secretary General of ICAO. The President of the Council convenes and presides at meetings of the Council and acts as the Council's permanent representative. The Secretary General is the chief executive and administrative officer of the Organization. He is responsible to the Council for carrying out duties assigned to him by that body. He selects and appoints the staff of the Secretariat, whose activities he supervises and directs.

C. THE PROVISIONAL ORGANIZATION

The Interim Agreement provided that a Provisional International Civil Aviation Organization be established, with headquarters in Canada, to operate until the coming into force of the permanent Organization. PICAO came into being on June 6, 1945, when 26 states had ratified the Interim Agreement.

The provisional organization was governed by an Interim Assembly and an Interim Council. The structure and functions of these organs correspond to those of the Assembly and Council of ICAO.

A Canadian Preparatory Committee was formed in June 1945 to make all necessary arrangements for the first session of PICAO. The Committee selected Montreal, because of its accessibility by air transport, as the most suitable Canadian city for the site of the Organization. It set August 15, 1945, as the date for the opening of the first session of the Interim Council.

The Interim Council, which remained in substantially continuous session from August 15, 1945, to April 2, 1947, in turn arranged for the calling of the first session of the Interim Assembly in Montreal, beginning May 21, 1946.

The Interim Assembly was in session until June 7, 1946. It was attended by representatives of the Governments of 44 member States of PICAO. In addition, observers from ten non-member States and from eight international organizations attended the first session of the Interim Assembly.

The Interim Assembly adopted a total of 53 resolutions. In addition to administrative and budgetary questions, it dealt with a number of substantive matters such as development of a multilateral agreement on commercial rights in international civil air transport; facilitation of international air transport; draft conventions on private international air law; problems of international air mail; statistical reporting forms; PICAO recommendations for standards, practices and procedures; unification of numbering and systems of dimensioning; convention on recordation of titles to aircraft and aircraft mortgages; amendments to the Warsaw convention.

In accordance with the terms of the Convention on International Civil Aviation, the ICAO

Interim Assembly chose Montreal, Canada, as the permanent site of ICAO's headquarters.

The Interim Assembly authorized the Interim Council to enter into negotiations with the United Nations with a view to concluding an agreement defining the relationship between the two organizations. Accordingly, an agreement between the United Nations and ICAO was drawn up by the Economic and Social Council of the United Nations and a negotiating delegation of PICAO. On October 3, 1946, the agreement was recommended by the Economic and Social Council to the General Assembly of the United Nations for approval. The General Assembly, on December 14, approved the agreement with ICAO provided that "that Organization complies with any decision of the General Assembly regarding Franco Spain." In its resolution condemning the Franco regime, the General Assembly had recommended, among other matters, "that the Franco Government of Spain be debarred from membership in international agencies established by or brought into relationship with the United Nations." The agreement, as approved by the General Assembly, was recommended for approval by the Interim Council to the first session of the ICAO Assembly when the permanent Organization came into being.

During its 20 months of existence, PICAO brought about concerted action by the nations of the world in the organization and maintenance of facilities and services necessary for international air transport. Patterns for meteorological services, traffic control, communications, radio beacons, and the other facilities required for safe international flight were evolved through the co-operative action of PICAO and its member States.

An example of the assistance rendered by PICAO is the provision of air navigation facilities in the North Atlantic region. A North Atlantic regional air navigation meeting, held in Dublin from March 4 to 27, 1946, had recommended that a network of ocean weather stations be set up as an aid to safe and economic air operations over the North Atlantic. This meeting was followed by a conference of delegates from all the North Atlantic States held in London from September 17 to 25, 1946. The conference resulted in the conclusion of an agreement for the establishment of thirteen ocean weather stations at the positions recommended by the Meteorological Committee of the North Atlantic Regional Air Navigation Meeting. According to this agreement, these stations are to be maintained as follows: United States, 7; United Kingdom, 2; United States and Canada, jointly, 1; France, 1; Belgium and the Netherlands, jointly, 1; Norway, Sweden and the United Kingdom, jointly, 1. The Governments of Ireland and Portugal will make annual monetary contributions towards the support of the stations. Another major aid to trans-oceanic flying established by the joint effort of member States is a Loran (long range navigation aid) station located at Vik, Iceland. Iceland signed the agreement to operate this station on May 14, 1947, and agreed to co-operate in financing the operations with five other States—Canada, France, Netherlands, the United Kingdom and the United States—which had previously signed the agreement. The agreement establishing this project, by PICAO technical committees, was concluded after the permanent Organization came into being.

In addition to the regional air navigation meeting in the North Atlantic, the following regional meetings have been held:

Region	*Location*	*Date*
European-Mediterranean	Paris	April 24–May 15, 1946
Caribbean	Washington, D.C.	August 26–September 13, 1946
Middle East	Cairo	October 1-18, 1946
South Pacific	Melbourne	February 4-22, 1947
South American	Lima	June 17, 1947
South Atlantic	Rio de Janeiro	July 15, 1947

As a result of these meetings, the Organization undertook the compilation of regional route manuals, and recommended measures to correct deficiencies in air navigation facilities and services. Two further general regional air navigation meetings are projected for 1948: one for South East Asia, to be held in India, and one for the North Pacific, to be held in China.

Other regional meetings of a more limited character, such as the special European-Medi-

terranean meeting on air traffic control which convened in Paris on April 15, 1947, have been held to complete the work of main regional meetings or for other special purposes.

Three regional offices have been opened: the European-Mediterranean in Paris on August 12, 1946; the North Atlantic in Dublin on January 1, 1947; and the Middle East in Cairo on January 20, 1947. A temporary mission to the South Pacific is maintained at present at Melbourne, Australia.

PICAO began work on a plan for the simplification and standardization of customs, immigration, public health and other formalities which slow up international air traffic at border crossing points. It has sponsored international co-operation in the exchange of information on development and research work. It has compiled economic, statistical and legal information on air transport, and initiated studies of international air law.

The International Civil Aviation Organization is continuing the work of the provisional organization to bring about the peaceful and orderly development of world aviation.

D. FIRST SESSION OF THE ASSEMBLY

The first session of the ICAO Assembly met in Montreal, Canada, from May 6 to 27, 1947. It was attended by representatives of 36 of ICAO's contracting States, eleven non-contracting States, and seven international organizations.

The Assembly divided itself into six commissions to deal with the following questions: Constitutional and General Policy; Technical; Economic; Legal; Administrative and Financial; Financial and Technical Aid Through ICAO. These commissions, upon reaching agreements, submitted resolutions and recommendations to the Assembly for final decision.

Plans for a working agreement between ICAO and the United Nations occupied the first week of the Assembly. It approved the agreement[1] on May 13. In order to meet requirements established by the United Nations for admission as a specialized agency, the Assembly voted, by an amendment to the ICAO Convention, to expel Franco Spain from membership in the Organization.

The Assembly elected 21 nations to membership on the ICAO Council, which serves as the executive body of the Organization. The Council met immediately and elected Dr. Edward Warner, of the United States, as President of the Council and Dr. Albert Roper, of France, as Secretary General of ICAO. These officials had been serving in a similar capacity during the Organization's interim period.

The Assembly decided to broaden ICAO's primary function of encouraging world aviation agreement by permitting it to serve as arbiter of aviation disputes between member nations, providing all parties to a dispute requested arbitration. The Council was authorized to render an advisory report in such disputes, or, if the parties themselves agreed in advance to accept the Council's verdict, it could render a binding decision.

Pointing out that "increased attention to aircraft design features might make it possible to bring a stop to the present ever-rising runway requirements," the Assembly directed the Council, in consultation with the International Air Transport Association, to "study and report upon the trend of aircraft design and the relationship between airline operation and aerodrome design with the object of curbing the increasing cost of runway construction."

ICAO, it was decided, would use the metric measurement system in its own publications, except for distances, which would be in nautical miles, and speed, which would be expressed in knots. Further development of a standardized measurement system was referred to the Council for action.

Member States discussed a draft multilateral agreement by the Council on commercial rights in the air and decided to continue its work at a meeting to be convened in Rio de Janeiro, Brazil, on October 20, 1947.

International ownership and operation of major trunk airlines was discussed by the Assembly, and member nations were invited to submit plans or comments on the subject to the

[1] Text of the agreement is printed in Annex III.

Council for study and consideration at the next Assembly.

The Assembly approved the work of the Commission on Legal Questions, which drafted an international agreement governing property rights in aircraft. The matter of liens and mortgages against aircraft crossing international borders has been a difficult legal problem for years.

E. BUDGET

The general policy governing the apportionment of the expenses of ICAO has as its objective the equitable distribution of these expenses among the member States. The basic principle of apportionment is that of the relative capacity to pay of the member States, a principle that has been generally accepted for international organizations since its adoption by the League of Nations in 1925. Consideration is given to the relative interest of member States in international civil aviation. War damage suffered by member States is also a factor determining the scale of contributions.

The principle that contributions should in no case fall below a set minimum and in no case exceed a maximum percentage of the total budget is followed. Capacity to pay, applied without consideration for other factors, would result in exceedingly small assessments for a number of the States with relatively small national income. It seemed desirable to set a minimum into which category such States could be gathered and a maximum was fixed to remove the possibility of any State's assuming a disproportionate share of the expenses, tending thus to establish a dominant position in the Organization, with a diminution of the interest of the other States.

A unit system of expressing each State's contribution was adopted in preference to the percentage system so as to conveniently assess member States, with particular reference to those entering the Organization after the preparation of the budget. The budget of the Organization may be increased by the Council to the extent of the contributions of such new States when received.

Finally, the various delegations attending the Assembly meeting were asked to agree on the place in the scale which had been allocated to them. This was considered desirable as States would be more likely to meet their contributions promptly if they were satisfied that their place in the scale was such that it compared favorably with the position of other States of like status and that their position in the ICAO scale was comparable to that in the scales of other international organizations.

The budget for the 1946-47 period, as approved by the Interim Assembly of PICAO, amounted to $1,960,000.

The first session of the Assembly of ICAO approved a budget in the amount of $2,600,000 for the fiscal period 1947-48. The largest items in the budget were $1,485,000 for salaries, $420,000 for overhead expenses, and $201,000 for conferences. The total budget was divided into 291 units, each unit representing $8,934.

Following is a summary of the budget, together with the scale of contributions of member States:

BUDGET 1947-48

Conferences	$ 201,000
Salaries and Provident Fund	1,458,000
Initial recruitment and annual leave expenses	115,000
Travel	100,000
Common services	420,000
Capital expenditure	64,000
Provision for ICAO training program	23,000
Reserve for new projects and unforeseen expenses	125,000
Total General Fund	$2,506,000
Working Capital Fund provision	$ 44,000
Provision for Joint Support Emergency Fund	50,000
Total budget	$2,600,000

SCALE OF CONTRIBUTIONS 1947-48

	Units
United States	57
United Kingdom	30
France, China, Canada	45 (15 each)
Argentina	12
India, Netherlands, Brazil, Australia	40 (10 each)
Turkey, Switzerland, Sweden, Belgium	32 (8 each)
Union of South Africa, Mexico	12 (6 each)
Portugal, Poland, Egypt	15 (5 each)
Ireland, Denmark, Chile	12 (4 each)
Iraq, Venezuela, Peru, New Zealand, Norway, Greece, Czechoslovakia	21 (3 each)
Philippine Republic, Ethiopia, Bolivia	6 (2 each)
Afghanistan, Dominican Republic, Trans-Jordan, Siam, Paraguay, Nicaragua, Liberia, Iceland, Guatemala	9 (1 each)
Total	291

ANNEX I.

MEMBERS AND OFFICERS

Members of ICAO[1]

Afghanistan
Argentina
Australia
Belgium
Bolivia
Brazil
Canada
Chile
China
Czechoslovakia
Denmark
Dominican Republic
Egypt
El Salvador
Ethiopia
France
Greece
Guatemala
Iceland
India
Iraq
Ireland
Liberia
Mexico
Netherlands
New Zealand
Nicaragua
Norway
Paraguay
Peru
Philippines
Poland
Portugal
Siam
Sweden
Switzerland
Transjordania
Turkey
South Africa
United Kingdom
United States
Venezuela

Members of the Council

Argentina
Australia
Belgium
Brazil
Canada
Chile
China
Czechoslovakia
Egypt
France
India
Iraq
Ireland
Mexico
Netherlands
Peru
Portugal
Sweden
Turkey
United Kingdom
United States

OFFICERS

Council

President

Edward Warner (United States)

First Session of the Assembly

President

A. S. Drakeford (Australia)

Vice-Presidents

Liu Chieh (China)
Brigadier Ivan Carpenter Ferreira (Brazil)
Josef Kalenda (Czechoslovakia)
R. Morsi Bey (Egypt)

Secretariat

Secretary General

Albert Roper (France)

Headquarters

Address:
International Civil Aviation Organization
Dominion Square Building
Montreal, Canada.
Telephone: Montreal—Plateau 6141
Cable Address: ICAO, Montreal

Addresses of regional offices:
European-Mediterranean Region
60 bis Avenue d'Iena, Paris 16e, France.
North Atlantic Region
7 Fitzwilliam Place, Dublin, Ireland.
Middle East Region
10 Sharia Lotfallah, Apartment 7, Zamalek, Cairo, Egypt.

ANNEX II.

CONVENTION ON INTERNATIONAL CIVIL AVIATION

Preamble

WHEREAS the future development of international civil aviation can greatly help to create and preserve friendship and understanding among the nations and peoples of the world, yet its abuse can become a threat to the general security; and

WHEREAS it is desirable to avoid friction and to promote that cooperation between nations and peoples upon which the peace of the world depends;

THEREFORE, the undersigned Governments having agreed on certain principles and arrangements in order that international civil aviation may be developed in a safe and orderly manner

[1] As of July 1, 1947.

and that international air transport services may be established on the basis of equality of opportunity and operated soundly and economically;

Have accordingly concluded this Convention to that end.

PART I—AIR NAVIGATION

CHAPTER I

General Principles and Application of the Convention

Article 1

[Sovereignty]

The contracting States recognize that every State has complete and exclusive sovereignty over the air-space above its territory.

Article 2

[Territory]

For the purposes of this Convention the territory of a State shall be deemed to be the land areas and territorial waters adjacent thereto under the sovereignty, suzerainty, protection or mandate of such State.

Article 3

[Civil and state aircraft]

(a) This Convention shall be applicable only to civil aircraft, and shall not be applicable to state aircraft.

(b) Aircraft used in military, customs and police services shall be deemed to be state aircraft.

(c) No state aircraft of a contracting State shall fly over the territory of another State or land thereon without authorization by special agreement or otherwise, and in accordance with the terms thereof.

(d) The contracting States undertake, when issuing regulations for their state aircraft, that they will have due regard for the safety of navigation of civil aircraft.

Article 4

[Misuse of civil aviation]

Each contracting State agrees not to use civil aviation for any purpose inconsistent with the aims of this Convention.

CHAPTER II

Flight Over Territory of Contracting States

Article 5

[Right of non-scheduled flight]

Each contracting State agrees that all aircraft of the other contracting States, being aircraft not engaged in scheduled international air services shall have the right, subject to the observance of the terms of this Convention, to make flights into or in transit non-stop across its territory and to make stops for non-traffic purposes without the necessity of obtaining prior permission, and subject to the right of the State flown over to require landing. Each contracting State nevertheless reserves the right, for reasons of safety of flight, to require aircraft desiring to proceed over regions which are inaccessible or without adequate air navigation facilities to follow prescribed routes, or to obtain special permission for such flights.

Such aircraft, if engaged in the carriage of passengers, cargo, or mail for remuneration or hire on other than scheduled international air services, shall also, subject to the provisions of Article 7, have the privilege of taking on or discharging passengers, cargo, or mail, subject to the right of any State where such embarkation or discharge takes place to impose such regulations, conditions or limitations as it may consider desirable.

Article 6

[Scheduled air services]

No scheduled international air service may be operated over or into the territory of a contracting State, except with the special permission or other authorization of that State, and in accordance with the terms of such permission or authorization.

Article 7

[Cabotage]

Each contracting State shall have the right to refuse permission to the aircraft of other contracting States to take on in its territory passengers, mail and cargo carried for remuneration or hire and destined for another point within its territory. Each contracting State undertakes not to enter into any arrangements which specifically grant any such privilege on an exclusive basis to any other State or an airline of any other State, and not to obtain any such exclusive privilege from any other State.

Article 8

[Pilotless aircraft]

No aircraft capable of being flown without a pilot shall be flown without a pilot over the territory of a contracting State without special authorization by that State and in accordance with the terms of such authorization. Each contracting State undertakes to insure that the flight of such aircraft without a pilot in regions open to civil aircraft shall be so controlled as to obviate danger to civil aircraft.

Article 9

[Prohibited areas]

(a) Each contracting State may, for reasons of military necessity or public safety, restrict or prohibit uniformly the aircraft of other States from flying over certain areas of its territory, provided that no distinction in this respect is made between the aircraft of the State whose territory is involved, engaged in international scheduled airline services, and the aircraft of the other contracting States likewise engaged. Such prohibited areas shall be of reasonable extent and location so as not to interfere unnecessarily with air navigation. Descriptions of such prohibited areas in the territory of a contracting State, as well as any subsequent alterations therein, shall be communicated as soon as possible to the other contracting States

and to the International Civil Aviation Organization.

(b) Each contracting State reserves also the right, in exceptional circumstances or during a period of emergency, or in the interest of public safety, and with immediate effect, temporarily to restrict or prohibit flying over the whole or any part of its territory, on condition that such restriction or prohibition shall be applicable without distinction of nationality to aircraft of all other States.

(c) Each contracting State, under such regulations as it may prescribe, may require any aircraft entering the areas contemplated in subparagraphs (a) or (b) above to effect a landing as soon as practicable thereafter at some designated airport within its territory.

Article 10

[Landing at customs airport]

Except in a case where, under the terms of this Convention or a special authorization, aircraft are permitted to cross the territory of a contracting State without landing, every aircraft which enters the territory of a contracting State shall, if the regulations of that State so require, land at an airport designated by that State for the purpose of customs and other examination. On departure from the territory of a contracting State, such aircraft shall depart from a similarly designated customs airport. Particulars of all designated customs airports shall be published by the State and transmitted to the International Civil Aviation Organization established under Part II of this Convention for communication to all other contracting States.

Article 11

[Applicability of air regulations]

Subject to the provisions of this Convention, the laws and regulations of a contracting State relating to the admission to or departure from its territory of aircraft engaged in international air navigation, or to the operation and navigation of such aircraft while within its territory, shall be applied to the aircraft of all contracting States without distinction as to nationality, and shall be complied with by such aircraft upon entering or departing from or while within the territory of that State.

Article 12

[Rules of the air]

Each contracting State undertakes to adopt measures to insure that every aircraft flying over or maneuvering within its territory and that every aircraft carrying its nationality mark, wherever such aircraft may be, shall comply with the rules and regulations relating to the flight and maneuver of aircraft there in force. Each contracting State undertakes to keep its own regulations in these respects uniform, to the greatest possible extent, with those established from time to time under this Convention. Over the high seas, the rules in force shall be those established under this Convention. Each contracting State undertakes to insure the prosecution of all persons violating the regulations applicable.

Article 13

[Entry and clearance regulations]

The laws and regulations of a contracting State as to the admission to or departure from its territory of passengers, crew or cargo of aircraft, such as regulations relating to entry, clearance, immigration, passports, customs, and quarantine shall be complied with by or on behalf of such passengers, crew or cargo upon entrance into or departure from, or while within the territory of that State.

Article 14

[Prevention of spread of disease]

Each contracting State agrees to take effective measures to prevent the spread by means of air navigation of cholera, typhus (epidemic), smallpox, yellow fever, plague, and such other communicable diseases as the contracting States shall from time to time decide to designate, and to that end contracting States will keep in close consultation with the agencies concerned with international regulations relating to sanitary measures applicable to aircraft. Such consultation shall be without prejudice to the application of any existing international convention on this subject to which the contracting States may be parties.

Article 15

[Airport and similar charges]

Every airport in a contracting State which is open to public use by its national aircraft shall likewise, subject to the provisions of Article 68, be open under uniform conditions to the aircraft of all the other contracting States. The like uniform conditions shall apply to the use, by aircraft of every contracting State, of all air navigation facilities, including radio and meteorological services, which may be provided for public use for the safety and expedition of air navigation.

Any charges that may be imposed or permitted to be imposed by a contracting State for the use of such airports and air navigation facilities by the aircraft of any other contracting State shall not be higher,

(a) As to aircraft not engaged in scheduled international air services, than those that would be paid by its national aircraft of the same class engaged in similar operations, and

(b) As to aircraft engaged in scheduled international air services, than those that would be paid by its national aircraft engaged in similar international air services. All such charges shall be published and communicated to the International Civil Aviation Organization: provided that, upon representation by an interested contracting State, the charges imposed for the use of airports and other facilities shall be subject to review by the Council, which shall report and make recommendations thereon for the consideration of the State or States concerned. No fees, dues or other charges shall be imposed by any contracting State in respect solely of the

right of transit over or entry into or exit from its territory of any aircraft of a contracting State or persons or property thereon.

Article 16

[Search of aircraft]

The appropriate authorities of each of the contracting States shall have the right, without unreasonable delay, to search aircraft of the other contracting States on landing or departure, and to inspect the certificates and other documents prescribed by this Convention.

CHAPTER III

Nationality of Aircraft

Article 17

[Nationality of aircraft]

Aircraft have the nationality of the State in which they are registered.

Article 18

[Dual registration]

An aircraft cannot be validly registered in more than one State, but its registration may be changed from one State to another.

Article 19

[National laws governing registration]

The registration or transfer of registration of aircraft in any contracting State shall be made in accordance with its laws and regulations.

Article 20

[Display of marks]

Every aircraft engaged in international air navigation shall bear its appropriate nationality and registration marks.

Article 21

[Report of registrations]

Each contracting State undertakes to supply to any other contracting State or to the International Civil Aviation Organization, on demand, information concerning the registration and ownership of any particular aircraft registered in that State. In addition, each contracting State shall furnish reports to the International Civil Aviation Organization, under such regulations as the latter may prescribe, giving such pertinent data as can be made available concerning the ownership and control of aircraft registered in that State and habitually engaged in international air navigation. The data thus obtained by the International Civil Aviation Organization shall be made available by it on request to the other contracting States.

CHAPTER IV

Measures to Facilitate Air Navigation

Article 22

[Facilitation of formalities]

Each contracting State agrees to adopt all practicable measures, through the issuance of special regulations or otherwise, to facilitate and expedite navigation by aircraft between the territories of contracting States, and to prevent unnecessary delays to aircraft, crews, passengers and cargo, especially in the administration of the laws relating to immigration, quarantine, customs and clearance.

Article 23

[Customs and immigration procedures]

Each contracting State undertakes, so far as it may find practicable, to establish customs and immigration procedures affecting international air navigation in accordance with the practices which may be established or recommended from time to time, pursuant to this Convention. Nothing in this Convention shall be construed as preventing the establishment of customs-free airports.

Article 24

[Customs duty]

(a) Aircraft on a flight to, from, or across the territory of another contracting State shall be admitted temporarily free of duty, subject to the customs regulations of the State. Fuel, lubricating oils, spare parts, regular equipment and aircraft stores on board an aircraft of a contracting State, on arrival in the territory of another contracting State and retained on board on leaving the territory of that State shall be exempt from customs duty, inspection fees or similar national or local duties and charges. This exemption shall not apply to any quantities or articles unloaded, except in accordance with the customs regulations of the State, which may require that they shall be kept under customs supervision.

(b) Spare parts and equipment imported into the territory of a contracting State for incorporation in or use on an aircraft of another contracting State engaged in international air navigation shall be admitted free of customs duty, subject to compliance with the regulations of the State concerned, which may provide that the articles shall be kept under customs supervision and control.

Article 25

[Aircraft in distress]

Each contracting State undertakes to provide such measures of assistance to aircraft in distress in its territory as it may find practicable, and to permit, subject to control by its own authorities, the owners of the aircraft or authorities of the State in which the aircraft is registered to provide such measures of assistance as may be necessitated by the circumstances. Each contracting State, when undertaking search for missing aircraft, will collaborate in coordinated measures which may be recommended from time to time pursuant to this Convention.

Article 26

[Investigation of accidents]

In the event of an accident to an aircraft of a contracting State occurring in the territory of another contracting State, and involving death or serious injury, or indicating serious technical defect in the aircraft or air navigation facilities, the State in which the accident occurs wil institute an inquiry into the circumstances of the accident, in accordance, so far as its laws permit, with the procedure which may

be recommended by the International Civil Aviation Organization. The State in which the aircraft is registered shall be given the opportunity to appoint observers to be present at the inquiry and the State holding the inquiry shall communicate the report and findings in the matter to that State.

Article 27

[Exemption from seizure on patent claims]

(a) While engaged in international air navigation, any authorized entry of aircraft of a contracting State into the territory of another contracting State or authorized transit across the territory of such State with or without landings shall not entail any seizure or detention of the aircraft or any claim against the owner or operator thereof or any other interference therewith by or on behalf of such State or any person therein, on the ground that the construction, mechanism, parts, accessories or operation of the aircraft is an infringement of any patent, design, or model duly granted or registered in the State whose territory is entered by the aircraft, it being agreed that no deposit of security in connection with the foregoing exemption from seizure or detention of the aircraft shall in any case by required in the State entered by such aircraft.

(b) The provisions of paragraph (a) of this Article shall also be applicable to the storage of spare parts and spare equipment for the aircraft and the right to use and install the same in the repair of an aircraft of a contracting State in the territory of any other contracting State, provided that any patented part or equipment so stored shall not be sold or distributed internally in or exported commercially from the contracting State entered by the aircraft.

(c) The benefits of this Article shall apply only to such States, parties to this Convention, as either (1) are parties to the International Convention for the Protection of Industrial Property and to any amendments thereof; or (2) have enacted patent laws which recognize and give adequate protection to inventions made by the nationals of the other States parties to this Convention.

Article 28

[Air navigation facilities and standard systems]

Each contracting State undertakes, so far as it may find practicable to:

(a) Provide, in its territory, airports, radio services, meteorological services and other air navigation facilities to facilitate international air navigation, in accordance with the standards and practices recommended or established from time to time, pursuant to this Convention;

(b) Adopt and put into operation the appropriate standard systems of communications procedure, codes, markings, signals, lighting and other operational practices and rules which may be recommended or established from time to time, pursuant to this Convention;

(c) Collaborate in international measures to secure the publication of aeronautical maps and charts in accordance with standards which may be recommended or established from time to time, pursuant to this Convention.

CHAPTER V

Conditions to be Fulfilled With Respect to Aircraft

Article 29

[Documents carried in aircraft]

Every aircraft of a contracting State, engaged in international navigation, shall carry the following documents in conformity with the conditions prescribed in this Convention:

(a) Its certificate of registration;

(b) Its certificate of airworthiness;

(c) The appropriate licenses for each member of the crew;

(d) Its journey log book;

(e) If it is equipped with radio apparatus, the aircraft radio station license;

(f) If it carries passengers, a list of their names and places of embarkation and destination;

(g) If it carries cargo, a manifest and detailed declarations of the cargo.

Article 30

[Aircraft radio equipment]

(a) Aircraft of each contracting State may, in or over the territory of other contracting States, carry radio transmitting apparatus only if a license to install and operate such apparatus has been issued by the appropriate authorities of the State in which the aircraft is registered. The use of radio transmitting apparatus in the territory of the contracting State whose territory is flown over shall be in accordance with the regulations prescribed by that State.

(b) Radio transmitting apparatus may be used only by members of the flight crew who are provided with a special license for the purpose, issued by the appropriate authorities of the State in which the aircraft is registered.

Article 31

[Certificates of airworthiness]

Every aircraft engaged in international navigation shall be provided with a certificate of airworthiness issued or rendered valid by the State in which it is registered.

Article 32

[Licenses of personnel]

(a) The pilot of every aircraft and the other members of the operating crew of every aircraft engaged in international navigation shall be provided with certificates of competency and licenses issued or rendered valid by the State in which the aircraft is registered.

(b) Each contracting State reserves the right to refuse to recognize, for the purpose of flight above its own territory, certificates of competency and licenses granted to any of its nationals by another contracting State.

Article 33

[Recognition of certificates and licenses]

Certificates of airworthiness and certificates of competency and licenses issued or rendered

valid by the contracting State in which the aircraft is registered, shall be recognized as valid by the other contracting States, provided that the requirements under which such certificates or licenses were issued or rendered valid are equal to or above the minimum standards which may be established from time to time pursuant to this Convention.

Article 34

[Journey log books]

There shall be maintained in respect of every aircraft engaged in international navigation a journey log book in which shall be entered particulars of the aircraft, its crew and of each journey, in such form as may be prescribed from time to time pursuant to this Convention.

Article 35

[Cargo restrictions]

(a) No munitions of war or implements of war may be carried in or above the territory of a State in aircraft engaged in international navigation, except by permission of such State. Each State shall determine by regulations what constitutes munitions of war or implements of war for the purposes of this Article, giving due consideration, for the purposes of uniformity, to such recommendations as the International Civil Aviation Organization may from time to time make.

(b) Each contracting State reserves the right, for reasons of public order and safety, to regulate or prohibit the carriage in or above its territory of articles other than those enumerated in paragraph (a): provided that no distinction is made in this respect between its national aircraft engaged in international navigation and the aircraft of the other States so engaged; and provided further that no restriction shall be imposed which may interfere with the carriage and use on aircraft of apparatus necessary for the operation or navigation of the aircraft or the safety of the personnel or passengers.

Article 36

[Photographic apparatus]

Each contracting State may prohibit or regulate the use of photographic apparatus in aircraft over its territory.

CHAPTER VI

International Standards and Recommended Practices

Article 37

[Adoption of international standards and procedures]

Each contracting State undertakes to collaborate in securing the highest practicable degree of uniformity in regulations, standards, procedures, and organization in relation to aircraft, personnel, airways and auxiliary services in all matters in which such uniformity will facilitate and improve air navigation.

To this end the International Civil Aviation Organization shall adopt and amend from time to time, as may be necessary, international standards and recommended practices and procedures dealing with:

(a) Communications systems and air navigation aids, including ground marking;

(b) Characteristics of airports and landing areas;

(c) Rules of the air and air traffic control practices;

(d) Licensing of operating and mechanical personnel;

(e) Airworthiness of aircraft;

(f) Registration and identification of aircraft;

(g) Collection and exchange of meteorological information;

(h) Log books;

(i) Aeronautical maps and charts;

(j) Customs and immigration procedures;

(k) Aircraft in distress and investigation of accident;

and such other matters concerned with the safety, regularity, and efficiency of air navigation as may from time to time appear appropriate.

Article 38

[Departures from international standards and procedures]

Any State which finds it impracticable to comply in all respects with any such international standard or procedure, or to bring its own regulations or practices into full accord with any international standard or procedure after amendment of the latter, or which deems it necessary to adopt regulations or practices differing in any particular respect from those established by an international standard, shall give immediate notification to the International Civil Aviation Organization of the differences between its own practice and that established by the international standard. In the case of amendments to international standards, any State which does not make the appropriate amendments to its own regulations or practices shall give notice to the Council within sixty days of the adoption of the amendment to the international standard, or indicate the action which it proposes to take. In any such case, the Council shall make immediate notification to all other states of the difference which exists between one or more features of an international standard and the corresponding national practice of that State.

Article 39

[Endorsement of certificates and licenses]

(a) Any aircraft or part thereof with respect to which there exists an international standard of airworthiness or performance, and which failed in any respect to satisfy that standard at the time of its certification, shall have endorsed on or attached to its airworthiness certificate a complete enumeration of the details in respect of which it so failed.

(b) Any person holding a license who does not satisfy in full the conditions laid down in the international standard relating to the class of license or certificate which he holds shall have endorsed on or attached to his license a complete enumeration of the particulars in which he does not satisfy such conditions.

Article 40

[Validity of endorsed certificates and licenses]

No aircraft or personnel having certificates or licenses so endorsed shall participate in international navigation, except with the permission of the State or States whose territory is entered. The registration or use of any such aircraft, or of any certificated aircraft part, in any State other than that in which it was originally certificated shall be at the discretion of the State into which the aircraft or part is imported.

Article 41

[Recognition of existing standards of airworthiness]

The provisions of this Chapter shall not apply to aircraft and aircraft equipment of types of which the prototype is submitted to the appropriate national authorities for certification prior to a date three years after the date of adoption of an international standard of airworthiness for such equipment.

Article 42

[Recognition of existing standards of competency of personnel]

The provisions of this Chapter shall not apply to personnel whose licenses are originally issued prior to a date one year after initial adoption of an international standard of qualification for such personnel; but they shall in any case apply to all personnel whose licenses remain valid five years after the date of adoption of such standard.

PART II—THE INTERNATIONAL CIVIL AVIATION ORGANIZATION

CHAPTER VII

The Organization

Article 43

[Name and composition]

An organization to be named the International Civil Aviation Organization is formed by the Convention. It is made up of an Assembly, a Council, and such other bodies as may be necessary.

Articles 44

[Objectives]

The aim and objectives of the Organization are to develop the principles and techniques of international air navigation and to foster the planning and development of international air transport so as to:

(a) Insure the safe and orderly growth of international civil aviation throughout the world;

(b) Encourage the arts of aircraft design and operation for peaceful purposes;

(c) Encourage the development of airways, airports, and air navigation facilities for international civil aviation;

(d) Meet the needs of the peoples of the world for safe, regular, efficient and economical air transport;

(e) Prevent economic waste caused by unreasonable competition;

(f) Insure that the rights of contracting States are fully respected and that every contracting State has a fair opportunity to operate international airlines;

(g) Avoid discrimination between contracting States;

(h) Promote safety of flight in international air navigation;

(i) Promote generally the development of all aspects of international civil aeronautics.

Article 45

[Permanent seat]

The permanent seat of the Organization shall be at such place as shall be determined at the final meeting of the Interim Assembly of the Provisional International Civil Aviation Organization set up by the Interim Agreement on International Civil Aviation signed at Chicago on December 7, 1944. The seat may be temporarily transferred elsewhere by decision of the Council.

Article 46

[First meeting of Assembly]

The first meeting of the Assembly shall be summoned by the Interim Council of the abovementioned Provisional Organization as soon as the Convention has come into force, to meet at a time and place to be decided by the Interim Council.

Article 47

[Legal capacity]

The Organization shall enjoy in the territory of each contracting State such legal capacity as may be necessary for the performance of its functions. Full juridical personality shall be granted wherever compatible with the constitution and laws of the State concerned.

CHAPTER VIII

The Assembly

Article 48

[Meetings of Assembly and voting]

(a) The Assembly shall meet annually and shall be convened by the Council at a suitable time and place. Extraordinary meetings of the Assembly may be held at any time upon the call of the Council or at the request of any ten contracting States addressed to the Secretary General.

(b) All contracting States shall have an equal right to be represented at the meetings of the Assembly and each contracting State shall be entitled to one vote. Delegates representing contracting States may be assisted by technical advisers who may participate in the meetings but shall have no vote.

(c) A majority of the contracting States is required to constitute a quorum for the meetings of the Assembly. Unless otherwise provided in this Convention, decisions of the Assembly shall be taken by a majority of the votes cast.

Article 49

[Powers and duties of Assembly]

The powers and duties of the Assembly shall be to:

(a) Elect at each meeting its President and other officers;

(b) Elect the contracting States to be represented on the Council, in accordance with the provisions of Chapter IX;

(c) Examine and take appropriate action on the reports of the Council and decide on any matter referred to it by the Council;

(d) Determine its own rules of procedure and establish such subsidiary commissions as it may consider to be necessary or desirable;

(e) Vote an annual budget and determine the financial arrangements of the Organization, in accordance with the provisions of Chapter XII;

(f) Review expenditures and approve the accounts of the Organization;

(g) Refer, at its discretion, to the Council, to subsidiary commissions, or to any other body any matter within its sphere of action;

(h) Delegate to the Council the powers and authority necessary or desirable for the discharge of the duties of the Organization and revoke or modify the delegations of authority at any time;

(i) Carry out the appropriate provisions of Chapter XIII;

(j) Consider proposals for the modifications or amendment of the provisions of this Convention and, if it approves of the proposals, recommend them to the contracting States in accordance with the provisions of Chapter XXI;

(k) Deal with any matter within the sphere of action of the Organization not specifically assigned to the Council.

CHAPTER IX

The Council

Article 50

[Composition and election of Council]

(a) The Council shall be a permanent body responsible to the Assembly. It shall be composed of twenty-one contracting States elected by the Assembly. An election shall be held at the first meeting of the Assembly and thereafter every three years, and the members of the Council so elected shall hold office until the next following election.

(b) In electing the members of the Council, the Assembly shall give adequate representation to (1) the States of chief importance in air transport; (2) the States not otherwise included which make the largest contribution to the provision of facilities for international civil air navigation; and (3) the States not otherwise included whose designation will insure that all the major geographic areas of the world are represented on the Council. Any vacancy on the Council shall be filled by the Assembly as soon as possible; any contracting State so elected to the Council shall hold office for the unexpired portion of its predecessor's term of office.

(c) No representative of a contracting State on the Council shall be actively associated with the operation of an international air service or financially interested in such a service.

Article 51

[President of Council]

The Council shall elect its President for a term of three years. He may be reelected. He shall have no vote. The Council shall elect from among its members one or more Vice Presidents who shall retain their right to vote when serving as acting President. The President need not be selected from among the representatives of the members of the Council but, if a representative is elected, his seat shall be deemed vacant and it shall be filled by the State which he represented. The duties of the President shall be to:

(a) Convene meetings of the Council, the Air Transport Committee, and the Air Navigation Commission;

(b) Serve as representative of the Council; and

(c) Carry out on behalf of the Council the functions which the Council assigns to him.

Article 52

[Voting in Council]

Decisions by the Council shall require approval by a majority of its members. The Council may delegate authority with respect to any particular matter to a committee of its members. Decisions of any committee of the Council may be appealed to the Council by any interested contracting State.

Article 53

[Participation without a vote]

Any contracting State may participate, without a vote, in the consideration, by the Council and by its committees and commissions of any question which especially affects its interests. No member of the Council shall vote in the consideration by the Council of a dispute to which it is a party.

Article 54

[Mandatory functions of Council]

The Council shall:

(a) Submit annual reports to the Assembly;

(b) Carry out the directions of the Assembly and discharge the duties and obligations which are laid on it by this Convention;

(c) Determine its organization and rules of procedure;

(d) Appoint and define the duties of an Air Transport Committee, which shall be chosen from among the representatives of the members of the Council, and which shall be responsible to it;

(e) Establish an Air Navigation Commission, in accordance with the provisions of Chapter X;

(f) Administer the finances of the Organization in accordance with the provisions of Chapters XII and XV;

(g) Determine the emoluments of the President of the Council;

(h) Appoint a chief executive officer who shall be called the Secretary General, and make provision for the appointment of such other personnel as may be necessary, in accordance with the provisions of Chapter XI;

(i) Request, collect, examine and publish information relating to the advancement of air navigation and the operation of international air services, including information about the costs of operation and particulars of subsidies paid to airlines from public funds;

(j) Report to contracting States any infraction of this Convention, as well as any failure to carry out recommendations or determinations of the Council;

(k) Report to the Assembly any infraction of this Convention where a contracting State has failed to take appropriate action within a reasonable time after notice of the infraction;

(l) Adopt, in accordance with the provisions of Chapter VI of this Convention, international standards and recommended practices; for convenience, designate them as Annexes to this Convention; and notify all contracting States of the action taken;

(m) Consider recommendations of the Air Navigation Commission for amendment of the Annexes and take action in accordance with the provisions of Chapter XX;

(n) Consider any matter relating to the Convention which any contracting State refers to it.

Article 55

[Permissive functions of Council]

The Council may:

(a) Where appropriate and as experience may show to be desirable, create subordinate air transport commissions on a regional or other basis and define groups of states or airlines with or through which it may deal to facilitate the carrying out of the aims of this Convention;

(b) Delegate to the Air Navigation Commission duties additional to those set forth in the Convention and revoke or modify such delegations of authority at any time;

(c) Conduct research into all aspects of air transport and air navigation which are of international importance, communicate the results of its research to the contracting States, and facilitate the exchange of information between contracting States on air transport and air navigation matters;

(d) Study any matters affecting the organization and operation of international air transport, including the international ownership and operation of international air services on trunk routes, and submit to the Assembly plans in relation thereto;

(e) Investigate, at the request of any contracting State, any situation which may appear to present avoidable obstacles to the development of international air navigation; and, after such investigation, issue such reports as may appear to it desirable.

CHAPTER X

The Air Navigation Commission

Article 56

[Nomination and appointment of Commission]

The Air Navigation Commission shall be composed of twelve members appointed by the Council from among persons nominated by contracting States. These persons shall have suitable qualifications and experience in the science and practice of aeronautics. The Council shall request all contracting States to submit nominations. The President of the Air Navigation Commission shall be appointed by the Council.

Article 57

[Duties of Commission]

The Air Navigation Commission shall:

(a) Consider, and recommend to the Council for adoption, modifications of the Annexes to this Convention;

(b) Establish technical subcommissions on which any contracting State may be represented, if it so desires;

(c) Advise the Council concerning the collection and communication to the contracting States of all information which it considers necessary and useful for the advancement of air navigation.

CHAPTER XI

Personnel

Article 58

[Appointment of personnel]

Subject to any rules laid down by the Assembly and to the provisions of this Convention, the Council shall determine the method of appointment and of termination of appointment, the training, and the salaries, allowances, and conditions of service of the Secretary General and other personnel of the Organization, and may employ or make use of the services of nationals of any contracting State.

Article 59

[International character of personnel]

The President of the Council, the Secretary General, and other personnel shall not seek or receive instructions in regard to the discharge of their responsibilities from any authority external to the Organization. Each contracting State undertakes fully to respect the international character of the responsibilities of the personnel and not to seek to influence any of its nationals in the discharge of their responsibilities.

Article 60

[Immunities and privileges of personnel]

Each contracting State undertakes, so far as possible under its constitutional procedure, to accord to the President of the Council, the Secretary General, and the other personnel of the Organization, the immunities and privileges which are accorded to corresponding personnel of other public international organizations. If a general international agreement on the immunities and privileges of international civil servants is arrived at, the immunities and privileges accorded to the President, the Secretary General, and the other personnel of the Organization shall be the immunities and privileges accorded under that general international agreement.

CHAPTER XII

Finance

Article 61

[Budget and apportionment of expenses]

The Council shall submit to the Assembly an annual budget, annual statements of accounts and estimates of all receipts and expenditures. The Assembly shall vote the budget with whatever modification it sees fit to prescribe, and, with the exception of assessments under Chapter XV to States consenting thereto, shall apportion the expenses of the Organization among the contracting States on the basis which it shall from time to time determine.

Article 62

[Suspension of voting power]

The Assembly may suspend the voting power in the Assembly and in the Council of any contracting State that fails to discharge within a reasonable period its financial obligations to the Organization.

Article 63

[Expenses of delegations and other representatives]

Each contracting State shall bear the expenses of its own delegation to the Assembly and the remuneration, travel, and other expenses of any person whom it appoints to serve on the Council, and of its nominees or representatives on any subsidiary committees or commissions of the Organization.

CHAPTER XIII

Other International Arrangements

Article 64

[Security arrangements]

The Organization may, with respect to air matters within its competence directly affecting world security, by vote of the Assembly enter into appropriate arrangements with any general organization set up by the nations of the world to preserve peace.

Article 65

[Arrangements with other international bodies]

The Council, on behalf of the Organization, may enter into agreements with other international bodies for the maintenance of common services and for common arrangements concerning personnel and, with the approval of the Assembly, may enter into such other arrangements as may facilitate the work of the Organization.

Article 66

[Functions relating to other agreements]

(a) The Organization shall also carry out the functions placed upon it by the International Air Services Transit Agreement and by the International Air Transport Agreement drawn up at Chicago on December 7, 1944, in accordance with the terms and conditions therein set forth.

(b) Members of the Assembly and the Council who have not accepted the International Air Services Transit Agreement or the International Air Transport Agreement drawn up at Chicago on December 7, 1944, shall not have the right to vote on any questions referred to the Assembly or Council under the provisions of the relevant Agreement.

PART III—INTERNATIONAL AIR TRANSPORT

CHAPTER XIV

Information and Reports

Article 67

[File reports with Council]

Each contracting State undertakes that its international airlines shall, in accordance with requirements laid down by the Council, file with the Council traffic reports, cost statistics and financial statements showing among other things all receipts and the sources thereof.

CHAPTER XV

Airports and Other Air Navigation Facilities

Article 68

[Designation of routes and airports]

Each contracting State may, subject to the provisions of this Convention, designate the route to be followed within its territory by any international air service and the airports which any such service may use.

Article 69

[Improvement of air navigation facilities]

If the Council is of the opinion that the airports or other air navigation facilities, including radio and meteorological services, of a contracting State are not reasonably adequate for the safe, regular, efficient, and economical operation of international air services, present or contemplated, the Council shall consult with the State directly concerned, and other States affected, with a view to finding means by which the situation may be remedied, and may make recommendations for that purpose. No contracting State shall be guilty of an infraction of this Convention if it fails to carry out these recommendations.

Article 70

[Financing of air navigation facilities]

A contracting State, in the circumstances arising under the provisions of Article 69, may conclude an arrangement with the Council for giving effect to such recommendations. The State may elect to bear all of the costs involved in any such arrangement. If the State does not so elect, the Council may agree, at the request of the State, to provide for all or a portion of the costs.

Article 71

[Provision and maintenance of facilities by Council]

If a contracting State so requests, the Council may agree to provide, man, maintain, and administer any or all of the airports and other air navigation facilities, including radio and meteorological services, required in its territory for the safe, regular, efficient and economical operation of the international air services of the other contracting States, and may specify

just and reasonable charges for the use of the facilities provided.

Article 72

[Acquisition or use of land]

Where land is needed for facilities financed in whole or in part by the Council at the request of a contracting State, that State shall either provide the land itself, retaining title if it wishes, or facilitate the use of the land by the Council on just and reasonable terms and in accordance with the laws of the State concerned.

Article 73

[Expenditure and assessment of funds]

Within the limit of the funds which may be made available to it by the Assembly under Chapter XII, the Council may make current expenditures for the purposes of this Chapter from the general funds of the Organization. The Council shall assess the capital funds required for the purposes of this Chapter in previously agreed proportions over a reasonable period of time to the contracting States consenting thereto whose airlines use the facilities. The Council may also assess to States that consent any working funds that are required.

Article 74

[Technical assistance and utilization of revenues]

When the Council, at the request of a contracting State, advances funds or provides airports or other facilities in whole or in part, the arrangement may provide, with the consent of that State, for technical assistance in the supervision and operation of the airports and other facilities, and for the payment, from the revenues derived from the operation of the airports and other facilities, of the operating expenses of the airports and the other facilities, and of interest and amortization charges.

Article 75

[Taking over of facilities from Council]

A contracting State may at any time discharge any obligation into which it has entered under Article 70, and take over airports and other facilities which the Council has provided in its territory pursuant to the provisions of Articles 71 and 72, by paying to the Council an amount which in the opinion of the Council is reasonable in the circumstances. If the State considers that the amount fixed by the Council is unreasonable it may appeal to the Assembly against the decision of the Council and the Assembly may confirm or amend the decision of the Council.

Article 76

[Return of funds]

Funds obtained by the Council through reimbursements under Article 75 and from receipts of interest and amortization payments under Article 74 shall, in the case of advances originally financed by States under Article 73, be returned to the States which were originally assessed in the proportion of their assessments, as determined by the Council.

CHAPTER XVI

Joint Operating Organization and Pooled Services

Article 77

[Joint operating organizations permitted]

Nothing in this Convention shall prevent two or more contracting States from constituting joint air transport operating organizations or international operating agencies and from pooling their air services on any routes or in any regions, but such organizations or agencies and such pooled services shall be subject to all the provisions of this Convention, including those relating to the registration of agreements with the Council. The Council shall determine in what manner the provisions of this Convention relating to nationality of aircraft shall apply to aircraft operated by international operating agencies.

Article 78

[Function of Council]

The Council may suggest to contracting States concerned that they form joint organizations to operate air services on any routes or in any regions.

Article 79

[Participation in operating organizations]

A State may participate in joint operating organizations or in pooling arrangements, either through its government or through an airline company or companies designated by its government. The companies may, at the sole discretion of the State concerned, be state-owned or partly state-owned or privately owned.

PART IV—FINAL PROVISIONS

CHAPTER XVII

Other Aeronautical Agreements and Arrangements

Article 80

[Paris and Habana Conventions]

Each contracting State undertakes, immediately upon the coming into force of this Convention, to give notice of denunciation of the Convention relating to the Regulation of Aerial Navigation signed at Paris on October 13, 1919, or the Convention on Commercial Aviation signed at Habana on February 20, 1928, if it is a party to either. As between contracting States, this Convention supersedes the Conventions of Paris and Habana previously referred to.

Article 81

[Registration of existing agreements]

All aeronautical agreements which are in existence on the coming into force of this Convention, and which are between a contracting State and any other State or between an airline of a contracting State and any other State or the airline of any other State, shall be forthwith registered with the Council.

Article 82

[Abrogation of inconsistent arrangements]

The contracting States accept this Convention as abrogating all obligations and understandings between them which are inconsistent with its terms, and undertake not to enter into any such obligations and understandings. A contracting State which, before becoming a member of the Organization has undertaken any obligations toward a non-contracting State inconsistent with the terms of this Convention, shall take immediate steps to procure its release from the obligations. If an airline of any contracting State has entered into any such inconsistent obligations, the State of which it is a national shall use its best efforts to secure their termination forthwith and shall in any event cause them to be terminated as soon as such action can lawfully be taken after the coming into force of this Convention.

Article 83

[Registration of new arrangements]

Subject to the provisions of the preceding Article, any contracting State may make arrangements not inconsistent with the provisions of this Convention. Any such arrangement shall be forthwith registered with the Council, which shall make it public as soon as possible.

CHAPTER XVIII

Disputes and Default

Article 84

[Settlement of disputes]

If any disagreement between two or more contracting States relating to the interpretation or application of this Convention and its Annexes cannot be settled by negotiation, it shall, on the application of any State concerned in the disagreement, be decided by the Council. No member of the Council shall vote in the consideration by the Council of any dispute to which it is a party. Any contracting State may, subject to Article 85, appeal from the decision of the Council to an *ad hoc* arbitral tribunal agreed upon with the other parties to the dispute or to the Permanent Court of International Justice. Any such appeal shall be notified to the Council within sixty days of receipt of notification of the decision of the Council.

Article 85

[Arbitration procedure]

If any contracting State party to a dispute in which the decision of the Council is under appeal has not accepted the Statute of the Permanent Court of International Justice and the contracting States parties to the dispute cannot agree on the choice of the arbitral tribunal, each of the contracting States parties to the dispute shall name a single arbitrator who shall name an umpire. If either contracting State party to the dispute fails to name an arbitrator within a period of three months from the date of the appeal, an arbitrator shall be named on behalf of that State by the President of the Council from a list of qualified and available persons maintained by the Council. If, within thirty days, the arbitrators cannot agree on an umpire, the President of the Council shall designate an umpire from the list previously referred to. The arbitrators and the umpire shall then jointly constitute an arbitral tribunal. Any arbitral tribunal established under this or the preceding Article shall settle its own procedure and give its decisions by majority vote, provided that the Council may determine procedural questions in the event of any delay which in the opinion of the Council is excessive.

Article 86

[Appeals]

Unless the Council decides otherwise, any decision by the Council on whether an international airline is operating in conformity with the provisions of this Convention shall remain in effect unless reversed on appeal. On any other matter, decisions of the Council shall, if appealed from, be suspended until the appeal is decided. The decisions of the Permanent Court of International Justice and of an arbitral tribunal shall be final and binding.

Article 87

[Penalty for non-conformity by airline]

Each contracting State undertakes not to allow the operation of an airline of a contracting State through the airspace above its territory if the Council has decided that the airline concerned is not conforming to a final decision rendered in accordance with the previous Article.

Article 88

[Penalty for non-conformity by State]

The Assembly shall suspend the voting power in the Assembly and in the Council of any contracting State that is found in default under the provisions of this Chapter.

CHAPTER XIX

War

Article 89

[War and emergency conditions]

In case of war, the provisions of this Convention shall not affect the freedom of action of any of the contracting States affected, whether as belligerents or as neutrals. The same principle shall apply in the case of any contracting State which declares a state of national emergency and notifies the fact to the Council.

CHAPTER XX

Annexes

Article 90

[Adoption and amendment of Annexes]

(a) The adoption by the Council of the Annexes described in Article 54, subparagraph (1), shall require the vote of two-thirds of the Council at a meeting called for that purpose and shall then be submitted by the Council to each contracting State. Any such Annex or any amendment of an Annex shall become effective within three months after its submission to the contracting States or at the end of such longer

period of time as the Council may prescribe, unless in the meantime a majority of the contracting States register their disaproval with the Council.

(b) The Council shall immediately notify all contracting States of the coming into force of any Annex or amendment thereto.

CHAPTER XXI

Ratifications, Adherences, Amendments, and Denunciations

Article 91

[Ratification of Convention]

(a) This Convention shall be subject to ratification by the signatory States. The instruments of ratification shall be deposited in the archives of the Government of the United States of America, which will give notice of the date of the deposit to each of the signatory and adhering States.

(b) As soon as this Convention has been ratified or adhered to by twenty-six States it shall come into force between them on the thirtieth day after deposit of the twenty-sixth instrument. It shall come into force for each State ratifying thereafter on the thirtieth day after the deposit of its instrument of ratification.

(c) It shall be the duty of the Government of the United States of America to notify the government of each of the signatory and adhering States of the date on which this Convention comes into force.

Article 92

[Adherence to Convention]

(a) This Convention shall be open for adherence by members of the United Nations and States associated with them, and States which remained neutral during the present world conflict.

(b) Adherence shall be effected by a notification addressed to the Government of the United States of America and shall take effect as from the thirtieth day from the receipt of the notification by the Government of the United States of America, which shall notify all the contracting States.

Article 93

[Admission of other States]

States other than those provided for in Article 91 and 92 (a) may, subject to approval by any general international organization set up by the nations of the world to preserve peace, be admitted to participation in this Convention by means of a four-fifths vote of the Assembly and on such conditions as the Assembly may prescribe: provided that in each case the assent of any State invaded or attacked during the present war by the State seeking admission shall be necessary.

Article 94

[Amendment of Convention]

(a) Any proposed amendment to this Convention must be approved by a two-thirds vote of the Assembly and shall then come into force in respect of States which have ratified such amendment when ratified by the number of contracting States specified by the Assembly. The number so specified shall not be less than two-thirds of the total number of contracting States.

(b) If in its opinion the amendment is of such a nature as to justify this course, the Assembly in its resolution recommending adoption may provide that any State which has not ratified within a specified period after the amendment has come into force shall thereupon cease to be a member of the Organization and a party to the Convention.

Article 95

[Denunciation of Convention]

(a) Any contracting State may give notice of denunciation of this Convention three years after its coming into effect by notification addressed to the Government of the United States of America, which shall at once inform each of the contracting States.

(b) Denunciation shall take effect one year from the date of receipt of the notification and shall operate only as regards the State effecting the denunciation.

CHAPTER XXII

Definitions

Article 96

For the purpose of this Convention the expression:

(a) "Air service" means any scheduled air service performed by aircraft for the public transport of passengers, mail or cargo.

(b) "International air service" means an air service which passes through the air space over the territory of more than one State.

(c) "Airline" means any air transport enterprise offering or operating an international air service.

(d) "Stop for non-traffic purposes" means a landing for any purpose other than taking on or discharging passengers, cargo or mail.

Signature of Convention

IN WITNESS WHEREOF, the undersigned plenipotentiaries, having been duly authorized, sign this Convention on behalf of their respective governments on the dates appearing opposite their signatures.

DONE at Chicago the seventh day of December 1944, in the English language. A text drawn up in the English, French, and Spanish languages, each of which shall be of equal authenticity, shall be opened for signature at Washington, D.C. Both texts shall be deposited in the archives of the Government of the United States of America, and certified copies shall be transmitted by that Government to the governments of all the States which may sign or adhere to this Convention.

ANNEX III.

Agreement Between The United Nations and The International Civil Aviation Organization

PREAMBLE

Article 57 of the Charter of the United Nations makes provision for bringing the specialized agencies, established by inter-governmental agreement and having wide international responsibilities as defined in their basic instruments in economic, social, cultural, educational, health and related fields, into relationship with the United Nations.

Article 64 of the Convention on International Civil Aviation provides that the International Civil Aviation Organization may, with respect to air matters within its competence directly affecting world security, enter into appropriate arrangements with any general organization set up by the nations of the world to preserve peace. Article 65 of the Convention provides that the Organization may enter into agreements with international bodies for the maintenance of common services, for common arrangements concerning personnel and for the facilitation of its work.

Therefore the United Nations and the International Civil Aviation Organization agree as follows:

ARTICLE I

The United Nations recognizes the International Civil Aviation Organization as the specialized agency responsible for taking such action as may be appropriate under its basic instrument for the accomplishment of the purposes set forth therein.

ARTICLE II

Applications for membership by certain States

Any application submitted to the International Civil Aviation Organization by states other than those provided for in articles 91 and 92 (a) of the Convention on International Civil Aviation to become parties to the Convention, shall be immediately transmitted by the secretariat of the Organization to the General Assembly of the United Nations. The General Assembly may recommend the rejection of such application and any such recommendation shall be accepted by the Organization. If no such recommendation is made by the General Assembly at the first session following receipt of the application, the application shall be decided upon by the Organization in accordance with the procedure established in article 93 of the Convention.

ARTICLE III

Reciprocal representation

1. Representatives of the United Nations shall be invited to attend the meetings of the Assembly of the International Civil Aviation Organization, the Council of the Organization and their commissions and committees and such general, regional or other special meetings as the Organization may convene, and to participate, without vote, in the deliberations of these bodies.

2. Representatives of the International Civil Aviation Organization shall be invited to attend meetings of the Economic and Social Council and of its commissions and committees and to participate, without vote, in the deliberations of these bodies with respect to items on their agenda relating to civil aviation matters.

3. Representatives of the International Civil Aviation Organization shall be invited to attend meetings of the General Assembly for the purposes of consultation on civil aviation matters.

4. Representatives of the International Civil Aviation Organization shall be invited to attend meetings of the main committees of the General Assembly when civil aviation matters are under discussion and to participate, without vote, in such discussions.

5. Representatives of the International Civil Aviation Organization shall be invited to attend meetings of the Trusteeship Council of the United Nations and to participate, without vote, in the deliberations thereof, with respect to items on its agenda relating to civil aviation matters.

6. Written statements submitted by the International Civil Aviation Organization on matters relating to civil aviation shall be distributed as soon as possible by the Secretariat of the United Nations to all members of the principal and subsidiary organs and their commissions or committees of the United Nations, as appropriate. Similarly, written statements of any of the principal or subsidiary organs and their commissions or committees of the United Nations shall be distributed as soon as possible by the secretariat of the Organization to all members of the Assembly or Council of the Organization as appropriate.

ARTICLE IV

Proposal of agenda items

After such preliminary consultation as may be necessary, the International Civil Aviation Organization shall include on the agenda of the Assembly or Council of the Organization items proposed to it by the United Nations, and the Economic and Social Council and its commissions and the Trusteeship Council shall include on their agenda items proposed by the Assembly or Council of the Organization.

ARTICLE V

Recommendations of the United Nations

1. The International Civil Aviation Organization, having regard to the obligation of the

United Nations to promote the objectives set forth in Article 55 of the Charter and the function and power of the Economic and Social Council under Article 62 of the Charter to make or initiate studies and reports with respect to international, economic, social, cultural, educational, health and related matters and to make recommendations concerning these matters to the specialized agencies concerned, and having regard also to the responsibility of the United Nations, under Article 58 and 63 of the Charter, to make recommendations for the co-ordination of the policies and activities of such specialized agencies, agrees to arrange for the submission, as soon as possible, to its appropriate organ of all formal recommendations which the United Nations may make to it.

2. The International Civil Aviation Organization agrees to enter into consultation with the United Nations upon request with respect to such recommendations, and in due course to report to the United Nations on the action taken by the Organization or by its members to give effect to such recommendations, or on the other results of their consideration.

3. The International Civil Aviation Organization affirms its intention of co-operating in whatever measures may be necessary to make co-ordination of the activities of specialized agencies and those of the United Nations fully effective. In particular, it agrees to participate in, and to co-operate with any body or bodies which the Economic and Social Council may establish for the purpose of facilitating such co-ordination and to furnish such information as may be required for the carrying out of this purpose.

ARTICLE VI

Exchange of information and documents

1. Subject to such arrangements as may be necessary for the safeguarding of confidential material, the fullest and promptest exchange of information and documents shall be made between the United Nations and the International Civil Aviation Organization.

2. Without prejudice to the generality of the provisions of Paragraph 1:

(*a*) The International Civil Aviation Organization agrees to transmit to the United Nations regular reports on its activities;

(*b*) The International Civil Aviation Organization agrees to comply to the fullest extent practicable with any request which the United Nations may make for the furnishing of special reports, studies or information, subject to the condition set forth in article XVI; and

(*c*) The Secretary-General of the United Nations shall, upon request, consult with the appropriate officer of the Organization with respect to the furnishing to the Organization of such information as may be of special interest to it.

ARTICLE VII

Assistance to the Security Council

The International Civil Aviation Organization agrees to co-operate with the Economic and Social Council in furnishing such information and rendering such assistance to the Security Council as that Council may request, including assistance in carrying out decisions of the Security Council for the maintenance or restoration of international peace and security.

ARTICLE VIII

Assistance to the Trusteeship Council

The International Civil Aviation Organization agrees to co-operate with the Trusteeship Council in the carrying out of its functions and in particular agrees that it will, to the greatest extent possible, render such assistance as the Trusteeship Council may request in regard to matters with which the Organization is concerned.

ARTICLE IX

Non-self-governing territories

The International Civil Aviation Organization agrees to co-operate with the United Nations in giving effect to the principles and obligations set forth in Chapter XI of the Charter with regard to matters affecting the well-being and development of the peoples of non-self-governing territories.

ARTICLE X

Relations with the International Court of Justice

1. The International Civil Aviation Organization agrees to furnish any information which may be requested by the International Court of Justice in pursuance of Article 34 of the Statute of the Court.

2. The General Assembly of the United Nations authorizes the International Civil Aviation Organization to request advisory opinions of the International Court of Justice on legal questions arising within the scope of its activities other than questions concerning the mutual relationships of the International Civil Aviation Organization and the United Nations or other specialized agencies.

3. Such request may be addressed to the Court by the Assembly or the Council of the International Civil Aviation Organization.

4. When requesting the International Court of Justice to give an advisory opinion, the International Civil Aviation Organization shall inform the Economic and Social Council of the request.

ARTICLE XI

Headquarters and regional offices

1. The International Civil Aviation Organization, having regard to the desirability of the headquarters of specialized agencies being situ-

ated at the permanent seat of the United Nations and to the advantages that flow from such centralization, agrees to consult the United Nations before making any further decision concerning the location of its permanent headquarters.

2. Having due regard to the special needs of international civil aviation, any regional or branch offices which the International Civil Aviation Organization may establish shall, so far as practicable, be closely associated with such regional or branch offices as the United Nations may establish.

ARTICLE XII

Personnel arrangements

1. The United Nations and the International Civil Aviation Organization recognize that the eventual development of a single unified international civil service is desirable from the standpoint of effective administrative co-ordination, and with this end in view agree to develop common personnel standards, methods and arrangements designed to avoid unjustified differences in terms and conditions of employment, to avoid competition in recruitment of personnel, and to facilitate interchange of personnel in order to obtain the maximum benefit from their services.

2. The United Nations and the International Civil Aviation Organization agree to co-operate to the fullest extent possible in achieving these ends and in particular they agree to:

(*a*) consult together concerning the establishment of an International Civil Service Commission to advise on the means by which common standards of recruitment in the secretariats of the United Nations and of the specialized agencies may be ensured;
(*b*) consult together concerning other matters relating to the employment of their officers and staff, including conditions of service, duration of appointments, classification, salary scales and allowances, retirement and pension rights and staff regulations and rules with a view to securing as much uniformity in these matters as shall be found practicable;

(*c*) co-operate in the interchange of personnel, when desirable, on a temporary or a permanent basis, making due provision for the retention of seniority and pension rights;
(*d*) co-operate in the establishment and operations of suitable machinery for the settlement of disputes arising in connection with the employment of personnel and related matters.

ARTICLE XIII

Statistical services

1. The United Nations and the International Civil Aviation Organization agree to strive for maximum co-operation, the elimination of all undesirable duplication between them, and most efficient use of their technical personnel in their respective collection, analysis, publication, standardization, improvement and dissemination of statistical information. They agree to combine their efforts to secure the greatest possible usefulness and utilization of statistical information and to minimize the burdens placed upon national governments and other organizations from which such information may be collected.

2. The International Civil Aviation Organization recognizes the United Nations as the central agency for the collection, analysis, publication, standardization, improvement and dissemination of statistics serving the general purposes of international organizations.

3. The United Nations recognizes the International Civil Aviation Organization as the central agency responsible for the collection, analysis, publication, standardization, improvement and dissemination of statistics within its special sphere, without prejudice to the rights of the United Nations to concern itself with such statistics so far as they may be essential for its own purposes or for the improvement of statistics throughout the world.

4. The United Nations shall, in consultation with the International Civil Aviation Organization and with the other specialized agencies where appropriate, develop administrative instruments and procedures through which effective statistical co-operation may be secured between the United Nations and the agencies brought into relationship with it.

5. It is recognized as desirable that the collection of statistical information shall not be duplicated by the United Nations or any of its specialized agencies whenever it is practicable for any of them to utilize information or material which another may have available.

6. In order to build up a central collection of statistical information for general use, it is agreed that data supplied to the International Civil Aviation Organization for incorporation in its basic statistical series or special reports should so far as practicable be made available to the United Nations.

7. It is agreed that data supplied to the United Nations for incorporation in its basic statistical series or special reports should so far as practicable and appropriate be made available to the International Civil Aviation Organization.

ARTICLE XIV

Administrative and technical services

1. The United Nations and the International Civil Aviation Organization recognize the desirability, in the interest of administrative and technical uniformity and of the most efficient use of personnel and resources, of avoiding whenever possible the establishment and operation of competitive or overlapping facilities and

services among the United Nations and the specialized agencies.

2. Accordingly, the United Nations and the International Civil Aviation Organization agree to consult together concerning the establishment and use of common administrative and technical services and facilities in addition to those referred to in articles XII, XIII and XV, in so far as the establishment and use of such services may from time to time be found practicable and appropriate.

3. Arrangements shall be made between the United Nations and the International Civil Aviation Organization in regard to the registration and deposit of official documents.

ARTICLE XV

Budgetary and financial arrangements

1. The International Civil Aviation Organization recognizes the desirability of establishing close budgetary and financial relationships with the United Nations in order that the administrative operations of the United Nations and of the specialized agencies shall be carried out in the most efficient and economical manner possible, and that the maximum measure of coordination and uniformity with respect to these operations shall be secured.

2. The United Nations and the International Civil Aviation Organization agree to co-operate to the fullest extent possible in achieving these ends and to consult together concerning the desirability of making appropriate arrangements for the inclusion of the budget of the Organization within a general budget of the United Nations. Any such arrangements which may be made shall be defined in a supplementary agreement between the two organizations.

3. The Secretary-General of the United Nations and the appropriate officer of the International Civil Aviation Organization shall arrange for consultation in connection with the preparation of the budget.

4. The International Civil Aviation Organization agrees to transmit its proposed budget to the United Nations annually at the same time as such budget is transmitted to its members. The General Assembly shall examine the administrative budget or proposed budget of the Organization and may make such recommendations as it may consider necessary.

5. Representatives of the International Civil Aviation Organization shall be entitled to participate, without vote, in the deliberations of the General Assembly or any committee thereof at all times when the budget of the Organization or general administrative or financial questions affecting the Organization are under consideration.

6. The United Nations may undertake the collection of contributions from those members of the International Civil Aviation Organization which are also Members of the United Nations in accordance with such arrangements as may be defined by a later agreement between the United Nations and the Organization.

7. The United Nations shall, upon its own initiative or upon the request of the International Civil Aviation Organization, arrange for studies to be undertaken concerning other financial and fiscal questions of interest to the Organization and to other specialized agencies with a view to the provision of common services and the securing of uniformity in such matters.

8. The International Civil Aviation Organization agrees to conform as far as may be practicable to standard practices and forms recommended by the United Nations.

ARTICLE XVI

Financing of special services

1. In the event of the International Civil Aviation Organization's being faced with the necessity of incurring substantial extra expense as a result of any request which the United Nations may make for special reports, studies or assistance in accordance with articles VI, VII, VIII, or with other provisions of this agreement, consultation shall take place with a view to determining the most equitable manner in which such expense shall be borne.

2. Consultation between the United Nations and the International Civil Aviation Organization shall similarly take place with a view to making such arrangements as may be found equitable for covering the cost of central administrative, technical or fiscal services or facilities or other special assistance provided by the United Nations.

ARTICLE XVII

Inter-agency agreements

The International Civil Aviation Organization agrees to inform the Economic and Social Council of the nature and scope of any formal agreement between the Organization and any other specialized agency, inter-governmental organization or non-governmental organization and to inform the Economic and Social Council before any such agreement is concluded.

ARTICLE XVIII

Liaison

1. The United Nations and the International Civil Aviation Organization agree to the foregoing provisions in the belief that they will contribute to the maintenance of effective liaison between the two organizations. They affirm their intention of taking whatever further measure may be necessary to make this liaison fully effective.

2. The liaison arrangements provided for in the foregoing Articles of this Agreement shall apply as far as appropriate to the relations between such branch or regional offices as may be

established by the two organizations as well as between their headquarters.

ARTICLE XIX

Implementation of the Agreement

The Secretary-General of the United Nations and the appropriate officer of the International Civil Aviation Organization may enter into such supplementary arrangements for the implementation of this Agreement as may be found desirable in the light of the operating experience of the two organizations.

ARTICLE XX

Other arrangements

The present agreement shall not preclude the conclusion of further appropriate arrangements between the International Civil Aviation Organization and the United Nations with respect to air matters within the competence of the Organization directly affecting world security as contemplated in the Convention on International Civil Aviation.

ARTICLE XXI

Revision

This agreement shall be subject to revision by agreement between the United Nations and the International Civil Aviation Organization.

ARTICLE XXII

Entry into force

This agreement shall come into force on its approval by the General Assembly of the United Nations and the Assembly of the International Civil Aviation Organization.

V. *The International Bank for Reconstruction and Development*

A. THE BRETTON WOODS CONFERENCE

The United Nations Monetary and Financial Conference met in Bretton Woods, New Hampshire, from July 1 to 22, 1944, at the invitation of President Franklin D. Roosevelt of the United States. Participating in the Conference were representatives of 44 United and Associated Nations.

The Conference was called to formulate definite proposals for an International Monetary Fund and an International Bank for Reconstruction and Development. Two years of exploratory discussions between the monetary and financial experts of the United Nations had preceded the formal meeting at Bretton Woods, and large areas of agreement had already been reached by the time the Conference began.

At the inaugural session of the Conference on July 1, Mr. Henry Morgenthau, Jr., Chairman of the United States delegation, was elected President of the Conference. On the following day the Conference established three Commissions, among which one, under the chairmanship of Lord Keynes, was to formulate proposals for the Bank. The Final Act of the Conference, which included the Articles of Agreement of the International Bank for Reconstruction and Development, was submitted to the Governments of the participating nations.

B. PURPOSES

The purposes of the bank, as stated in the Articles of Agreement, are:

(1) To assist in the reconstruction and development of territories of members by facilitating the investment of capital for productive purposes, including the restoration of economies destroyed or disrupted by war, the reconversion of productive facilities to peacetime needs and the encouragement of the development of productive facilities and resources in less developed countries.

(2) To promote private foreign investment by means of guarantees or participations in loans and other investments made by private investors; and when private capital is not available on reasonable terms, to supplement private investment by providing, on suitable conditions, finance for productive purposes out of its own capital, funds raised by it and its other resources.

(3) To promote the long-range balanced growth of international trade and the maintenance of equilibrium in balances of payments by encouraging international investment for the development of the productive resources of members, thereby assisting in raising productivity, the standard of living and conditions of labor in their territories.

(4) To arrange the loans made or guaranteed by it in relation to international loans through other channels so that the more useful and urgent projects, large and small alike, will be dealt with first.

(5) To conduct its operations with due regard to the effect of international investment on business conditions in the territories of members and, in the immediate post-war years, to assist in bringing about a smooth transition from a wartime to a peacetime economy.

Loans approved by the Bank are subject to the following conditions:

1. When the member in whose territories the project is located is not itself a borrower, the member or the central bank or some comparable agency of the member which is acceptable to the Bank fully guarantees the repayment of the principal and the payment of interest and other charges on the loan.

2. The Bank is satisfied that in the prevailing market conditions the borrower would be unable otherwise to obtain the loan under conditions which in the opinion of the Bank are reasonable for the borrower.

3. A competent committee, including members of the staff of the Bank and a representative of the applicant, has submitted a written report recommending the project after a careful technical, engineering, and economic study of the merits of the proposal.

4. In the opinion of the Bank the rate of interest and other charges are reasonable and such rate, charges and the schedule for repayment of principal are appropriate to the project.

5. In making or guaranteeing a loan, the Bank shall pay due regard to the prospects that the borrower, and, if the borrower is not a member, that the guarantor, will be in position to meet its obligations under the loan; and the Bank shall act prudently in the interests both of the particular member in whose territories the project is located and of the members as a whole.

6. In guaranteeing a loan made by other investors, the Bank receives suitable compensation for its risk.

7. Loans made or guaranteed by the Bank shall, except in special circumstances, be for the purpose of specific projects of reconstruction or development.

Moreover the Bank must make supervisory arrangements to ensure that the proceeds of any loan are used efficiently and only for the purposes for which the loan was granted.

In making and implementing of loans the Bank is prohibited by its Articles of Agreement from interfering in the political affairs of any member, nor may it be influenced by the political character of the member or members concerned. Only economic considerations are to be relevant to its decisions, and these considerations are to be weighed impartially in order to achieve the purposes of the Bank.

C. STRUCTURE

The Bank has a Board of Governors, Executive Directors, a President and a staff.

All powers of the Bank are vested in the Board of Governors, consisting of one Governor and one alternate appointed by each member. As stated in the Articles of Agreement, the Board may delegate to the Executive Directors authority to exercise any powers of the Board, except the power to:

(1) Admit new members and determine the conditions of their admission.

(2) Increase or decrease the capital stock.

(3) Suspend a member.

(4) Decide appeals from interpretations of this Agreement given by the Executive Directors.

(5) Make arrangements to cooperate with other international organizations (other than informal arrangements of a temporary and administrative character).

(6) Decide to suspend permanently the operations of the Bank and to distribute its assets.

(7) Determine the distribution of the net income of the Bank.

There are twelve Executive Directors, five appointed by the five members having the largest number of shares, and seven elected by the Governors other than those representing the five members with the largest number of shares. The Executive Directors are appointed or elected every two years. They are responsible for the conduct of the general operations of the Bank and exercise all the powers delegated to them by the Board of Governors.

The President of the Bank is elected by the Executive Directors. He may not be a Governor or a Director. He is the Chairman of the Executive Directors. He is the chief of the operating staff and conducts, under the direction of the Executive Directors, the ordinary business of the Bank.

Except as otherwise provided by the Articles of Agreement, decisions of the Bank are made by a simple majority vote. Each member of the Bank has 250 votes plus one additional vote for each share of stock held. Each Governor casts all votes allotted to that member State which he represents. In the case of Executive Directors, an appointed Director casts as a unit all votes allotted to the member appointing him; an elected Executive Director casts as a unit the total number of votes allotted to those member States which elected him.

D. ACTIVITIES

The Articles of Agreement of the Bank came into force on December 27, 1945, when it was signed in Washington and the instruments of acceptance were deposited on behalf of 28 governments with approximately 80 per cent of the total subscriptions.

The United States, as the member having the largest number of shares in the Bank, issued an invitation to the other member governments to attend the Inaugural Meeting of the Board of Governors of the Bank, to be held in conjunction with the Inaugural Meeting of the Board of Governors of the International Monetary Fund. An invitation to send observers to the Inaugural Meeting was extended to those governments which participated in the Bretton Woods Conference but had not signed the Articles of Agreement. The United Nations Economic and Social Council was also invited to send an observer.

The Inaugural Meeting of the Board of Governors of the International Bank for Reconstruction and Development took place in Savannah, Georgia, from March 8 to 18, 1946. It was devoted mainly to organizational and administrative matters. The Board adopted the By-Laws of the Bank, which were complementary to the Articles of Agreement. It was decided that the Bank should be located within the metropolitan area of Washington, D. C., in the United States. The Board also decided that the time limit for admission to membership of participants in the Bretton Woods Conference should be extended to December 31, 1946, and that the applications for membership by Italy, Lebanon, Syria and Turkey should be referred to the Executive Directors for study and consideration.

On May 7 the Executive Directors of the Bank met in Washington and on June 4 elected Eugene Meyer (United States) President of the Bank. Mr. Meyer resigned as of December 18, 1946, and John J. McCloy (United States), who was subsequently elected, assumed his duties as President of the Bank on March 17, 1947.

The authorized capital of the Bank is $10,000,000,000. This capital stock is divided into shares of $100,000 each, available for subscription only to members. The present subscriptions of member governments amount to $8,024,500,000. However, the Bank is authorized to call only twenty per cent of its subscribed capital to serve as working funds. The other 80 per cent may be called only as and if needed to enable the Bank to meet interest and amortization requirements of its own obligations to private investors.

The Executive Directors fixed June 25, 1946, as the date upon which the Bank would formally begin operations and, as required by the Articles of Agreement, called for the balance of the initial two per cent of the capital subscription to be paid by members within 60 days of this date. One one-hundredths of one per cent of the capital subscription had already been paid by each member at the time of signature of the Articles of Agreement. As of June 25, 1946, the Executive Directors called for a further three per cent payable on or before November 25, 1946, and on September 25, 1946, for an additional five per cent of the capital subscription to be paid by November 25, 1946. The second ten per cent was paid by May 1947 in two instalments of five per cent each; the first of these instalments was due by February 25, 1947. The first two per cent of the subscription to the capital stock of the Bank was payable in gold on U.S. dollars, and the remaining eighteen per cent was payable in the local currency of each member.

The eighteen per cent of capital payable in the local currency of each member, equivalent approximately to $1,444,000,000 (including $571,500,000 paid by the United States), can be used only to make loans with the consent of the member or members whose currency is required for this purpose. Only the United States, whose currency is that primarily needed at present by borrowers, has so far found itself in a position to give such consent.

These calls made available to the Bank funds are equivalent to approximately $1,599,000,000, of which slightly more than $727,000,000 was in the form of U.S. dollars. These U.S. dollars included $635,000,000 paid by the United States and roughly $92,000,000 paid by other members in dollars, or in gold which was subsequently converted into dollars. The balance of approximately $872,000,000 was in the form of local currencies of members other than the United States.

To obtain further funds for lending, the Bank may borrow from private investors through the capital markets of its member countries, the

consent of the member concerned being necessary for such operations.[1]

The first annual meeting of the Board of Governors of the Bank convened on September 27, 1946. The Board approved the applications for membership of Italy, Lebanon, Syria and Turkey, provided they accepted membership by April 15, 1947, on the conditions approved by the Board. Their subsequent acceptance brought the total membership in the Bank to 44 nations. The increase of the subscriptions of France and Paraguay to the capital of the Bank was authorized. The Board of Governors selected London as the site of its second annual meeting, scheduled to convene in September 1947.

With regard to the question of an agreement between the United Nations and the International Bank for Reconstruction and Development, the Economic and Social Council, at the request of the Bank, decided at its second session to postpone negotiations for bringing the organization into relationship with the United Nations. Exploratory discussions between the United Nations and the Bank were continued, and at its third session the Council directed the Secretary-General to strengthen and extend working relationships between the United Nations and the Bank so that formal negotiations could be started as soon as possible.

Loan operations of the Bank began with a loan of $250,000,000 to *Crédit National* to assist France in the reconstruction of her war-torn economy. The French Government originally applied for twice this amount, and the Bank has stated that, although it is not now prepared to make any commitments with regard to a further loan, it will be willing to consider an additional application from France later this year. The loan, which is guaranteed by the French Government, will serve to finance the purchase of essential raw materials, coal and machinery and will be repaid within 30 years.

Eight other loan applications have been received and are being studied. These applications have been filed by the following countries: Chile, Czechoslovakia, Denmark, Iran, Luxembourg, Mexico, the Netherlands and Poland. Greece has stated its intention of applying for a loan when its plans for reconstruction projects have been completed.

Chile has applied for $40,000,000 to finance projects for the development of hydro-electric power plants, forest industries, railway electrification, transportation and port mechanization.

Czechoslovakia has applied for $350,000,000 to assist projects of reconstruction and development in industry, agriculture and transportation which require imports of capital equipment and raw materials.

Denmark has applied for $50,000,000 to finance imports of capital equipment and raw material for the reconstruction and modernization of industry and agriculture.

Iran has applied for $250,000,000 to develop and modernize agriculture, industry and transport. Details of the program have not yet been furnished.

Luxembourg has applied for $20,000,000 to aid in the reconstruction of devastated areas and the restoration of its economy.

Mexico has applied for $208,875,000 for the development of productive facilities, including irrigation and hydro-electric projects, highway construction, pipelines, railroads and harbor improvements.

The Netherlands has applied for $535,000,000 to finance a portion of the more urgent projects in an overall rehabilitation, reconstruction and industrialization program.

Poland has applied for $600,000,000 to finance imports of equipment and material for the reconstruction of coal mining, iron and steel, engineering, textiles, electricity and transport.

E. ADMINISTRATIVE BUDGETS

The Board of Governors on March 16, 1946, authorized the Temporary Secretary of the Bank to expend up to $200,000 to meet salaries and other administrative expenses of the Bank until permanent procedures were established. The Temporary Secretary made disbursements under such authority until July 15, 1946. Thereafter disbursements were made by the President or Vice-President of the Bank. Total disbursements through July 15, 1946, amounted to $75,703.40.

The expenses of the Bank to June 30, 1947, totalled $2,142,276.35. As indicated in the statement below, the Bank had an excess of expenses over income amounting to $938,647.01.

[1] The first issue of bonds by the Bank was made on July 15, 1947, when $100,000,000 in Ten Year 2¼% and $150,000,000 in Twenty-Five Year 3% Bonds were successfully offered in the United States.

STATEMENT OF INCOME AND EXPENSES

(For the Period Ended June 30, 1947)
(Expressed in United States Currency)

INCOME			
Interest earned on investment securities		$ 919,060.88	
Income from loans:			
Interest		108,719.16	
Commitment charge		175,849.30	
Commission		33,452 05	
		$1,237,081.39	
Deduct—Amount equivalent to commission appropriated to Special Reserve		33,452.05	$1,203,629.34
EXPENSES			
Salaries:			
Executive Directors and Alternates	$239,178.11		
Officers and others	804,110 77		$1,043,288.88
Expense allowances—Executive Directors and Alternates			9,693 63
Provision for taxes on salaries and expense allowances			183,654 43
Travel:			
Transportation and moving to and from seat of Bank—Executive Directors and Alternates	$ 12,732.51		
Officers and others	51,277.63		
Board of Governors and Alternates	41,263.42		
Executive Directors and Alternates	14,674.96		
Officers and others	44,259.69		164,208.21
Rental of office quarters			98,579.86
Furniture and equipment purchased			205,093 70
Stationery, printing and supplies			139,712 46
Cable charges			11,290.76
Repairs, maintenance and alterations, rented quarters			63,943.73
Handling charges and storage of gold			44,844.12
Expenses (other than travel) annual meeting Board of Governors			10,569 92
Miscellaneous expenses			106,592.59
Bond issue expense			60,804.06
			2,142,276.35
EXCESS OF EXPENSES OVER INCOME			$ 938,647.01

F. SUBSCRIPTIONS AND VOTING POWER OF MEMBERS

(As of June 30, 1947)

Country	*Subscriptions (in millions of U.S. dollars)*	*Number of votes*
Belgium	225	2,500
Bolivia	7	320
Brazil	105	1,300
Canada	325	3,500
Chile	35	600
China	600	6,250
Colombia	35	600
Costa Rica	2	270
Cuba	35	600
Czechoslovakia	125	1,500
Denmark	68	930
Dominican Republic	2	270
Ecuador	3.2	282
Egypt	40	650
El Salvador	1	260
Ethiopia	3	280
France	525	5,500
Greece	25	500
Guatemala	2	270
Honduras	1	260
Iceland	1	260
India	400	4,250
Iran	24	490
Iraq	6	310
Italy	180	2,050
Lebanon	4.5	295
Luxembourg	10	350
Mexico	65	900
Netherlands	275	3,000
Nicaragua	.8	258
Norway	50	750
Panama	.2	252
Paraguay	.8	258
Peru	17.5	425
Philippine Republic	15	400
Poland	125	1,500
Syria	6.5	315
Turkey	43	680
Union of South Africa	100	1,250
United Kingdom	1,300	13,250
United States	3,175	32,000
Uruguay	10.5	355
Venezuela	10.5	355
Yugoslavia	40	650
Total	8,024.5	91,245

ANNEX I.

MEMBERS AND OFFICERS

Members (as of June 30, 1947)

Belgium
Bolivia
Brazil
Canada
Chile
China
Colombia
Costa Rica
Cuba
Czechoslovakia
Denmark
Dominican Republic
Ecuador
Egypt
El Salvador
Ethiopia
France
Greece
Guatemala
Honduras
Iceland
India
Iran
Iraq
Italy
Lebanon
Luxembourg
Mexico
Netherlands
Nicaragua
Norway
Panama
Paraguay
Peru
Philippine Republic
Poland
Syria
Turkey
Union of South Africa
United Kingdom
United States
Uruguay
Venezuela
Yugoslavia

Participants in Bretton Woods Conference which had not become Members of the Bank as of June 1947.

Australia[1]
Haiti
Liberia
New Zealand
U.S.S.R.

Board of Governors
(as of June 30, 1947)

Country	
Belgium	
Governor	Gaston Eyskens
Alternate	Maurice Frere
Bolivia	
Governor	Rene Ballivian-Calderon
Alternate	Jaime Gutierrez-Guerra
Brazil	
Governor	Francisco Alves dos Santos-Filho
Alternate	Edgard de Mello
Canada	
Governor	D. C. Abbott
Alternate	Graham F. Towers
Chile	
Governor	Arturo Maschke
Alternate	Fernando Illanes
China	
Governor	O. K. Yui
Alternate	T. L. Soong
Colombia	
Governor	Emilio Toro
Alternate	Diego Mejia
Costa Rica	
Governor	Julio Pena Morua
Alternate	Angel Coronas-Guardia

[1]Australia became a member of the Bank in August 1947. Its subscription to the capital of the Bank is $200,000,000; it is entitled to 2,250 votes.

Country	
Cuba	
Governor	Guillermo Belt
Alternate	Miguel A. Riva
Czechoslovakia	
Governor	Alois Kral
Alternate	Joseph Hanc
Denmark	
Governor	Carl Valdemar Bramsnaes
Alternate	Hakon Jespersen
Dominican Republic	
Governor	Jesus Maria Troncoso
Alternate	Jose Ramon Rodriguez
Ecuador	
Governor	Leonardo Stagg
Alternate	S. E. Duran-Ballen
Egypt	
Governor	Ahmed Zaki Bey Saad
Alternate	Ahmed Selim
El Salvador	
Governor	Catalino Herrera
Alternate	Manuel Melendez-Valle
Ethiopia	
Governor	George A. Blowers
France	
Governor	Robert Schuman
Alternate	Pierre Mendes-France
Greece	
Governor	Athanase Sbarounis
Alternate	Petros Exarchakis
Guatemala	
Governor	Manuel Noreiga Morales
Alternate	Leonidas Acevedo
Honduras	
Governor	Julián R. Cáceres
Alternate	Jorge Fidel Duron
Iceland	
Governor	Magnus Sigurdsson
Alternate	Thor Thors
India	
Governor	Sir Chintaman Deshmukh
Alternate	N. Sundaresan
Iran	
Governor	A. H. Ebtehaj
Alternate	Mocharraf Naficy
Iraq	
Governor	Ali Jawdat
Alternate	A. M. Gailani
Italy	
Governor	Donato Menichella
Alternate	George Cigliana
Lebanon	
Governor	Charles Malik
Alternate	George Hakim
Luxembourg	
Governor	Pierre Dupong
Alternate	Hugues Le Gallais
Mexico	
Governor	Antonio Espinosa de los Monteros
Alternate	Luciano Wiechers
Netherlands	
Governor	P. Lieftinck
Alternate	M. W. Holtrop
Nicaragua	
Governor	Guillermo Sevilla Sacasa
Alternate	Rafael A. Huezo
Norway	
Governor	Gunnar Jahn
Alternate	Ole Colbjoernsen
Panama	
Governor	J. J. Vallarino
Alternate	Roberto Heurtematte
Paraguay	
Governor	Harmodio Gonzalez
Alternate	Ruben Benitez
Peru	
Governor	Carlos Montero Bernales
Alternate	Jose Barreda Moller
Philippine Republic	
Governor	Joaquin M. Elizalde
Alternate	Narciso Ramos
Poland	
Governor	Konstanty Dabrowski
Alternate	Janusz Zoltowski
Syria	
Governor	Faiz el Khoury
Alternate	Husni A. Sawwaf
Turkey	
Governor	Nurullah Esat Sumer
Alternate	Nahit Alpar
Union of South Africa	
Governor	Jan Hendrik Hofmeyr
Alternate	M. H. de Kock
United Kingdom	
Governor	Hugh Dalton
Alternate	Sir Gordon Munro
United States	
Governor	John W. Snyder
Alternate	William L. Clayton
Uruguay	
Alternate	Hugo Garcia
Venezuela	
Governor	Carlos A. D'Ascoli
Alternate	Hector Santaella
Yugoslavia	
Governor	Stane Krasovec
Alternate	Vaso Srzentic

Executive Directors
(as of June 30, 1947)

Chairman: John J. McCloy (United States)

Appointed:

Country	
United States	
Executive Director	Eugene R. Black
Alternate	John S. Hooker
United Kingdom	
Executive Director	Sir Gordon Munro
Alternate	Maurice H. Parsons
China	
Executive Director	Yuen-Ting Shen
Alternate	Yueh-Lien Chang

Country	
France	
Executive Director	Pierre Mendes-France
Alternate	Guy de Carmoy
India	
Executive Director	N. Sundaresan
Alternate	Bal Krishna Madan
Elected:	
Netherlands, Union of South Africa	*Executive Director* J. W. Beyen (Netherlands); *Alternate* Willem Koster (Netherlands)
Belgium, Iceland, Luxembourg, Norway	*Executive Director* Franz de Voghel (Belgium); *Alternate* Thomas Basyn (Belgium)
Bolivia, Brazil, Chile, Costa Rica, Guatemala, Panama, Paraguay, Philippine Republic	*Executive Director* Victor Moller (Chile); *Alternate* Fernando Illanes (Chile)
Czechoslovakia, Poland, Yugoslavia	*Executive Director* Leon Baranski (Poland); *Alternate* Alois Kral (Czechoslovakia)
Cuba, Dominican Republic, Ecuador, El Salvador, Honduras, Mexico, Nicaragua, Peru, Uruguay	*Executive Director* Luis Machado (Cuba); *Alternate* Joaquin E. Meyer (Cuba)
Canada	*Executive Director* Graham Towers; *Alternate* J. F. Parkinson
Egypt, Ethiopia, Greece, Iran, Iraq	*Executive Director* Kyriakos Varvaressos (Greece); *Alternate* F. Noury-Esfandiary (Iran)

Officers of the Bank

President	
John J. McCloy	(United States)
Vice President	
Robert L. Garner	(United States)
Loan Director	
Charles C. Pineo	(Canada)
Research Director	
Leonard B. Rist	(France)
Treasurer	
D. Crena de Iongh	(Netherlands)
Secretary	
Morton M. Mendels	(Canada)
General Counsel	
Chester A. McLain	(United States)
Director of Public Relations	
Drew Dudley	(United States)
Director of Administration	
Chauncey G. Parker	(United States)
Director of Marketing	
E. Fleetwood Dunstan	(United States)

Headquarters

Address: International Bank for Reconstruction and Development
1818 H Street, N. W.
Washington 6, D.C.
Telephone Number: Executive 6360

ANNEX II.

ARTICLES OF AGREEMENT OF THE INTERNATIONAL BANK FOR RECONSTRUCTION AND DEVELOPMENT

The Governments on whose behalf the present Agreement is signed agree as follows:

INTRODUCTORY ARTICLE

The International Bank for Reconstruction and Development is established and shall operate in accordance with the following provisions:

ARTICLE I

PURPOSES

The purposes of the Bank are:

(i) To assist in the reconstruction and development of territories of members by facilitating the investment of capital for productive purposes, including the restoration of economies destroyed or disrupted by war, the reconversion of productive facilities to peacetime needs and the encouragement of the development of productive facilities and resources in less developed countries.

(ii) To promote private foreign investment by means of guarantees or participations in loans and other investments made by private investors; and when private capital is not available on reasonable terms, to supplement private investment by providing, on suitable

conditions, finance for productive purposes out of its own capital, funds raised by it and its other resources.

(iii) To promote the long-range balanced growth of international trade and the maintenance of equilibrium in balances of payments by encouraging international investment for the development of the productive resources of members, thereby assisting in raising productivity, the standard of living and conditions of labor in their territories.

(iv) To arrange the loans made or guaranteed by it in relation to international loans through other channels so that the more useful and urgent projects, large and small alike, will be dealt with first.

(v) To conduct its operations with due regard to the effect of international investment on business conditions in the territories of members and, in the immediate post-war years, to assist in bringing about a smooth transition from a wartime to a peacetime economy.

The Bank shall be guided in all its decisions by the purposes set forth above.

ARTICLE II

MEMBERSHIP IN AND CAPITAL OF THE BANK

Section 1. *Membership*

(a) The original members of the Bank shall be those members of the International Monetary Fund which accept membership in the Bank before the date specified in Article XI, Section 2 (e).

(b) Membership shall be open to other members of the Fund, at such times and in accordance with such terms as may be prescribed by the Bank.

Section 2. *Authorized capital*

(a) The authorized capital stock of the Bank shall be $10,000,000,000, in terms of United States dollars of the weight and fineness in effect on July 1, 1944. The capital stock shall be divided into 100,000 shares having a par value of $100,000 each, which shall be available for subscription only by members.

(b) The capital stock may be increased when the Bank deems it advisable by a three-fourths majority of the total voting power.

Section 3. *Subscription of shares*

(a) Each member shall subscribe shares of the capital stock of the Bank. The minimum number of shares to be subscribed by the original members shall be those set forth in Schedule A. The minimum number of shares to be subscribed by other members shall be determined by the Bank, which shall reserve a sufficient portion of its capital stock for subscription by such members.

(b) The Bank shall prescribe rules laying down the conditions under which members may subscribe shares of the authorized capital stock of the Bank in addition to their minimum subscriptions.

(c) If the authorized capital stock of the Bank is increased, each member shall have a reasonable opportunity to subscribe, under such conditions as the Bank shall decide, a proportion of the increase of stock equivalent to the proportion which its stock theretofore subscribed bears to the total capital stock of the Bank, but no member shall be obligated to subscribe any part of the increased capital.

Section 4. *Issue price of shares*

Shares included in the minimum subscriptions of original members shall be issued at par. Other shares shall be issued at par unless the Bank by a majority of the total voting power decides in special circumstances to issue them on other terms.

Section 5. *Division and calls of subscribed capital*

The subscription of each member shall be divided into two parts as follows:

(i) twenty percent shall be paid or subject to call under Section 7 (i) of this Article as needed by the Bank for its operations;

(ii) the remaining eighty per cent shall be subject to call by the Bank only when required to meet obligations of the Bank created under Article IV, Sections (a) (ii) and (iii).

Calls on unpaid subscriptions shall be uniform on all shares.

Section 6. *Limitation on liability*

Liability on shares shall be limited to the unpaid portion of the issue price of the shares.

Section 7. *Method of payment of subscriptions for shares*

Payment of subscriptions for shares shall be made in gold or United States dollars and in the currencies of the members as follows:

(i) under Section 5 (i) of this Article, two per cent of the price of each share shall be payable in gold or United States dollars, and, when calls are made, the remaining eighteen per cent shall be paid in the currency of the member;

(ii) when a call is made under Section 5 (ii) of this Article, payment may be made at the option of the member either in gold, in United States dollars or in the currency required to discharge the obligations of the Bank for the purpose for which the call is made;

(iii) when a member makes payments in any currency under (i) and (ii) above, such payments shall be made in amounts equal in value to the member's liability under the call. This liability shall be a proportionate part of the subscribed capital stock of the Bank as authorized and defined in Section 2 of this Article.

Section 8. *Time of payment of subscriptions*

(a) The two per cent payable on each share

in gold or United States dollars under Section 7 (i) of this Article, shall be paid within sixty days of the date on which the Bank begins operations, provided that

(i) any original member of the Bank whose metropolitan territory has suffered from enemy occupation or hostilities during the present war shall be granted the right to postpone payment of one-half per cent until five years after that date;

(ii) an original member who cannot make such a payment because it has not recovered possession of its gold reserves which are still seized or immobilized as a result of the war may postpone all payment until such date as the Bank shall decide.

(b) The remainder of the price of each share payable under Section 7 (i) of this Article shall be paid as and when called by the Bank, provided that

(i) the Bank shall, within one year of its beginning operations, call not less than eight per cent of the price of the share in addition to the payment of two per cent referred to in (a) above;

(ii) not more than five per cent of the price of the share shall be called in any period of three months.

Section 9. *Maintenance of value of certain currency holdings of the Bank*

(a) Whenever (i) the par value of a member's currency is reduced, or (ii) the foreign exchange value of a member's currency has, in the opinion of the Bank, depreciated to a significant extent within that member's territories, the member shall pay to the Bank within a reasonable time an additional amount of its own currency sufficient to maintain the value, as of the time of initial subscription, of the amount of the currency of such member which is held by the Bank and derived from currency originally paid in to the Bank by the member under Article II, Section 7 (i), from currency referred to in Article IV, Section 2 (b), or from any additional currency furnished under the provisions of the present paragraph, and which has not been repurchased by the member for gold or for the currency of any member which is acceptable to the Bank.

(b) Whenever the par value of a member's currency is increased, the Bank shall return to such member within a reasonable time an amount of that member's currency equal to the increase in the value of the amount of such currency described in (a) above.

(c) The provisions of the preceding paragraphs may be waived by the Bank when a uniform proportionate change in the par values of the currencies of all its members is made by the International Monetary Fund.

Section 10. *Restriction on disposal of shares*

Shares shall not be pledged or encumbered in any manner whatever and they shall be transferable only to the Bank.

ARTICLE III

GENERAL PROVISIONS RELATING TO LOANS AND GUARANTEES

Section 1. *Use of resources*

(a) The resources and the facilities of the Bank shall be used exclusively for the benefit of members with equitable consideration to projects for development and projects for reconstruction alike.

(b) For the purpose of facilitating the restoration and reconstruction of the economy of members whose metropolitan territories have suffered great devastation from enemy occupation or hostilities, the Bank, in determining the conditions and terms of loans made to such members, shall pay special regard to lightening the financial burden and expediting the completion of such restoration and reconstruction.

Section 2. *Dealings between members and the Bank*

Each member shall deal with the Bank only through its Treasury, central bank, stabilization fund or other similar fiscal agency, and the Bank shall deal with members only by or through the same agencies.

Section 3. *Limitations on guarantees and borrowings of the Bank*

The total amount outstanding of guarantees, participations in loans and direct loans made by the Bank shall not be increased at any time, if by such increase the total would exceed one hundred per cent of the unimpaired subscribed capital, reserves and surplus of the Bank.

Section 4. *Conditions on which the Bank may guarantee or make loans*

The Bank may guarantee, participate in, or make loans to any member or any political subdivision thereof and any business, industrial, and agricultural enterprise in the territories of a member, subject to the following conditions:

(i) When the member in whose territories the project is located is not itself the borrower, the member or the central bank or some comparable agency of the member which is acceptable to the Bank, fully guarantees the repayment of the principal and the payment of interest and other charges on the loan.

(ii) The Bank is satisfied that in the prevailing market conditions the borrower would be unable otherwise to obtain the loan under conditions which in the opinion of the Bank are reasonable for the borrower.

(iii) A competent committee, as provided for in Article V, Section 7, has submitted a written report recommending the project after a careful study of the merits of the proposal.

(iv) In the opinion of the Bank the rate of interest and other charges are reasonable and such rate, charges and the schedule for repayment of principal are appropriate to the project.

(v) In making or guaranteeing a loan, the

Bank shall pay due regard to the prospects that the borrower, and, if the borrower is not a member, that the guarantor, will be in position to meet its obligations under the loan; and the Bank shall act prudently in the interests both of the particular member in whose territories the project is located and of the members as a whole.

(vi) In guaranteeing a loan made by other investors, the Bank receives suitable compensation for its risk.

(vii) Loans made or guaranteed by the Bank shall, except in special circumstances, be for the purpose of specific projects of reconstruction or development.

Section 5. *Use of loans guaranteed, participated in or made by the Bank*

(a) The Bank shall impose no conditions that the proceeds of a loan shall be spent in the territories of any particular member or members

(b) The Bank shall make arrangements to ensure that the proceeds of any loan are used only for the purposes for which the loan was granted, with due attention to considerations of economy and efficiency and without regard to political or other non-economic influences or considerations.

(c) In the case of loans made by the Bank, it shall open an account in the name of the borrower and the amount of the loan shall be credited to this account in the currency or currencies in which the loan is made. The borrower shall be permitted by the Bank to draw on this account only to meet expenses in connection with the project as they are actually incurred.

ARTICLE IV
OPERATIONS

Section 1. *Methods of making or facilitating loans*

(a) The Bank may make or facilitate loans which satisfy the general conditions of Article III in any of the following ways:

(i) By making or participating in direct loans out of its own funds corresponding to its unimpaired paid-up capital and surplus and, subject to Section 6 of this Article, to its reserves.

(ii) By making or participating in direct loans out of funds raised in the market of a member, or otherwise borrowed by the Bank.

(iii) By guaranteeing in whole or in part loans made by private investors through the usual investment channels.

(b) The Bank may borrow funds under (a) (ii) above or guarantee loans under (a) (iii) above only with the approval of the member in whose markets the funds are raised and the member in whose currency the loan is denominated, and only if those members agree that the proceeds may be exchanged for the currency of any other member without restriction.

Section 2. *Availability and transferability of currencies*

(a) Currencies paid into the Bank under Article II, Section 7 (i), shall be loaned only with the approval in each case of the member whose currency is involved; provided, however, that if necessary, after the Bank's subscribed capital has been entirely called, such currencies shall, without restriction by the members whose currencies are offered, be used or exchanged for the currencies required to meet contractual payments of interest, other charges or amortization on the Bank's own borrowings, or to meet the Bank's liabilities with respect to such contractual payments on loans guaranteed by the Bank.

(b) Currencies received by the Bank from borrowers or guarantors in payment on account of principal of direct loans made with currencies referred to in (a) above shall be exchanged for the currencies of other members or reloaned only with the approval in each case of the members whose currencies are involved; provided, however, that if necessary, after the Bank's subscribed capital has been entirely called, such currencies shall, without restriction by the members whose currencies are offered, be used or exchanged for the currencies required to meet contractual payments of interest, other charges or amortization on the Bank's own borrowings, or to meet the Bank's liabilities with respect to such contractual payments on loans guaranteed by the Bank.

(c) Currencies received by the Bank from borrowers or guarantors in payment on account of principal of direct loans made by the Bank under Section 1 (a) (ii) of this Article, shall be held and used, without restriction by the members, to make amortization payments, or to anticipate payment of or repurchase part or all of the Bank's own obligations.

(d) All other currencies available to the Bank, including those raised in the market or otherwise borrowed under Section 1 (a) (ii) of this Article, those obtained by the sale of gold, those received as payments of interest and other charges for direct loans made under Sections 1 (a) (i) and (ii), and those received as payments of commissions and other charges under Section 1 (a) (iii), shall be used or exchanged for other currencies or gold required in the operations of the Bank without restriction by the members whose currencies are offered.

(e) Currencies raised in the markets of members by borrowers on loans guaranteed by the Bank under Section 1 (a) (iii) of this Article, shall also be used or exchanged for other currencies without restriction by such members.

Section 3. *Provision of currencies for direct loans*

The following provisions shall apply to direct loans under Sections 1 (a) (i) and (ii) of this Article:

(a) The Bank shall furnish the borrower with such currencies of members, other than the member in whose territories the project is located, as are needed by the borrower for expen-

ditures to be made in the territories of such other members to carry out the purposes of the loan.

(b) The Bank may, in exceptional circumstances when local currency required for the purposes of the loan cannot be raised by the borrower on reasonable terms, provide the borrower as part of the loan with an appropriate amount of that currency.

(c) The Bank, if the project gives rise indirectly to an increased need for foreign exchange by the member in whose territories the project is located, may in exceptional circumstances provide the borrower as part of the loan with an appropriate amount of gold or foreign exchange not in excess of the borrower's local expenditure in connection with the purposes of the loan.

(d) The Bank may, in exceptional circumstances, at the request of a member in whose territories a portion of the loan is spent, repurchase with gold or foreign exchange a part of that member's currency thus spent but in no case shall the part so repurchased exceed the amount by which the expenditure of the loan in those territories gives rise to an increased need for foreign exchange.

Section 4. *Payment provisions for direct loans*

Loan contracts under Section 1 (a) (i) or (ii) of this Article shall be made in accordance with the following payment provisions:

(a) The terms and conditions of interest and amortization payments, maturity and dates of payment of each loan shall be determine by the Bank. The Bank shall also determine the rate and any other terms and conditions of commission to be charged in connection with such loan.

In the case of loans made under Section 1 (a) (ii) of this Article during the first ten years of the Bank's operations, this rate of commission shall be not less than one per cent per annum and not greater than one and one-half per cent per annum, and shall be charged on the outstanding portion of any such loan. At the end of this period of ten years, the rate of commission may be reduced by the Bank with respect both to the outstanding portions of loans already made and to future loans, if the reserves accumulated by the Bank under Section 6 of this Article and out of other earnings are considered by it sufficient to justify a reduction. In the case of future loans the Bank shall also have discretion to increase the rate of commission beyond the above limit, if experience indicates that an increase is advisable.

(b) All loan contracts shall stipulate the currency or currencies in which payments under the contract shall be made to the Bank. At the option of the borrower, however, such payments may be made in gold, or subject to the agreement of the Bank, in the currency of a member other than that prescribed in the contract.

(i) In the case of loans made under Section 1 (a) (i) of this Article, the loan contracts shall provide that payments to the Bank of interest, other charges and amortization shall be made in the currency loaned, unless the member whose currency is loaned agrees that such payments shall be made in some other specified currency or currencies. These payments, subject to the provisions of Article II, Section 9 (c), shall be equivalent to the value of such contractual payments at the time the loans were made, in terms of a currency specified for the purpose by the Bank by a three-fourths majority of the total voting power.

(ii) In the case of loans made under Section 1 (a) (ii) of this Article, the total amount outstanding and payable to the Bank in any one currency shall at no time exceed the total amount of the outstanding borrowings made by the Bank under Section 1 (a) (ii) and payable in the same currency.

(c) If a member suffers from an acute exchange stringency, so that the service of any loan contracted by that member or guaranteed by it or by one of its agencies cannot be provided in the stipulated manner, the member concerned may apply to the Bank for a relaxation of the conditions of payment. If the Bank is satisfied that some relaxation is in the interests of the particular member and of the operations of the Bank and of its members as a whole, it may take action under either, or both, of the following paragraphs with respect to the whole, or part, of the annual service:

(i) The Bank may, in its discretion, make arrangements with the member concerned to accept service payments on the loan in the member's currency for periods not to exceed three years upon appropriate terms regarding the use of such currency and the maintenance of its foreign exchange value; and for the repurchase of such currency on appropriate terms.

(ii) The Bank may modify the terms of amortization or extend the life of the loan, or both.

Section 5. *Guarantees*

(a) In guaranteeing a loan placed through the usual investment channels, the Bank shall charge a guarantee commission payable periodically on the amount of the loan outstanding at a rate determined by the Bank. During the first ten years of the Bank's operations, this rate shall be not less than one per cent per annum and not greater than one and one-half per cent per annum. At the end of this period of ten years, the rate of commission may be reduced by the Bank with respect both to the outstanding portions of loans already guaranteed and to future loans if the reserves accumulated by the Bank under Section 6 of this Article and out of other earnings are considered by it sufficient to justify a reduction. In the case of future loans the Bank shall also have discretion to increase the rate of commission beyond the above limit, if experience indicates that an increase is advisable.

(b) Guarantee commissions shall be paid directly to the Bank by the borrower.

(c) Guarantees by the Bank shall provide that the Bank may terminate its liability with respect to interest if, upon default by the borrower and by the guarantor, if any, the Bank offers to purchase, at par and interest accrued to a date designated in the offer, the bonds or other obligations guaranteed.

(d) The Bank shall have power to determine any other terms and conditions of the guarantee.

Section 6. *Special reserve*

The amount of commissions received by the Bank under Sections 4 and 5 of this Article shall be set aside as a special reserve, which shall be kept available for meeting liabilities of the Bank in accordance with Section 7 of this Article. The special reserve shall be held in such liquid form, permitted under this Agreement, as the Executive Directors may decide.

Section 7. *Methods of meeting liabilities of the Bank in case of defaults*

In cases of default on loans made, participated in, or guaranteed by the Bank:

(a) The Bank shall make such arrangements as may be feasible to adjust the obligations under the loans, including arrangements under or analogous to those provided in Section 4 (c) in Section 6 of this Article.

(b) The payments in discharge of the Bank's liabilities on borrowings or guarantees under Sections 1 (a) (ii) and (iii) of this Article shall be charged:

(i) first, against the special reserve provided in Section 6 of this Article.

(ii) then, to the extent necessary and at the discretion of the Bank, against the other reserves, surplus and capital available to the Bank.

(c) Whenever necessary to meet contractual payments of interest, other charges or amortization on the Bank's own borrowings, or to meet the Bank's liabilities with respect to similar payments on loans guaranteed by it, the Bank may call an appropriate amount of the unpaid subscriptions of members in accordance with Article II, Sections 5 and 7. Moreover, if it believes that a default may be of long duration, the Bank may call an additional amount of such unpaid subscriptions not to exceed in any one year one per cent of the total subscriptions of the members for the following purposes:

(i) To redeem prior to maturity, or otherwise discharge its liability on, all or part of the outstanding principal of any loan guaranteed by it in respect of which the debtor is in default.

(ii) To repurchase, or otherwise discharge its liability on, all or part of its own outstanding borrowings.

Section 8. *Miscellaneous operations*

In addition to the operations specified elsewhere in this Agreement, the Bank shall have the power:

(i) To buy and sell securities it has issued and to buy and sell securities which it has guaranteed or in which it has invested, provided that the Bank shall obtain the approval of the member in whose territories the securities are to be bought or sold.

(ii) To guarantee securities in which it has invested for the purpose of facilitating their sale.

(iii) To borrow the currency of any member with the approval of that member.

(iv) To buy and sell such other securities as the Directors by a three-fourths majority of the total voting power may deem proper for the investment of all or part of the special reserve under Section 6 of this Article.

In exercising the powers conferred by this Section, the Bank may deal with any person, partnership, association, corporation or other legal entity in the territories of any member.

Section 9. *Warning to be placed on securities*

Every security guaranteed or issued by the Bank shall bear on its face a conspicuous statement to the effect that it is not an obligation of any government unless expressly stated on the security.

Section 10. *Political activity prohibited*

The Bank and its officers shall not interfere in the political affairs of any member; nor shall they be influenced in their decisions by the political character of the member or members concerned. Only economic considerations shall be relevant to their decisions, and these considerations shall be weighed impartially in order to achieve the purposes stated in Article I.

ARTICLE V

ORGANIZATION AND MANAGEMENT

Section 1. *Structure of the Bank*

The Bank shall have a Board of Governors, Executive Directors, a President and such other officers and staff to perform such duties as the Bank may determine.

Section 2. *Board of Governors*

(a) All the powers of the Bank shall be vested in the Board of Governors consisting of one governor and one alternate appointed by each member in such manner as it may determine. Each governor and each alternate shall serve for five years, subject to the pleasure of the member appointing him, and may be reappointed. No alternate may vote except in the absence of his principal. The Board shall select one of the governors as Chairman.

(b) The Board of Governors may delegate to the Executive Directors authority to exercise any powers of the Board, except the power to:

(i) Admit new members and determine the conditions of their admission;

(ii) Increase or decrease the capital stock;

(iii) Suspend a member;

(iv) Decide appeals from interpretations of this Agreement given by the Executive Directors;

(v) Make arrangements to cooperate with other international organizations (other than informal arrangements of a temporary and administrative character);

(vi) Decide to suspend permanently the operations of the Bank and to distribute its assets;

(vii) Determine the distribution of the net income of the Bank.

(c) The Board of Governors shall hold an annual meeting and such other meetings as may be provided for by the Board or called by the Executive Directors. Meetings of the Board shall be called by the Directors whenever requested by five members or by members having one-quarter of the total voting power.

(d) A quorum for any meeting of the Board of Governors shall be a majority of the Governors, exercising not less than two-thirds of the total voting power.

(e) The Board of Governors may by regulation establish a procedure whereby the Executive Directors, when they deem such action to be in the best interests of the Bank, may obtain a vote of the Governors on a specific question without calling a meeting of the Board.

(f) The Board of Governors, and the Executive Directors to the extent authorized, may adopt such rules and regulations as may be necessary or appropriate to conduct the business of the Bank.

(g) Governors and alternates shall serve as such without compensation from the Bank, but the Bank shall pay them reasonable expenses incurred in attending meetings.

(h) The Board of Governors shall determine the remuneration to be paid to the Executive Directors and the salary and terms of the contract of service of the President.

Section 3. *Voting*

(a) Each member shall have two hundred fifty votes plus one additional vote for each share of stock held.

(b) Except as otherwise specifically provided, all matters before the Bank shall be decided by a majority of the votes cast.

Section 4. *Executive Directors*

(a) The Executive Directors shall be responsible for the conduct of the general operations of the Bank, and for this purpose, shall exercise all the powers delegated to them by the Board of Governors.

(b) There shall be twelve Executive Directors, who need not be governors, and of whom:

(i) five shall be appointed, one by each of the five members having the largest number of shares;

(ii) seven shall be elected according to Schedule B by all the Governors other than those appointed by the five members referred to in (i) above.

For the purpose of this paragraph, "members" means governments of countries whose names are set forth in Schedule A, whether they are original members or become members in accordance with Article II, Section 1 (b). When governments of other countries become members, the Board of Governors may, by a four-fifths majority of the total voting power, increase the total number of directors by increasing the number of directors to be elected.

Executive directors shall be appointed or elected every two years.

(c) Each executive director shall appoint an alternate with full power to act for him when he is not present. When the executive directors appointing them are present, alternates may participate in meetings but shall not vote.

(d) Directors shall continue in office until their successors are appointed or elected. If the office of an elected director becomes vacant more than ninety days before the end of his term, another director shall be elected for the remainder of the term by the governors who elected the former director. A majority of the votes cast shall be required for election. While the office remains vacant, the alternate of the former director shall exercise his powers, except that of appointing an alternate.

(e) The Executive Directors shall function in continuous session at the principal office of the Bank and shall meet as often as the business of the Bank may require.

(f) A quorum for any meeting of the Executive Directors shall be a majority of the Directors, exercising not less than one-half of the total voting power.

(g) Each appointed director shall be entitled to cast the number of votes allotted under Section 3 of this Article to the member appointing him. Each elected director shall be entitled to cast the number of votes which counted toward his election. All the votes which a director is entitled to cast shall be cast as a unit.

(h) The Board of Governors shall adopt regulations under which a member not entitled to appoint a director under (b) above may send a representative to attend any meeting of the Executive Directors when a request made by, or a matter particularly affecting, that member is under consideration.

(i) The Executive Directors may appoint such committees as they deem advisable. Membership of such committees need not be limited to governors or directors or their alternates.

Section 5. *President and staff*

(a) The Executive Directors shall select a President who shall not be a governor or an executive director or an alternate for either. The President shall be Chairman of the Executive Directors, but shall have no vote except a deciding vote in case of an equal division. He may participate in meetings of the Board of

Governors, but shall not vote at such meetings. The President shall cease to hold office when the Executive Directors so decide.

(b) The President shall be chief of the operating staff of the Bank and shall conduct, under the direction of the Executive Directors, the ordinary business of the Bank. Subject to the general control of the Executive Directors, he shall be responsible for the organization, appointment and dismissal of the officers and staff.

(c) The President, officers and staff of the Bank, in the discharge of their offices, owe their duty entirely to the Bank and to no other authority. Each member of the Bank shall respect the international character of this duty and shall refrain from all attempts to influence any of them in the discharge of their duties.

(d) In appointing the officers and staff the President shall, subject to the paramount importance of securing the highest standards of efficiency and of technical competence, pay due regard to the importance of recruiting personnel on as wide a geographical basis as possible.

Section 6. *Advisory Council*

(a) There shall be an Advisory Council of not less than seven persons selected by the Board of Governors including representatives of banking, commercial, industrial, labor, and agricultural interests, and with as wide a national representation as possible. In those fields where specialized international organizations exist, the members of the Council representative of those fields shall be selected in agreement with such organizations. The Council shall advise the Bank on matters of general policy. The Council shall meet annually and on such other occasions as the Bank may request.

(b) Councillors shall serve for two years and may be reappointed. They shall be paid their reasonable expenses incurred on behalf of the Bank.

Section 7. *Loan committees*

The committees required to report on loans under Article III, Section 4, shall be appointed by the Bank. Each such committee shall include an expert selected by the governor representing the member in whose territories the project is located and one or more members of the technical staff of the Bank.

Section 8. *Relationship to other international organizations*

(a) The Bank, within the terms of this Agreement, shall cooperate with any general international organization and with public international organizations having specialized responsibilities in related fields. Any arrangements for such cooperation which would involve a modification of any provision of this Agreement may be effected only after amendment to this Agreement under Article VIII.

(b) In making decisions on applications for loans or guarantees relating to matters directly within the competence of any international organization of the types specified in the preceding paragraph and participated in primarily by members of the Bank, the Bank shall give consideration to the views and recommendations of such organization.

Section 9. *Location of offices*

(a) The principal office of the Bank shall be located in the territory of the member holding the greatest number of shares.

(b) The Bank may establish agencies or branch offices in the territories of any member of the Bank.

Section 10. *Regional offices and councils*

(a) The Bank may establish regional offices and determine the location of, and the areas to be covered by, each regional office.

(b) Each regional office shall be advised by a regional council representative of the entire area and selected in such manner as the Bank may decide.

Section 11. *Depositories*

(a) Each member shall designate its central bank as a depository for all the Bank's holdings of its currency or, if it has no central bank, it shall designate such other institution as may be acceptable to the Bank.

(b) The Bank may hold other assets, including gold, in depositories designated by the five members having the largest number of shares and in such other designated depositories as the Bank may select. Initially, at least one-half of the gold holdings of the Bank shall be held in the depository designated by the member in whose territory the Bank has its principal office, and at least forty percent shall be held in the depositories designated by the remaining four members referred to above, each of such depositories to hold, initially, not less than the amount of gold paid on the shares of the member designating it. However, all transfers of gold by the Bank shall be made with due regard to the costs of transport and anticipated requirements of the Bank. In an emergency the Executive Directors may transfer all or any part of the Bank's gold holdings to any place where they can be adequately protected.

Section 12. *Form of holdings of currency*

The Bank shall accept from any member, in place of any part of the member's currency, paid in to the Bank under Article II, Section 7 (i), or to meet amortization payments on loans made with such currency, and not needed by the Bank in its operations, notes or similar obligations issued by the Government of the member or the depository designated by such member, which shall be non-negotiable, non-interest-bearing and payable at their par value on demand by credit to the account of the Bank in the designated depository.

Section 13. *Publication of reports and provision of information*

(a) The Bank shall publish an annual report containing an audited statement of its accounts

and shall circulate to members at intervals of three months or less a summary statement of its financial position and a profit and loss statement showing the results of its operations.

(b) The Bank may publish such other reports as it deems desirable to carry out its purposes.

(c) Copies of all reports, statements and publications made under this section shall be distributed to members.

Section 14. *Allocation of net income*

(a) The Board of Governors shall determine annually what part of the Bank's net income, after making provision for reserves, shall be allocated to surplus and what part, if any, shall be distributed.

(b) If any part is distributed, up to two per cent non-cumulative shall be paid, as a first charge against the distribution for any year, to each member on the basis of the average amount of the loans outstanding during the year made under Article IV, Section 1 (a) (i), out of currency corresponding to its subscription. If two per cent is paid as a first charge, any balance remaining to be distributed shall be paid to all members in proportion to their shares. Payments to each member shall be made in its own currency, or if that currency is not available in other currency acceptable to the member. If such payments are made in currencies other than the member's own currency, the transfer of the currency and its use by the receiving member after payment shall be without restriction by the members.

ARTICLE VI

WITHDRAWAL AND SUSPENSION OF MEMBERSHIP: SUSPENSION OF OPERATIONS

Section 1. *Right of members to withdraw*

Any member may withdraw from the Bank at any time by transmitting a notice in writing to the Bank at its principal office. Withdrawal shall become effective on the date such notice is received.

Section 2. *Suspension of membership*

If a member fails to fulfill any of its obligations to the Bank, the Bank may suspend its membership by decision of a majority of the Governors, exercising a majority of the total voting power. The member so suspended shall automatically cease to be a member one year from the date of its suspension unless a decision is taken by the same majority to restore the member to good standing.

While under suspension, a member shall not be entitled to exercise any rights under this Agreement, except the right of withdrawal, but shall remain subject to all obligations.

Section 3. *Cessation of membership in International Monetary Fund.*

Any member which ceases to be a member of the International Monetary Fund shall automatically cease after three months to be a member of the Bank unless the Bank by three-fourths of the total voting power has agreed to allow it to remain a member.

Section 4. *Settlement of accounts with governments ceasing to be members.*

(a) When a government ceases to be a member, it shall remain liable for its direct obligations to the Bank and for its contingent liabilities to the Bank so long as any part of the loans or guarantees contracted before it ceased to be a member are outstanding; but it shall cease to incur liabilities with respect to loans and guarantees entered into thereafter by the Bank and to share either in the income or the expenses of the Bank.

(b) At the time a government ceases to be a member, the Bank shall arrange for the repurchase of its shares as a part of the settlement of accounts with such government in accordance with the provisions of (c) and (d) below. For this purpose the repurchase price of the shares shall be the value shown by the books of the Bank on the day the government ceases to be a member.

(c) The payment for shares repurchased by the Bank under this section shall be governed by the following conditions:

(i) Any amount due to the government for its shares shall be withheld so long as the government, its central bank or any of its agencies remains liable, as borrower or guarantor, to the Bank and such amount may, at the option of the Bank, be applied on any such liability as it matures. No amount shall be withheld on account of the liability of the government resulting from its subscription for shares under Article II, Section 5 (ii). In any event, no amount due to a member for its shares shall be paid until six months after the date upon which the government ceases to be a member.

(ii) Payments for shares may be made from time to time, upon their surrender by the government, to the extent by which the amount due as the repurchase price in (b) above exceeds the aggregate of liabilities on loans and guarantees in (c) (i) above until the former member has received the full repurchase price.

(iii) Payments shall be made in the currency of the country receiving payment or at the option of the Bank in gold.

(iv) If losses are sustained by the Bank on any guarantees, participations in loans, or loans which were outstanding on the date when the government ceased to be a member, and the amount of such losses exceeds the amount of the reserve provided against losses on the date when the government ceased to be a member, such government shall be obligated to repay upon demand the amount by which the repurchase price of its shares would have been reduced, if the losses had been taken into account when the repurchase price was determined. In addition, the former

member government shall remain liable on any call for unpaid subscriptions under Article II, Section 5 (ii), to the extent that it would have been required to respond if the impairment of capital had occurred and the call had been made at the time the repurchase price of its shares was determined.

(d) If the Bank suspends permanently its operations under Section 5 (b) of this Article, within six months of the date upon which any government ceases to be a member, all rights of such government shall be determined by the provisions of Section 5 of this Article.

Section 5. *Suspension of operations and settlement of obligations*

(a) In an emergency the Executive Directors may suspend temporarily operations in respect of new loans and guarantees pending an opportunity for further consideration and action by the Board of Governors.

(b) The Bank may suspend permanently its operations in respect of new loans and guarantees by vote of a majority of the Governors, exercising a majority of the total voting power. After such suspension of operations the Bank shall forthwith cease all activities, except those incident to the orderly realization, conservation, and preservation of its assets and settlement of its obligations.

(c) The liability of all members for uncalled subscriptions to the capital stock of the Bank and in respect of the depreciation of their own currencies shall continue until all claims of creditors, including all contingent claims, shall have been discharged.

(d) All creditors holding direct claims shall be paid out of the assets of the Bank, and then out of payments to the Bank on calls on unpaid subscriptions. Before making any payments to creditors holding direct claims, the Executive Directors shall make such arrangements as are necessary, in their judgment, to insure a distribution to holders of contingent claims ratably with creditors holding direct claims.

(e) No distribution shall be made to members on account of their subscriptions to the capital stock of the Bank until

(i) all liabilities to creditors have been discharged or provided for, and

(ii) a majority of the Governors, exercising a majority of the total voting power, have decided to make a distribution.

(f) After a decision to make a distribution has been taken under (e) above, the Executive Directors may by a two-thirds majority vote make successive distributions of the assets of the Bank to members until all of the assets have been distributed. This distribution shall be subject to the prior settlement of all outstanding claims of the Bank against each member.

(g) Before any distribution of assets is made, the Executive Directors shall fix the proportionate share of each member according to the ratio of its shareholding to the total outstanding shares of the Bank.

(h) The Executive Directors shall value the assets to be distributed as at the date of distribution and then proceed to distribute in the following manner:

(i) There shall be paid to each member in its own obligations or those of its official agencies or legal entities within its territories, insofar as they are available for distribution, an amount equivalent in value to its proportionate share of the total amount to be distributed.

(ii) Any balance due to a member after payment has been made under (i) above shall be paid, in its own currency, insofar as it is held by the Bank, up to an amount equivalent in value to such balance.

(iii) Any balance due to a member after payment has been made under (i) and (ii) above shall be paid in gold or currency acceptable to the member, insofar as they are held by the Bank, up to an amount equivalent in value to such balance.

(iv) Any remaining assets held by the Bank after payments have been made to members under (i), (ii) and (iii) above shall be distributed *pro rata* among the members.

(i) Any member receiving assets distributed by the Bank in accordance with (h) above, shall enjoy the same rights with respect to such assets as the Bank enjoyed prior to their distribution.

ARTICLE VII

STATUS, IMMUNITIES AND PRIVILEGES

Section 1. *Purposes of Article*

To enable the Bank to fulfill the functions with which it is entrusted, the status, immunities and privileges set forth in this Article shall be accorded to the Bank in the territories of each member.

Section 2. *Status of the Bank*

The Bank shall possess full juridical personality, and, in particular, the capacity:

(i) to contract;

(ii) to acquire and dispose of immovable and movable property;

(iii) to institute legal proceedings.

Section 3. *Position of the Bank with regard to judicial process*

Actions may be brought against the Bank only in a court of competent jurisdiction in the territories of a member in which the Bank has an office, has appointed an agent for the purpose of accepting service or notice of process, or has issued or guaranteed securities. No actions shall, however, be brought by members or persons acting for or deriving claims from members. The property and assets of the Bank shall, wheresoever located and by whomsoever held, be immune from all forms of seizure, at-

tachment or execution before the delivery of final judgment against the Bank.

Section 4. *Immunity of assets from seizure*

Property and assets of the Bank, wherever located and by whomsoever held, shall be immune from search, requisition, confiscation, expropriation or any other form of seizure by executive or legislative action.

Section 5. *Immunity of archives*

The archives of the Bank shall be inviolable.

Section 6. *Freedom of assets from restrictions*

To the extent necessary to carry out the operations provided for in this Agreement and subject to the provisions of this Agreement, all property and assets of the Bank shall be free from restrictions, regulations, controls and moratoria of any nature.

Section 7. *Privilege for communications*

The official communications of the Bank shall be accorded by each member the same treatment that it accords to the official communications of other members.

Section 8. *Immunities and privileges of officers and employees*

All governors, executive directors, alternates, officers and employees of the Bank

(i) shall be immune from legal process with respect to acts performed by them in their official capacity except when the Bank waives this immunity;

(ii) not being local nationals, shall be accorded the same immunities from immigration restrictions, alien registration requirements and national service obligations and the same facilities as regards exchange restrictions as are accorded by members to the representatives, officials and employees of comparable rank of other members;

(iii) shall be granted the same treatment in respect of travelling facilities as is accorded by members to representatives, officials and employees of comparable rank of other members.

Section 9. *Immunities from taxation*

(a) The Bank, its assets, property, income and its operations and transactions authorized by this Agreement, shall be immune from all taxation and from all customs duties. The Bank shall also be immune from liability for the collection or payment of any tax or duty.

(b) No tax shall be levied on or in respect of salaries and emoluments paid by the Bank to executive directors, alternates, officials or employees of the Bank who are not local citizens, local subjects, or other local nationals.

(c) No taxation of any kind shall be levied on any obligation or security issued by the Bank (including any dividend or interest thereon) by whomsoever held—

(i) which discriminates against such obligation or security solely because it is issued by the Bank; or

(ii) if the sole jurisdictional basis for such taxation is the place or currency in which it is issued, made payable or paid, or the location of any office or place of business maintained by the Bank.

(d) No taxation of any kind shall be levied on any obligation or security guaranteed by the Bank (including any dividend or interest thereon) by whomsoever held—

(i) which discriminates against such obligation or security solely because it is guaranteed by the Bank; or

(ii) if the sole jurisdictional basis for such taxation is the location of any office or place of business maintained by the Bank.

Section 10. *Application of Article*

Each member shall take such action as is necessary in its own territories for the purpose of making effective in terms of its own law the principles set forth in this Article and shall inform the Bank of the detailed action which it has taken.

ARTICLE VIII

AMENDMENTS

(a) Any proposal to introduce modifications in this Agreement, whether emanating from a member, a governor or the Executive Directors, shall be communicated to the Chairman of the Board of Governors who shall bring the proposal before the Board. If the proposed amendment is approved by the Board the Bank shall, by circular letter or telegram, ask all members whether they accept the proposed amendment. When three-fifths of the members, having four-fifths of the total voting power, have accepted the proposed amendment, the Bank shall certify the fact by formal communication addressed to all members.

(b) Notwithstanding (a) above, acceptance by all members is required in the case of any amendment modifying

(i) the right to withdraw from the Bank provided in Article VI, Section 1;

(ii) the right secured by Article II, Section 3 (c);

(iii) the limitation on liability provided in Article II, Section 6.

(c) Amendments shall enter into force for all members three months after the date of the formal communication unless a shorter period is specified in the circular letter or telegram.

ARTICLE IX

INTERPRETATION

(a) Any question of interpretation of the provisions of this Agreement arising between any member and the Bank or between any members of the Bank shall be submitted to the Executive Directors for their decision. If the ques-

tion particularly affects any member not entitled to appoint an executive director, it shall be entitled to representation in accordance with Article V, Section 4 (h).

(b) In any case where the Executive Directors have given a decision under (a) above, any member may require that the question be referred to the Board of Governors, whose decision shall be final. Pending the result of the reference to the Board, the Bank may, so far as it deems necessary, act on the basis of the decision of the Executive Directors.

(c) Whenever a disagreement arises between the Bank and a country which has ceased to be a member, or between the Bank and any member during the permanent suspension of the Bank, such disagreement shall be submitted to arbitration by a tribunal of three arbitrators, one appointed by the Bank, another by the country involved and an umpire who, unless the parties otherwise agree, shall be appointed by the President of the Permanent Court of International Justice or such other authority as may have been prescribed by regulation adopted by the Bank. The umpire shall have full power to settle all questions of procedure in any case where the parties are in disagreement with respect thereto.

ARTICLE X

APPROVAL DEEMED GIVEN

Whenever the approval of any member is required before any act may be done by the Bank, except in Article VIII, approval shall be deemed to have been given unless the member presents an objection within such reasonable period as the Bank may fix in notifying the member of the proposed act.

ARTICLE XI

FINAL PROVISIONS

Section 1. *Entry into force*

This Agreement shall enter into force when it has been signed on behalf of governments whose minimum subscriptions comprise not less than sixty-five percent of the total subscriptions set forth in Schedule A and when the instruments referred to in Section 2 (a) of this Article have been deposited on their behalf, but in no event shall this Agreement enter into force before May 1, 1945.

Section 2. *Signature*

(a) Each government on whose behalf this Agreement is signed shall deposit with the Government of the United States of America an instrument setting forth that it has accepted this Agreement in accordance with its law and has taken all steps necessary to enable it to carry out all of its obligations under this Agreement.

(b) Each government shall become a member of the Bank as from the date of the deposit on its behalf of the instrument referred to in (a) above, except that no government shall become a member before this Agreement enters into force under Section 1 of this Article.

(c) The Government of the United States of America shall inform the government of all countries whose names are set forth in Schedule A, and all governments whose membership is approved in accordance with Article II, Section 1 (b), of all signatures of this Agreement and of the deposit of all instruments referred to in (a) above.

(d) At the time this Agreement is signed on its behalf, each government shall transmit to the Government of the United States of America one one-hundredth of one percent of the price of each share in gold or United States dollars for the purpose of meeting administrative expenses of the Bank. This payment shall be credited on account of the payment to be made in accordance with Article II, Section 8 (a). The Government of the United States of America shall hold such funds in a special deposit account and shall transmit them to the Board of Governors of the Bank when the initial meeting has been called under Section 3 of this Article. If this Agreement has not come into force by December 31, 1945, the Government of the United States of America shall return such funds to the governments that transmitted them.

(e) This Agreement shall remain open for signature at Washington on behalf of the governments of the countries whose names are set forth in Schedule A until December 31, 1945.

(f) After December 31, 1945, this Agreement shall be open for signature on behalf of the government of any country whose membership has been approved in accordance with Article II, Section 1 (b).

(g) By their signature of this Agreement, all governments accept it both on their own behalf and in respect of all their colonies, overseas territories, all territories under their protection, suzerainty, or authority and all territories in respect of which they exercise a mandate.

(h) In the case of governments whose metropolitan territories have been under enemy ocupation, the deposit of the instrument referred to in (a) above may be delayed until one hundred and eighty days after the date on which these territories have been liberated. If, however, it is not deposited by any such government before the expiration of this period, the signature affixed on behalf of that government shall become void and the portion of its subscription paid under (d) above shall be returned to it.

(i) Paragraphs (d) and (h) shall come into force with regard to each signatory government as from the date of its signature.

Section 3. *Inauguration of the Bank*

(a) As soon as this Agreement enters into force under Section 1 of this Article, each member shall appoint a governor and the member

to whom the largest number of shares is allocated in Schedule A shall call the first meeting of the Board of Governors.

(b) At the first meeting of the Board of Governors, arrangements shall be made for the selection of provisional executive directors. The governments of the five counties, to which the largest number of shares are allocated in Schedule A, shall appoint provisional executive directors. If one or more of such governments have not become members, the executive directorships which they would be entitled to fill shall remain vacant until they become members, or until January 1, 1946, whichever is the earlier. Seven provisional executive directors shall be elected in accordance with the provisions of Schedule B and shall remain in office until the date of the first regular election of executive directors which shall be held as soon as practicable after January 1, 1946.

(c) The Board of Governors may delegate to the provisional executive directors any powers except those which may not be delegated to the Executive Directors.

(d) The Bank shall notify members when it is ready to commence operations.

Done at Washington, in a single copy which shall remain deposited in the archives of the Government of the United States of America, which shall transmit certified copies to all governments whose names are set forth in Schedule A and to all governments whose membership is approved in accordance with Article II, Section 1 (b).

SCHEDULE A

SUBSCRIPTIONS

	(millions of dollars)
Australia	200
Belgium	225
Bolivia	7
Brazil	105
Canada	325
Chile	35
China	600
Colombia	35
Costa Rica	2
Cuba	35
Czechoslovakia	125
Denmark[1]	
Dominican Republic	2
Ecuador	3.2
Egypt	40
El Salvador	1
Ethiopia	3
France	450
Greece	25
Guatemala	2
Haiti	2
Honduras	1
Iceland	1
India	400
Iran	24
Iraq	6
Liberia	.5
Luxembourg	10
Mexico	65
Netherlands	275
New Zealand	50
Nicaragua	.8
Norway	50
Panama	.2
Paraguay	.8
Peru	17.5
Philippine Commonwealth	15
Poland	125
Union of South Africa	100
Union of Soviet Socialist Republics	1200
United Kingdom	1300
United States	3175
Uruguay	10.5
Venezuela	10.5
Yugoslavia	40
Total	9100

SCHEDULE B

ELECTION OF EXECUTIVE DIRECTORS

1. The election of the elective executive directors shall be by ballot of the Governors eligible to vote under Article V, Section 4 (b).

2. In balloting for the elective executive directors, each governor eligible to vote shall cast for one person all of the votes to which the member appointing him is entitled under Section 3 of Article V. The seven persons receiving the greatest number of votes shall be executive directors, except that no person who receives less than fourteen percent of the total of the votes which can be cast (eligible votes) shall be considered elected.

3. When seven persons are not elected on the first ballot, a second ballot shall be held in which the person who received the lowest number of votes shall be ineligible for election and in which there shall vote only (a) those governors who voted in the first ballot for a person not elected and (b) those governors whose votes for a person elected are deemed under 4 below to have raised the votes cast for that person above thereby exceeded fifteen per cent.

4. In determining whether the votes cast by a governor are to be deemed to have raised the total of any person above fifteen percent of the eligible votes, the fifteen percent shall be deemed to include, first, the votes of the governor casting the largest number of votes for such person, then the votes of the governor casting the next largest number, and so on until fifteen percent is reached.

5. Any governor, part of whose votes must be counted in order to raise the total of any person above fourteen percent, shall be considered as casting all of his votes for such person even if the total votes for such person thereby exceeded fifteen percent.

6. If, after the second ballot, seven persons have not been elected, further ballots shall be held on the same principles until seven persons have been elected, provided that after six persons are elected, the seventh may be elected by a simple majority of the remaining votes and shall be deemed to have been elected by all such votes.

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[1] The quota of Denmark was determined by the Bank, after Denmark had accepted membership, at $68,000,000.

VI. The International Monetary Fund

A. THE BRETTON WOODS CONFERENCE

The United Nations Monetary and Financial Conference met in Bretton Woods, New Hampshire, from July 1 to 22, 1944, at the invitation of President Franklin D. Roosevelt, of the United States. Participating in the Conference were representatives of 44 United and Associated Nations.

The Conference was called to formulate definite proposals for an International Monetary Fund and an International Bank for Reconstruction and Development. Two years of exploratory discussions between the monetary and financial experts of the United Nations had preceded the formal meeting at Bretton Woods, and large areas of agreement had already been reached by the time the Conference began.

At the inaugural session of the Conference on July 1, Mr. Henry Morgenthau, Jr., chairman of the United States delegation, was elected President of the Conference. On the following day the Conference established three Commissions, among which one, under the chairmanship of Mr. Harry D. White, was to formulate proposals for the Fund. The Final Act of the Conference, which included the Articles of Agreement of the International Monetary Fund, was submitted to the governments of the participating nations.

B. PURPOSES

The purposes of the Fund, as stated in the Articles of Agreement, are:

(1) To promote international monetary cooperation through a permanent institution which provides the machinery for consultation and collaboration on international monetary problems.

(2) To facilitate the expansion and balanced growth of international trade, and to contribute thereby to the promotion and maintenance of high levels of employment and real income and to the development of the productive resources of all members as primary objectives of economic policy.

(3) To promote exchange stability, to maintain orderly exchange arrangements among members, and to avoid competitive exchange depreciation.

(4) To assist in the establishment of a multilateral system of payments in respect of current transactions between members and in the elimination of foreign exchange restrictions which hamper the growth of world trade.

(5) To give confidence to members by making the Fund's resources available to them under adequate safeguards, thus providing them with opportunity to correct maladjustment in their balance of payments without resorting to measures destructive of national or international prosperity.

(6) In accordance with the above, to shorten the duration and lessen the degree of disequilibrium in the international balances of payments of members.

C. STRUCTURE

The Fund has a Board of Governors, Executive Directors, a Managing Director and a staff.

All powers of the Fund are vested in the Board of Governors, consisting of one Governor and one alternate appointed by each member. As stated in the Articles of Agreement, the Board may delegate to the Executive Directors authority to exercise any powers of the Board, except the power to:

(1) Admit new members and determine the conditions of their admission.

(2) Approve a revision of quotas.

(3) Approve a uniform change in the par value of the currencies of all members.

(4) Make arrangements to co-operate with other international organizations (other than informal arrangements of a temporary or administrative character).

(5) Determine the distribution of the net income of the Fund.

(6) Require a member to withdraw.

(7) Decide to liquidate the Fund.

There are at least twelve Executive Directors, five of whom are appointed by members having the largest quotas. Seven are elected every two years as follows: five by members not entitled to appoint Directors, other than the American Republics; and two by the American Republics not entitled to appoint Directors.

In accordance with a resolution of the inaugural meeting at Savannah, an additional Director has been elected, bringing the total to thirteen. The Executive Directors are responsible for the conduct of the general operations of the Fund and exercise all the powers delegated to them by the Board of Governors.

The Executive Directors elect a Managing Director, who may not be a Governor or an Executive Director. He is the chairman of the Executive Directors. As the chief of the operating staff he conducts, under the direction of the Executive Directors, the ordinary business of the Fund.

Except as otherwise provided, decisions of the Fund are made by a simple majority vote. Each Governor casts as a unit all votes allotted to that member State which he represents. In the case of Executive Directors, an appointed Director casts as a unit all votes allotted to the member appointing him; an elected Executive Director casts as a unit the total number of votes allotted to those member States which elected him.

D. ACTIVITIES

The Articles of Agreement of the Fund came into force on December 27, 1945, when it was signed and instruments of acceptance were deposited in Washington on behalf of 29 governments with approximately 80 per cent of the total subscriptions.

The United States, in accordance with the Bretton Woods Agreement, issued an invitation to the other member governments to attend the Inaugural Meeting of the Board of Governors. An invitation to send observers to this meeting was extended to those governments which participated in the Bretton Woods Conference but had not signed the Articles of Agreement. The United Nations Economic and Social Council also was invited to send an observer.

The Inaugural Meeting of the Board of Governors took place in Savannah, Georgia, from March 8 to 18, 1946. It was mainly devoted to organizational and administrative matters. The Board adopted the By-Laws of the Fund, which were complementary to the Articles of Agreement of the Fund. It was decided that the Fund should be located within the metropolitan area of Washington, D.C., in the United States. The Board also decided that the time limit for admission to membership of participants in the Bretton Woods Conference should be extended to December 31, 1946, and that the applications for membership by Italy, Lebanon, Syria and Turkey should be referred to the Executive Directors for study and consideration.

The Executive Directors of the Fund met on May 6, 1946. Camille Gutt (Belgium) was elected Managing Director.

In their early meetings the Executive Directors considered that from the standpoint of its organization the Fund should be far enough advanced by September 1946 to warrant undertaking its major task of the initial determination of par values. This goal was realized and, accordingly, on September 12, cables were sent by the Managing Director to all member governments requesting information within 30 days concerning the par value of their currency based on the rates of exchange prevailing on October 28, 1945.

The Fund approved requests for additional time for the determination of initial par values by Brazil, China, the Dominican Republic, Greece, Poland, Yugoslavia, France with respect to French Indo China, and the Netherlands with respect to the Netherlands Indies. As required by the Articles of Agreement, the par value of the currency of each member was expressed in terms of gold as a common denominator or in terms of the United States dollar of the weight and fineness in effect on July 1, 1944. On the basis of the information

received, the Fund reached agreement with over 30 of its member governments on the structure of exchange rates which would govern most of the foreign transactions of the world. The members of the Fund are obligated under the Articles of Agreement to keep the foreign exchange rates for their currencies within one per cent of the par value that is established by agreement with the Fund. Only after consultation with the Fund and if it is necessary to correct a fundamental disequilibrium in the international balance of payment can a member make a change in the par value of its currency.

By the time of the first annual meeting of the Board of Governors, held in Washington, D.C., from September 27 to October 3, 1946, the initial organization of the Fund had been completed and the institution had become an operating agency. The Board approved the applications for membership of Italy, Lebanon, Syria and Turkey, provided they accepted membership by April 15, 1947, on the conditions approved by the Board. The admission of these countries brought total membership in the Fund to 44 States. Increases in the quotas of France and Paraguay were approved. The Board of Governors selected London as the site of its second annual meeting, scheduled to convene in September 1947.

After the agreements on initial parities had been reached with most of its members, the Fund, by March 1947, was in a position to begin exchange transactions. In this connection, the Fund sells to a member for its own currency or for gold the foreign exchange it needs to make payments for imports and other current transactions. The foreign exchange sold by the Fund for a member's currency is to be repurchased by the member under specified conditions. Exchange transactions began with two operations: the first, $25,000,000 for France; the second, $12,000,000 for the Netherlands. The transactions with France was made entirely in United States dollars in exhange for francs at the rates set by the Fund to govern world currency transactions. The Netherlands obtained $6,000,000 in United States dollars and the remaining half in British pounds in exchange for an equivalent amount in Dutch guilders.

E. ADMINISTRATIVE BUDGET

The administrative budget of the Fund is prepared annually by the Managing Director for the approval of the Board of Governors. Due to the uncertainty in the amount and number of the Fund's transactions during the first financial year, and the resulting impossibility of estimating the staff and other administrative requirements for these transactions, a report of the required administrative budget was not submitted to the first annual meeting of the Board of Governors. An administrative budget will, however, be submitted to the second annual meeting of the Board of Governors.

F. QUOTAS AND VOTING POWER OF MEMBERS
(as of June 30, 1947)

Country	*Quota (in millions of U.S. dollars)*	*Number of votes*
Belgium	225	2,500
Bolivia	10	350
Brazil	150	1,750
Canada	300	3,250
Chile	50	750
China	550	5,750
Colombia	50	750
Costa Rica	5	300
Cuba	50	750
Czechoslovakia	125	1,500
Denmark	68	930
Dominican Republic	5	300
Ecuador	5	300
Egypt	45	700
El Salvador	2.5	275
Ethiopia	6	310
France	525	5,500
Greece	40	650
Guatemala	5	300
Honduras	2.5	275
Iceland	1	260
India	400	4,250
Iran	25	500
Iraq	8	330
Italy	180	2,050
Lebanon	4.5	295
Luxembourg	10	350
Mexico	90	1,150
Netherlands	275	3,000
Nicaragua	2	270
Norway	50	750
Panama	.5	255
Paraguay	2	270
Peru	25	500
Philippine Republic	15	400

Poland	125	1,500	United States	2,750	27,750
Syria	6.5	315	Uruguay	15	400
Turkey	43	680	Venezuela	15	400
Union of South Africa	100	1,250	Yugoslavia	60	850
United Kingdom	1,300	13,250	TOTAL	7,721.5	88,215

ANNEX I

MEMBERS AND OFFICERS

Members (as of June 30, 1947)

Belgium
Bolivia
Brazil
Canada
Chile
China
Colombia
Costa Rica
Cuba
Czechoslovakia
Denmark
Dominican Republic
Ecuador
Egypt
El Salvador
Ethiopia
France
Greece
Guatemala
Honduras
Iceland
India
Iran
Iraq
Italy
Lebanon
Luxembourg
Mexico
Netherlands
Nicaragua
Norway
Panama
Paraguay
Peru
Philippine Republic
Poland
Syria
Turkey
Union of South Africa
United Kingdom
United States
Uruguay
Venezuela
Yugoslavia

Participants in Bretton Woods Conference, which had not become Members of the Fund as of June 30, 1947

Australia[1]
Haiti
Liberia
New Zealand
U.S.S.R.

Board of Governors

(as of June 30, 1947)

Belgium	
Governor	Maurice Frere
Alternate	C. Duquesne
Bolivia	
Governor	Rene Ballivian Calderon
Alternate	Jaime Gutierres Guerra
Brazil	
Governor	Francisco Alves dos Santos-Filho
Alternate	Edgard de Mello
Canada	
Governor	Douglas Charles Abbott
Alternate	Graham F. Towers
Chile	
Governor	Arturo Maschke
Alternate	Fernando Illanes
China	
Governor	O. K. Yui
Alternate	Hsi Te-Mou
Colombia	
Governor	Emilio Toro
Alternate	Ignacio Copete Lizarralde
Costa Rica	
Governor	Julio Pena Morua
Alternate	Angel Coronas Guardia
Cuba	
Governor	Guillermo Belt
Alternate	Jose A. Rodriguez Dod
Czechoslovakia	
Governor	Jan Viktor Mladek
Alternate	Julius Pazman
Denmark	
Governor	Carl Valdemar Bramsnaes
Alternate	Einar Dige
Dominican Republic	
Governor	Jesus Maria Troncoso
Alternate	Licenciado Jose Calzada
Ecuador	
Governor	Guillermo Perez-Chiriboga
Alternate	Leonardo Stagg
Egypt	
Governor	Ahmed Zaki Bey Saad
Alternate	Mahmoud Saleh El Falaki
El Salvador	
Governor	Catalino Herrera
Alternate	Manuel Melendez-Valle
Ethiopia	
Governor	George A. Blowers
France	
Governor	Pierre Mendes-France
Alternate	Emmanuel Monick
Greece	
Governor	Xenophon Zolotas
Alternate	Alexander Kouklelis
Guatemala	
Governor	Manuel Noriega Morales
Alternate	Leonidas Acevedo
Honduras	
Governor	Julian R. Caceres
Alternate	Jorge Fidel Duron
Iceland	
Governor	Asgeir Asgeirsson
Alternate	Thor Thors
India	
Governor	Sir Chintaman Deshmukh
Alternate	N. Sundaresan
Iran	
Governor	A. H. Ebtehaj
Alternate	Mocharraf Naficy
Iraq	
Governor	Ali Jawdat
Alternate	A. M. Gailani
Italy	
Governor	Luigi Einaudi
Alternate	Ugo la Malfa

[1] Australia became a member of the Fund in August 1947. Its quota in the Fund is $200,000,000; it is entitled to 2,250 votes.

Lebanon
Governor Charles Malik
Alternate George Hakim
Luxembourg
Governor Pierre Dupong
Alternate Hugues Le Gallais
Mexico
Governor Antonio Espinosa de los Monteros
Alternate Luciano Wiechers
Netherlands
Governor P. Lieftinck
Alternate M. W. Holtrop
Nicaragua
Governor Guillermo Sevilla Sacasa
Alternate Rafael A. Huezo
Norway
Governor Gunnar Jahn
Alternate Ole Colbjornsen
Panama
Governor Joaquin Jose Vallarino
Alternate Roberto Heurtematte
Paraguay
Governor Juna Plate
Alternate Ruben Benitez
Peru
Governor Francisco Tudela Varela
Alternate Emilio Barreto
Philippine Republic
Governor Joaquin M. Elizalde
Alternate Narciso Ramos
Poland
Governor Edward Drozniak
Alternate Janusz Zoltowski
Syria
Governor Faiz El Khoury
Alternate Husni A. Sawwaf
Turkey
Governor Nurullah Esat Sumer
Alternate Bulent Yazici
Union of South Africa
Governor Jan Hendrik Hofmeyr
Alternate M. H. de Kock
United Kingdom
Governor Hugh Dalton
Alternate Sir James Grigg
United States
Governor John W. Snyder
Alternate William L. Clayton
Uruguay
Alternate Hugo Garcia
Venezuela
Governor Carlos A. D'Ascoli
Alternate Jose Antonio Mayobre
Yugoslavia
Governor Stane Krasovec
Alternate Vaso Srzentic

Executive Board

(as of June 30, 1947)

Chairman: Camille Gutt (Belgium)

Appointed:

United States
Executive Director Andrew N. Overby
Alternate George F. Luthringer

United Kingdom
Executive Director George Bolton
Alternate M. H. Parsons

China
Executive Director Yee-Chun Koo
Alternate Yueh-Lien Chang

France
Executive Director Jean de Largentaye
Alternate T. de Clermont-Tonnerre

India
Executive Director J. V. Joshi
Alternate B. K. Madan

Elected:

Member Country

Bolivia, Brazil, Chile, Ecuador, Panama, Paraguay, Peru, Uruguay
Executive Director Francisco Alves dos Santos-Filho (Brazil)
Alternate Octavio Paranagua (Brazil)

Colombia, Costa Rica, Cuba, Dominican Republic, El Salvador, Guatemala, Honduras, Mexico, Nicaragua
Executive Director Rodrigo Gomez (Mexico)
Alternate Raul Martinez-Ostos (Mexico)

Netherlands, Union of South Africa
Executive Director G. W. J. Bruins (Netherlands)
Alternate Willem Koster (Netherlands)

Canada, Norway
Executive Director Louis Rasminsky (Canada)
Alternate J. F. Parkinson (Canada)

Czechoslovakia, Poland, Yugoslavia
Executive Director J. V. Mladek (Czechoslovakia)
Alternate Mihailo Kolovic (Czechoslovakia)

Belgium, Iceland, Luxembourg
Executive Director Hubert Ansiaux (Belgium)
Alternate Ernest de Selliers (Belgium)

Egypt Ethiopia Greece Iran Iraq Philippine Republic	*Executive Director* **Ahmed Zaki** Bey Saad (Egypt) *Alternate* Mahmoud Saleh El Falaki (Egypt)	*Managing Director of the Fund* Camille Gutt (Belgium)
Denmark Italy Turkey Venezuela	*Executive Director* Guido Carli (Italy) *Alternate* Giorgio Cigliana-Piazza (Italy)	*Headquarters* Address: International Monetary Fund 1818 H Street, N.W. Washington 6, D.C. Cable Address: Interfund Telephone number: Executive 6360

ANNEX II

Articles of Agreement of the International Monetary Fund

The Governments on whose behalf the present Agreement is signed agree as follows:

INTRODUCTORY ARTICLE

The International Monetary Fund is established and shall operate in accordance with the following provisions:

ARTICLE I. PURPOSES

The purposes of the International Monetary Fund are:

(i) To promote international monetary cooperation through a permanent institution which provides the machinery for consultation and collaboration on international monetary problems.

(ii) To facilitate the expansion and balanced growth of international trade, and to contribute thereby to the promotion and maintenance of high levels of employment and real income and to the development of the productive resources of all members as primary objectives of economic policy.

(iii) To promote exchange stability, to maintain orderly exchange arrangements among members, and to avoid competitive exchange depreciation.

(iv) To assist in the establishment of a multilateral system of payments in respect of current transactions between members and in the elimination of foreign exchange restrictions which hamper the growth of world trade.

(v) To give confidence to members by making the Fund's resources available to them under adequate safeguards, thus providing them with opportunity to correct maladjustments in their balance of payments without resorting to measures destructive of national or international prosperity.

(vi) In accordance with the above, to shorten the duration and lessen the degree of disequilibrium in the international balances of payments of members.

The Fund shall be guided in all its decisions by the purposes set forth in this Article.

ARTICLE II. MEMBERSHIP

SECTION 1. *Original members.*—The original members of the Fund shall be those of the countries represented at the United Nations Monetary and Financial Conference whose governments accept membership before the date specified in Article XX, Section 2 (*e*).

SEC. 2. *Other members.*—Membership shall be open to the governments of other countries at such times and in accordance with such terms as may be prescribed by the Fund.

ARTICLE III. QUOTAS AND SUBSCRIPTIONS

SECTION 1. *Quotas.*—Each member shall be assigned a quota. The quotas of the members represented at the United Nations Monetary and Financial Conference which accept membership before the date specified in Article XX, Section 2 (*e*), shall be those set forth in Schedule A. The quotas of other members shall be determined by the Fund.

SEC. 2. *Adjustment of quotas.* The Fund shall at intervals of five years review, and if it deems it appropriate propose an adjustment of, the quotas of the members. It may also, if it thinks fit, consider at any other time the adjustment of any particular quota at the request of the member concerned. A four-fifths majority of the total voting power shall be required for any change in quotas and no quota shall be changed without the consent of the member concerned.

SEC. 3. *Subscriptions: Time, place, and form of payment.*—(*a*) The subscription of each member shall be equal to its quota and shall be paid in full to the Fund at the appropriate depository on or before the date when the member becomes eligible under Article XX, Section 4 (*c*) or (*d*), to buy currencies from the Fund.

(*b*) Each member shall pay in gold, as a minimum, the smaller of

(i) twenty-five per cent of its quota; or

(ii) ten per cent of its net official holdings

of gold and United States dollars as at the date when the Fund notifies members under Article XX, Section 4 (*a*) that it will shortly be in a position to begin exchange transactions.

Each member shall furnish to the Fund the data necessary to determine its net official holdings of gold and United States dollars.

(*c*) Each member shall pay the balance of its quota in its own currency.

(*d*) If the net official holdings of gold and United States dollars of any member as at the date referred to in (*b*) (ii) above are not ascertainable because its territories have been occupied by the enemy, the Fund shall fix an appropriate alternative date for determining such holdings. If such date is later than that on which the country becomes eligible under Article XX, Section 4 (*c*) or (*d*), to buy currencies from the Fund, the Fund and the member shall agree on a provisional gold payment to be made under (*b*) above, and the balance of the member's subscription shall be paid in the member's currency, subject to appropriate adjustment between the member and the Fund when the net official holdings have been ascertained.

SEC. 4. *Payments when quotas are changed.*—(*a*) Each member which consents to an increase in its quota shall, within thirty days after the date of its consent, pay to the Fund twenty-five per cent of the increase in gold and the balance in its own currency. If, however, on the date when the member consents to an increase, its monetary reserves are less than its new quota, the Fund may reduce the proportion of the increase to be paid in gold.

b) If a member consents to a reduction in its quota, the Fund shall, within thirty days after the date of the consent, pay to the member an amount equal to the reduction. The payment shall be made in the member's currency and in such amount of gold as may be necessary to prevent reducing the Fund's holdings of the currency below seventy-five per cent of the new quota.

SEC. 5. *Substitution of securities for currency.*—The Fund shall accept from any member in place of any part of the member's currency which in the judgment of the Fund is not needed for its operations, notes or similar obligations issued by the member or the depository designated by the member under Article XIII, Section 2, which shall be non-negotiable, non-interest bearing and payable at their par value on demand by crediting the account of the Fund in the designated depository. This Section shall apply not only to currency subscribed by members but also to any currency otherwise due to, or acquired by, the Fund.

ARTICLE IV. PAR VALUES OF CURRENCIES

SECTION 1. *Expression of par values.*—(*a*) The par value of the currency of each member shall be expressed in terms of gold as a common denominator or in terms of the United States dollar of the weight and fineness in effect on July 1, 1944.

(*b*) All computations relating to currencies of members for the purpose of applying the provisions of this Agreement shall be on the basis of their par values.

SEC. 2. *Gold purchases based on par values.*—The Fund shall prescribe a margin above and below par value for transactions in gold by members, and no member shall buy gold at a price above par value plus the prescribed margin, or sell gold at a price below par value minus the prescribed margin.

SEC. 3. *Foreign exchange dealings based on parity.*—The maximum and the minimum rates for exchange transactions between the currencies of members taking place within their territories shall not differ from parity

(i) in the case of spot exchange transactions, by more than one per cent; and

(ii) in the case of other exchange transactions, by a margin which exceeds the margin for spot exchange transactions by more than the Fund considers reasonable.

SEC. 4. *Obligations regarding exchange stability.*—(*a*) Each member undertakes to collaborate with the Fund to promote exchange stability, to maintain orderly exchange arrangements with other members, and to avoid competitive exchange alterations.

(*b*) Each member undertakes, through appropriate measures consistent with this Agreement, to permit within its territories exchange transactions between its currency and the currencies of other members only within the limits prescribed under Section 3 of this Article. A member whose monetary authorities, for the settlement of international transactions, in fact freely buy and sell gold within the limits prescribed by the Fund under Section 2 of this Article shall be deemed to be fulfilling this undertaking.

SEC. 5. *Changes in par values.*—(*a*) A member shall not propose a change in the par value of its currency except to correct a fundamental disequilibrium.

(*b*) A change in the par value of a member's currency may be made only on the proposal of the member and only after consultation with the Fund.

(*c*) When a change is proposed, the Fund shall first take into account the changes, if any, which have already taken place in the initial par value of the member's currency as determined under Article XX, Section 4. If the proposed change, together with all previous changes, whether increases or decreases,

(i) does not exceed ten per cent of the initial par value, the Fund shall raise no objection;

(ii) does not exceed a further ten per cent of the initial par value, the Fund may either concur or object, but shall declare its attitude

within seventy-two hours if the member so requests;

(iii) is not within (i) or (ii) above, the Fund may either concur or object, but shall be entitled to a longer period in which to declare its attitude.

(*d*) Uniform changes in par values made under Section 7 of this Article shall not be taken into account in determining whether a proposed change falls within (i), (ii), or (iii) of (*c*) above.

(*e*) A member may change the par value of its currency without the concurrence of the Fund if the change does not affect the international transactions of members of the Fund.

(*f*) The Fund shall concur in a proposed change which is within the terms of (*c*) (ii) or (*c*) (iii) above if it is satisfied that the change is necessary to correct a fundamental disequilibrium. In particular, provided it is so satisfied, it shall not object to a proposed change because of the domestic social or political policies of the member proposing the change.

SEC. 6. *Effect of unauthorized changes.*—If a member changes the par value of its currency despite the objection of the Fund, in cases where the Fund is entitled to object, the member shall be ineligible to use the resources of the Fund unless the Fund otherwise determines; and if, after the expiration of a reasonable period, the difference between the member and the Fund continues, the matter shall be subject to the provisions of Article XV, Section 2 (*b*).

SEC. 7. *Uniform changes in par values.*—Notwithstanding the provisions of Section 5 (*b*) of this Article, the Fund by a majority of the total voting power may make uniform proportionate changes in the par values of the currencies of all members, provided each such change is approved by every member which has ten per cent or more of the total of the quotas. The par value of a member's currency shall, however, not be changed under this provision if, within seventy-two hours of the Fund's action, the member informs the Fund that it does not wish the par value of its currency to be changed by such action.

SEC. 8. *Maintenance of gold value of the Fund's assets.*—(*a*) The gold value of the Fund's assets shall be maintained notwithstanding changes in the par or foreign exchange value of the currency of any member.

(*b*) Whenever (i) the par value of a member's currency is reduced, or (ii) the foreign exchange value of a member's currency has, in the opinion of the Fund, depreciated to a significant extent within that member's territories, the member shall pay to the Fund within a reasonable time an amount of its own currency equal to the reduction in the gold value of its currency held by the Fund.

(*c*) Whenever the par value of a member's currency is increased, the Fund shall return to such member within a reasonable time an amount in its currency equal to the increase in the gold value of its currency held by the Fund.

(*d*) The provisions of this Section shall apply to a uniform proportionate change in the par values of the currencies of all members, unless at the time when such a change is proposed the Fund decides otherwise.

SEC. 9. *Separate currencies within a member's territories.*—A member proposing a change in the par value of its currency shall be deemed, unless it declares otherwise, to be proposing a corresponding change in the par value of the separate currencies of all territories in respect of which it has accepted this Agreement under Article XX, Section 2 (*g*). It shall, however, be open to a member to declare that its proposal relates either to the metropolitan currency alone, or only to one or more specified separate currencies, or to the metropolitan currency and one or more specified separate currencies.

ARTICLE V. TRANSACTIONS WITH THE FUND

SECTION 1. *Agencies dealing with the Fund.*—Each member shall deal with the Fund only through its Treasury, central bank, stabilization fund, or other similar fiscal agency and the Fund shall deal only with or through the same agencies.

SEC. 2. *Limitation on the Fund's operations.*—Except as otherwise provided in this Agreement, operations on the account of the Fund shall be limited to transactions for the purpose of supplying a member, on the initiative of such member, with the currency of another member in exchange for gold or for the currency of the member desiring to make the purchase.

SEC. 3. *Conditions governing use of the Fund's resources.*—(*a*) A member shall be entitled to buy the currency of another member from the Fund in exchange for its own currency subject to the following conditions:

(i) The member desiring to purchase the currency represents that it is presently needed for making in that currency payments which are consistent with the provisions of this Agreement;

(ii) The Fund has not given notice under Article VII, Section 3, that its holdings of the currency desired have become scarce;

(iii) The proposed purchase would not cause the Fund's holdings of the purchasing member's currency to increase by more than twenty-five per cent of its quota during the period of twelve months ending on the date of the purchase nor to exceed two hundred per cent of its quota, but the twenty-five per cent limitation shall apply only to the extent that the Fund's holdings of the member's currency have been brought above seventy-five per cent of its quota if they had been below that amount;

(iv) The Fund has not previously declared under Section 5 of this Article, Article IV,

Section 6, Article VI, Section 1, or Article XV, Section 2 (*a*), that the member desiring to purchase is ineligible to use the resources of the Fund.

(*b*) A member shall not be entitled without the permission of the Fund to use the Fund's resources to acquire currency to hold against forward exchange transactions.

SEC. 4. *Waiver of conditions.*—The Fund may in its discretion, and on terms which safeguard its interests, waive any of the conditions prescribed in Section 3 (*a*) of this Article, especially in the case of members with a record of avoiding large or continuous use of the Fund's resources. In making a waiver it shall take into consideration periodic or exceptional requirements of the member requesting the waiver. The Fund shall also take into consideration a member's willingness to pledge as collateral security gold, silver, securities, or other acceptable assets having a value sufficient in the opinion of the Fund to protect its interests and may require as a condition of waiver the pledge of such collateral security.

SEC. 5. *Ineligibility to use the Fund's resources.*—Whenever the Fund is of the opinion that any member is using the resources of the Fund in a manner contrary to the purposes of the Fund, it shall present to the member a report setting forth the views of the Fund and prescribing a suitable time for reply. After presenting such a report to a member, the Fund may limit the use of its resources by the member. If no reply to the report is received from the member within the prescribed time, or if the reply received is unsatisfactory, the Fund may continue to limit the member's use of the Fund's resources or may, after giving reasonable notice to the member, declare it ineligible to use the resources of the Fund.

SEC. 6. *Purchases of currencies from the Fund for gold.*—(*a*) Any member desiring to obtain, directly or indirectly, the currency of another member for gold shall, provided that it can do so with equal advantage, acquire it by the sale of gold to the Fund.

(*b*) Nothing in this Section shall be deemed to preclude any member from selling in any market gold newly produced from mines located within its territories.

SEC. 7. *Repurchase by a member of its currency held by the Fund.*—(*a*) A member may repurchase from the Fund and the Fund shall sell for gold any part of the Fund's holdings of its currency in excess of its quota.

(*b*) At the end of each financial year of the Fund, a member shall repurchase from the Fund with gold or convertible currencies, as determined in accordance with Schedule B, part of the Fund's holdings of its currency under the following conditions:

(i) Each member shall use in repurchases of its own currency from the Fund an amount of its monetary reserves equal in value to one-half of any increase that has occurred during the year in the Fund's holdings of its currency plus one-half of any increase, or minus one-half of any decrease, that has occurred during the year in the member's monetary reserves. This rule shall not apply when a member's monetary reserves have decreased during the year by more than the Fund's holdings of its currency have increased.

(ii) If after the repurchase described in (i) above (if required) has been made, a member's holdings of another member's currency (or of gold acquired from that member) are found to have increased by reason of transactions in terms of that currency with other members or persons in their territories, the member whose holdings of such currency (or gold) have thus increased shall use the increase to repurchase its own currency from the Fund.

(*c*) None of the adjustments described in (*b*) above shall be carried to a point at which

(i) the member's monetary reserves are below its quota, or

(ii) the Fund's holdings of its currency are below seventy-five per cent of its quota, or

(iii) the Fund's holdings of any currency required to be used are above seventy-five per cent of the quota of the member concerned.

SEC. 8. *Charges.*—(*a*) Any member buying the currency of another member from the Fund in exchange for its own currency shall pay a service charge uniform for all members of three-fourths per cent in addition to the parity price. The Fund in its discretion may increase this service charge to not more than one per cent or reduce it to not less than one-half per cent.

(*b*) The Fund may levy a reasonable handling charge on any member buying gold from the Fund or selling gold to the Fund.

(*c*) The Fund shall levy charges uniform for all members which shall be payable by any member on the average daily balances of its currency held by the Fund in excess of its quota. These charges shall be at the following rates:

(i) *On amounts not more than twenty-five per cent in excess of the quota*: no charge for the first three months; one-half per cent per annum for the next nine months; and thereafter an increase in the charge of one-half per cent for each subsequent year.

(ii) *On amounts more than twenty-five per cent and not more than fifty per cent in excess of the quota*: an additional one-half per cent for the first year; and an additional one-half per cent for each subsequent year.

(iii) *On each additional bracket of twenty-five per cent in excess of the quota*: an additional one-half per cent for the first year; and an additional one-half per cent for each subsequent year.

(*d*) Whenever the Fund's holdings of a member's currency are such that the charge applicable to any bracket for any period has reached the rate of four per cent per annum, the Fund and the member shall consider means by which the Fund's holdings of the currency can be reduced. Thereafter, the charges shall rise in accordance with the provisions of (*c*) above until they reach five per cent and failing agreement, the Fund may then impose such charges as it deems appropriate.

(*e*) The rates referred to in (*c*) and (*d*) above may be changed by a three-fourths majority of the total voting power.

(*f*) All charges shall be paid in gold. If, however, the member's monetary reserves are less than one-half of its quota, it shall pay in gold only that proportion of the charges due which such reserves bear to one-half of its quota, and shall pay the balance in its own currency.

ARTICLE VI. CAPITAL TRANSFERS

SECTION 1. *Use of the Fund's resources for capital transfers.*—(*a*) A member may not make net use of the Fund's resources to meet a large or sustained outflow of capital, and the Fund may request a member to exercise controls to prevent such use of the resources of the Fund. If, after receiving such a request, a member fails to exercise appropriate controls, the Fund may declare the member ineligible to use the resources of the Fund.

(*b*) Nothing in this Section shall be deemed

(i) to prevent the use of the resources of the Fund for capital transactions of reasonable amount required for the expansion of exports or in the ordinary course of trade, banking or other business, or

(ii) to affect capital movements which are met out of a member's own resources of gold and foreign exchange, but members undertake that such capital movements will be in accordance with the purposes of the Fund.

SEC. 2 *Special provisions for capital transfers.*—If the Fund's holdings of the currency of a member have remained below seventy-five per cent of its quota for an immediately preceding period of not less than six months, such member, if it has not been declared ineligible to use the resources of the Fund under Section 1 of this Article, Article IV, Section 6, Article V, Section 5, or Article XV, Section 2 (*a*), shall be entitled, notwithstanding the provisions of Section 1 (*a*) of this Article, to buy the currency of another member from the Fund with its own currency for any purpose, including capital transfers. Purchases for capital transfers under this Section shall not, however, be permitted if they have the effect of raising the Fund's holdings of the currency of the member desiring to purchase above seventy-five per cent of its quota, or of reducing the Fund's holdings of the currency desired below seventy-five per cent of the quota of the member whose currency is desired.

SEC. 3. *Controls of capital transfers.*—Members may exercise such controls as are necessary to regulate international capital movements, but no member may exercise these controls in a manner which will restrict payments for current transactions or which will unduly delay transfers of funds in settlement of commitments, except as provided in Article VII, Section 3 (*b*), and in Article XIV, Section 2.

ARTICLE VII. SCARCE CURRENCIES

SECTION 1. *General scarcity of currency.*—If the Fund finds that a general scarcity of a particular currency is developing, the Fund may so inform members and may issue a report setting forth the causes of the scarcity and containing recommendations designed to bring it to an end. A representative of the member whose currency is involved shall participate in the preparation of the report.

SEC. 2. *Measures to replenish the Fund's holdings of scarce currencies.*—The Fund may, if it deems such action appropriate to replenish its holdings of any member's currency, take either or both of the following steps:

(i) Propose to the member that, on terms and conditions agreed between the Fund and the member, the latter lend its currency to the Fund or that, with the approval of the member, the Fund borrow such currency from some other source either within or outside the territories of the member, but no member shall be under any obligation to make such loans to the Fund or to approve the borrowing of its currency by the Fund from any other source.

(ii) Require the member to sell its currency to the Fund for gold.

SEC. 3. *Scarcity of the Fund's holdings.*—(*a*) If it becomes evident to the Fund that the demand for a member's currency seriously threatens the Fund's ability to supply that currency, the Fund, whether or not it has issued a report under Section 1 of this Article, shall formally declare such currency scarce and shall thenceforth apportion its existing and accruing supply of the scarce currency with due regard to the relative needs of members, the general international economic situation, and any other pertinent considerations. The Fund shall also issue a report concerning its action.

(*b*) A formal declaration under (*a*) above shall operate as an authorization to any member, after consultation with the Fund, temporarily to impose limitations on the freedom of exchange operations in the scarce currency. Subject to the provisions of Article IV, Sections 3 and 4, the member shall have complete jurisdiction in determining the nature of such limitations, but they shall be no more restrictive than is necessary to limit the demand for the scarce currency to the supply held by, or accruing to, the member in question; and they shall be relaxed and removed as rapidly as conditions permit.

(*c*) The authorization under (*b*) above shall expire whenever the Fund formally declares the currency in question to be no longer scarce.

SEC. 4. *Administration of restrictions.*—Any member imposing restrictions in respect of the currency of any other member pursuant to the provisions of Section 3 (*b*) of this Article shall give sympathetic consideration to any representations by the other member regarding the administration of such restrictions.

SEC. 5. *Effect of other international agreements on restrictions.*—Members agree not to invoke the obligations of any engagements entered into with other members prior to this Agreement in such a manner as will prevent the operation of the provisions of this Article.

ARTICLE VIII. GENERAL OBLIGATIONS OF MEMBERS

SECTION 1. *Introduction.*—In addition to the obligations assumed under other articles of this Agreement, each member undertakes the obligations set out in this Article.

SEC. 2. *Avoidance of restrictions on current payments.*—(*a*) Subject to the provisions of Article VII, Section 3 (*b*), and Article XIV, Section 2, no member shall, without the approval of the Fund, impose restrictions on the making of payments and transfers for current international transactions.

(*b*) Exchange contracts which involve the currency of any member and which are contrary to the exchange control regulations of that member maintained or imposed consistently with this Agreement shall be unenforceable in the territories of any member. In addition, members may, by mutual accord, cooperate in measures for the purpose of making the exchange control regulations of either member more effective, provided that such measures and regulations are consistent with this Agreement.

SEC. 3. *Avoidance of discriminatory currency practices.*—No member shall engage in, or permit any of its fiscal agencies referred to in Article V, Section 1, to engage in, any discriminatory currency arrangements or multiple currency practices except as authorized under this Agreement or approved by the Fund. If such arrangements and practices are engaged in at the date when this Agreement enters into force the member concerned shall consult with the Fund as to their progressive removal unless they are maintained or imposed under Article XIV, Section 2, in which case the provisions of Section 4 of that Article shall apply.

SEC. 4. *Convertibility of foreign-held balances.*—(*a*) Each member shall buy balances of its currency held by another member if the latter, in requesting the purchase, represents

(i) that the balances to be bought have been recently acquired as a result of current transactions; or

(ii) that their conversion is needed for making payments for current transactions.

The buying member shall have the option to pay either in the currency of the member making the request or in gold.

(*b*) The obligation in (*a*) above shall not apply

(i) when the convertibility of the balances has been restricted consistently with Section 2 of this Article, or Article VI, Section 3; or

(ii) when the balances have accumulated as a result of transactions effected before the removal by a member of restrictions maintained or imposed under Article XIV, Section 2; or

(iii) when the balances have been acquired contrary to the exchange regulations of the member which is asked to buy them; or

(iv) when the currency of the member requesting the purchase has been declared scarce under Article VII, Section 3 (*a*); or

(v) when the member requested to make the purchase is for any reason not entitled to buy currencies of other members from the Fund for its own currency.

SEC. 5. *Furnishing of information.*—(*a*) The Fund may require members to furnish it with such information as it deems necessary for its operations, including, as the minimum necessary for the effective discharge of the Fund's duties, national data on the following matters:

(i) Official holdings at home and abroad, of (1) gold, (2) foreign exchange.

(ii) Holdings at home and abroad by banking and financial agencies, other than official agencies, of (1) gold, (2) foreign exchange.

(iii) Production of gold.

(iv) Gold exports and imports according to countries of destination and origin.

(v) Total exports and imports of merchandise, in terms of local currency values, according to countries of destination and origin.

(vi) International balance of payments, including (1) trade in goods and services, (2) gold transactions, (3) known capital transactions, and (4) other items.

(vii) International investment position, *i.e.*, investments within the territories of the member owned abroad and investments abroad owned by persons in its territories so far as it is possible to furnish this information.

(viii) National income.

(ix) Price indices, *i.e.*, indices of commodity prices in wholesale and retail markets and of export and import prices.

(x) Buying and selling rates for foreign currencies.

(xi) Exchange controls, *i.e.*, a comprehensive statement of exchange controls in effect at the time of assuming membership in the Fund and details of subsequent changes as they occur.

(xii) Where official clearing arrangements exist, details of amounts awaiting clearance in respect of commercial and financial trans-

actions, and of the length of time during which such arrears have been outstanding.

(*b*) In requesting information the Fund shall take into consideration the varying ability of members to furnish the data requested. Members shall be under no obligation to furnish information in such detail that the affairs of individuals or corporations are disclosed. Members undertake, however, to furnish the desired information in as detailed and accurate a manner as is practicable, and, so far as possible, to avoid mere estimates.

(*c*) The Fund may arrange to obtain further information by agreement with members. It shall act as a centre for the collection and exchange of information on monetary and financial problems, thus facilitating the preparation of studies designed to assist members in developing policies which further the purposes of the Fund.

SEC. 6. *Consultation between members regarding existing international agreements.*—Where under this Agreement a member is authorized in the special or temporary circumstances specified in the Agreement to maintain or establish restrictions on exchange transactions, and there are other engagements between members entered into prior to this Agreement which conflict with the application of such restrictions, the parties to such engagements will consult with one another with a view to making such mutually acceptable adjustments as may be necessary. The provisions of this Article shall be without prejudice to the operation of Article VII, Section 5.

ARTICLE IX. STATUS, IMMUNITIES AND PRIVILEGES

SECTION 1. *Purpose of Article.*—To enable the Fund to fulfill the functions with which it is entrusted, the status, immunities and privileges set forth in this Article shall be accorded to the Fund in the territories of each member.

SEC. 2. *Status of the Fund.*—The Fund shall possess full juridical personality, and in particular, the capacity

(i) to contract;

(ii) to acquire and dispose of immovable and movable property;

(iii) to institute legal proceedings.

SEC. 3. *Immunity from judicial process.*—The Fund, its property and its assets, wherever located and by whomsoever held, shall enjoy immunity from every form of judicial process except to the extent that it expressly waives its immunity from every form of judicial process or by the terms of any contract.

SEC. 4. *Immunity from other action.*—Property and assets of the Fund, wherever located and by whomsoever held, shall be immune from search, requisition, confiscation, expropriation or any other form of seizure by executive or legislative action.

SEC. 5. *Immunity of archives.*—The archives of the Fund shall be inviolable.

SEC. 6. *Freedom of assets from restrictions.*—To the extent necessary to carry out the operations provided for in this Agreement, all property and assets of the Fund shall be free from restrictions, regulations, controls and moratoria of any nature.

SEC. 7. *Privilege for communications.*—The official communications of the Fund shall be accorded by members the same treatment as the official communications of other members.

SEC. 8. *Immunities and privileges of officers and employees.*—All governors, executive directors, alternates, officers and employees of the Fund

(i) shall be immune from legal process with respect to acts performed by them in their official capacity except when the Fund waives this immunity;

(ii) not being local nationals, shall be granted the same immunities from immigration restrictions, alien registration requirements and national service obligations and the same facilities as regard exchange restrictions as are accorded by members to the representatives, officials, and employees of comparable rank of other members;

(iii) shall be granted the same treatment in respect of traveling facilities as is accorded by members to representatives, officials and employees of comparable rank of other members.

SEC. 9. *Immunities from taxation.*—(*a*) The Fund, its assets, property, income and its operations and transactions authorized by this Agreement, shall be immune from all taxation and from all customs duties. The Fund shall also be immune from liability for the collection or payment of any tax or duty.

(*b*) No tax shall be levied on or in respect of salaries and emoluments paid by the Fund to executive directors, alternates, officers or employees of the Fund who are not local citizens, local subjects, or other local nationals.

(*c*) No taxation of any kind shall be levied on any obligation or security issued by the Fund, including any dividend or interest thereon, by whomsoever held

(i) which discriminates against such obligation or security solely because of its origin; or

(ii) if the sole jurisdictional basis for such taxation is the place or currency in which it is issued, made payable or paid, or the location of any office or place of business maintained by the Fund.

SEC. 10. *Application of Article.*—Each member shall take such action as is necessary in its own territories for the purpose of making effective in terms of its own law the principles set forth in this Article and shall inform the Fund of the detailed action which it has taken.

ARTICLE X. RELATIONS WITH OTHER INTERNATIONAL ORGANIZATIONS

The Fund shall co-operate within the terms of this Agreement with any general international organization and with public international organizations having specialized responsibilities in related fields. Any arrangements for such co-operation which would involve a modification of any provision of this Agreement may be effected only after amendment to this Agreement under Article XVII.

ARTICLE XI. RELATIONS WITH NON-MEMBER COUNTRIES

SECTION 1. *Undertakings regarding relations with non-member countries.*— Each member undertakes:

(i) Not to engage in, nor to permit any of its fiscal agencies referred to in Article V, Section 1, to engage in, any transactions with a non-member or with persons in a non-member's territories which would be contrary to the provisions of this Agreement or the purposes of the Fund;

(ii) Not to co-operate with a non-member or with persons in a non-member's territories in practices which would be contrary to the provisions of this Agreement or the purposes of the Fund.

(iii) To co-operate with the Fund with a view to the application in its territories of appropriate measures to prevent transactions with non-members or with persons in their territories which would be contrary to the provisions of this Agreement or the purposes of the Fund.

SEC. 2. *Restrictions on transactions with non-member countries.*—Nothing in this Agreement shall affect the right of any member to impose restrictions on exchange transactions with non-members or with persons in their territories unless the Fund finds that such restrictions prejudice the interests of members and are contrary to the purposes of the Fund.

ARTICLE XII. ORGANIZATION AND MANAGEMENT

SECTION 1. *Structure of the Fund.*—The Fund shall have a Board of Governors, Executive Directors, a Managing Director, and a staff.

SEC. 2. *Board of Governors.*— (*a*) All powers of the Fund shall be vested in the Board of Governors, consisting of one governor and one alternate appointed by each member in such manner as it may determine. Each governor and each alternate shall serve for five years, subject to the pleasure of the member appointing him, and may be reappointed. No alternate may vote except in the absence of his principal. The Board shall select one of the governors as chairman.

(*b*) The Board of Governors may delegate to the Executive Directors authority to exercise any powers of the Board, except to:

(i) Admit new members and determine the conditions of their admission.

(ii) Approve a revision of quotas.

(iii) Approve a uniform change in the par value of the currencies of all members.

(iv) Make arrangements to co-operate with other international organizations (other than informal arrangements of a temporary or administrative character).

(v) Determine the distribution of the net income of the Fund.

(vi) Require a member to withdraw.

(vii) Decide to liquidate the Fund.

(viii) Decide appeals from interpretations of this agreement given by the Executive Directors.

(*c*) The Board of Governors shall hold an annual meeting and such other meetings as may be provided for by the Board or called by the Executive Directors. Meetings of the Board shall be called by the Directors whenever requested by five members or by members having one-quarter of the total voting power.

(*d*) A quorum for any meeting of the Board of Governors shall be a majority of the governors exercising not less than two-thirds of the total voting power.

(*e*) Each governor shall be entitled to cast the number of votes allotted under Section 5 of this Article to the member appointing him.

(*f*) The Board of Governors may by regulation establish a procedure whereby the Executive Directors, when they deem such action to be in the best interests of the Fund, may obtain a vote of the governors on a specific question without calling a meeting of the Board.

(*g*) The Board of Governors, and the Executive Directors to the extent authorized, may adopt such rules and regulations as may be necessary or appropriate to conduct the business of the Fund.

(*h*) Governors and alternates shall serve as such without compensation from the Fund, but the Fund shall pay them reasonable expenses incurred in attending meetings.

(*i*) The Board of Governors shall determine the remuneration to be paid to the Executive Directors and the salary and terms of the contract of service of the Managing Director.

SEC. 3. *Executive Directors.*—(*a*) The Executive Directors shall be responsible for the conduct of the general operations of the Fund, and for this purpose shall exercise all the powers delegated to them by the Board of Governors.

(*b*) There shall be not less than twelve directors who need not be governors, and of whom

(i) five shall be appointed by the five members having the largest quotas;

(ii) not more than two shall be appointed when the provisions of (*c*) below apply;

(iii) five shall be elected by the members not entitled to appoint directors, other than the American Republics; and

(iv) two shall be elected by the American Republics not entitled to appoint directors.

For the purposes of this paragraph, members means governments of countries whose names are set forth in Schedule A, whether they become members in accordance with Article XX or in accordance with Article II, Section 2. When governments of other countries become members, the Board of Governors may, by a four-fifths majority of the total voting power, increase the number of directors to be elected.

(*c*) If, at the second regular election of directors and thereafter, the members entitled to appoint directors under (*b*) (i) above do not include the two members, the holdings of whose currencies by the Fund have been, on the average over the preceding two years, reduced below their quotas by the largest absolute amounts in terms of gold as a common denominator, either one or both of such members, as the case may be, shall be entitled to appoint a director.

(*d*) Subject to Article XX, Section 3 (*b*) elections of elective directors shall be conducted at intervals of two years in accordance with the provisions of Schedule C, supplemented by such regulations as the Fund deems appropriate. Whenever the Board of Governors increases the number of directors to be elected under (*b*) above, it shall issue regulations making appropriate changes in the proportion of votes required to elect directors under the provisions of Schedule C.

(*e*) Each director shall appoint an alternate with full power to act for him when he is not present. When the directors appointing them are present, alternates may participate in meetings but may not vote.

(*f*) Directors shall continue in office until their successors are appointed or elected. If the office of an elected director becomes vacant more than ninety days before the end of his term, another director shall be elected for the remainder of the term by the members who elected the former director. A majority of the votes cast shall be required for election. While the office remains vacant, the alternate of the former director shall exercise his powers, except that of appointing an alternate.

(*g*) The Executive Directors shall function in continuous session at the principal office of the Fund and shall meet as often as the business of the Fund may require.

(*h*) A quorum for any meeting of the Executive Directors shall be a majority of the directors representing not less than one-half of the voting power.

(*i*) Each appointed director shall be entitled to cast the number of votes allotted under Section 5 of this Article to the member appointing him. Each elected director shall be entitled to cast the number of votes which counted towards his election. When the provisions of Section 5 (*b*) of this Article are applicable, the votes which a director would otherwise be entitled to cast shall be increased or decreased correspondingly. All the votes which a director is entitled to cast shall be cast as a unit.

(*j*) The Board of Governors shall adopt regulations under which a member not entitled to appoint a director under (*b*) above may send a representative to attend any meeting of the Executive Directors when a request made by, or a matter particularly affecting, that member is under consideration.

(*k*) The Executive Directors may appoint such committees as they deem advisable. Membership of committees need not be limited to governors or directors or their alternates.

SEC. 4. *Managing Director and staff.* (*a*)—The Executive Directors shall select a Managing Director who shall not be a governor or an executive director. The Managing Director shall be chairman of the Executive Directors, but shall have no vote except a deciding vote in case of an equal division. He may participate in meetings of the Board of Governors, but shall not vote at such meetings. The Managing Director shall cease to hold office when the Executive Directors so decide.

(*b*) The Managing Director shall be chief of the operating staff of the Fund and shall conduct, under the direction of the Executive Directors, the ordinary business of the Fund. Subject to the general control of the Executive Directors, he shall be responsible for the organization, appointment and dismissal of the staff of the Fund.

(*c*) The Managing Director and the staff of the Fund, in the discharge of their functions, shall owe their duty entirely to the Fund and to no other authority. Each member of the Fund shall respect the international character of this duty and shall refrain from all attempts to influence any of the staff in the discharge of his functions.

(*d*) In appointing the staff the Managing Director shall, subject to the paramount importance of securing the highest standards of efficiency and of technical competence, pay due regard to the importance of recruiting personnel on as wide a geographical basis as possible.

SEC. 5. Voting.—(*a*) Each member shall have two hundred fifty votes plus one additional vote for each part of its quota equivalent to one hundred thousand United States dollars.

(*b*) Whenever voting is required under Article V, Section 4 or 5, each member shall have the number of votes to which it is entitled under (*a*) above, adjusted

(i) by the addition of one vote for the equivalent of each four hundred thousand United States dollars of net sales of its currency up to the date when the vote is taken, or

(ii) by the subtraction of one vote for the equivalent of each four hundred thousand United States dollars of its net purchases of the currencies of other members up to the date when the vote is taken;

provided, that neither net purchases nor net sales shall be deemed at any time to exceed an amount equal to the quota of the member involved.

(*c*) For the purpose of all computations under this Section, United States dollars shall be deemed to be of the weight and fineness in effect on July 1, 1944, adjusted for any uniform change under Article IV, Section 7, if a waiver is made under Section 8 (*d*) of that Article.

(*d*) Except as otherwise specifically provided, all decisions of the Fund shall be made by a majority of the votes cast.

SEC. 6. *Distribution of net income.*—(*a*) The Board of Governors shall determine annually what part of the Fund's net income shall be placed to reserve and what part, if any, shall be distributed.

(*b*) If any distribution is made, there shall first be distributed a two per cent non-cumulative payment to each member on the amount by which seventy-five per cent of its quota exceeded the Fund's average holdings of its currency during that year. The balance shall be paid to all members in proportion to their quotas. Payments to each member shall be made in its own currency.

SEC. 7. *Publication of reports.*—(*a*) The Fund shall publish an annual report containing an audited statement of its accounts, and shall issue, at intervals of three months or less, a summary statement of its transactions and its holdings of gold and currencies of members.

(*b*) The Fund may publish such other reports as it deems desirable for carrying out its purposes.

SEC. 8. *Communication of views to members.*—The Fund shall at all times have the right to communicate its views informally to any member on any matter arising under this Agreement. The Fund may, by a two-thirds majority of the total voting power, decide to publish a report made to a member regarding its monetary or economic conditions and developments which directly tend to produce a serious disequilibrium in the international balance of payments of members. If the member is not entitled to appoint an executive director, it shall be entitled to representation in accordance with Section 3 (*j*) of this Article. The Fund shall not publish a report involving changes in the fundamental structure of the economic organization of members.

ARTICLE XIII. OFFICES AND DEPOSITORIES

SECTION 1. *Location of offices.*—The principal office of the Fund shall be located in the territory of the member having the largest quota, and agencies or branch offices may be established in the territories of other members.

SEC. 2. *Depositories.*—(*a*) Each member country shall designate its central bank as a depository for all the Fund's holdings of its currency, or if it has no central bank it shall designate such other institution as may be acceptable to the Fund.

(*b*) The Fund may hold other assets, including gold, in the depositories designated by the five members having the largest quotas and in such other designated depositories as the Fund may select. Initially, at least one-half of the holdings of the Fund shall be held in the depository designated by the member in whose territories the Fund has its principal office and at least forty per cent shall be held in the depositories designated by the remaining four members referred to above. However, all transfers of gold by the Fund shall be made with due regard to the costs of transport and anticipated requirements of the Fund. In an emergency the Executive Directors may transfer all or any part of the Fund's gold holdings to any place where they can be adequately protected.

SEC. 3. *Guarantee of the Fund's assets.*—Each member guarantees all assets of the Fund against loss resulting from failure or default on the part of the depository designated by it.

ARTICLE XIV. TRANSITIONAL PERIOD

SECTION 1. *Introduction.*—The Fund is not intended to provide facilities for relief or reconstruction or to deal with international indebtedness arising out of the war.

SEC. 2. *Exchange restrictions.*—In the postwar transitional period members may, notwithstanding the provisions of any other articles of this Agreement, maintain and adapt to changing circumstances (and, in the case of members whose territories have been occupied by the enemy, introduce where necessary) restrictions on payments and transfers for current international transactions. Members shall, however, have continuous regard in their foreign exchange policies to the purposes of the Fund; and, as soon as conditions permit, they shall take all possible measures to develop such commercial and financial arrangements with other members as will facilitate international payments and the maintenance of exchange stability. In particular, members shall withdraw restrictions maintained or imposed under this Section as soon as they are satisfied that they will be able, in the absence of such restrictions, to settle their balance of payments in a manner which will not unduly encumber their access to the resources of the Fund.

SEC. 3. *Notification to the Fund.*—Each member shall notify the Fund before it becomes eligible under Article XX, Sec. 4 (*c*) or (*d*), to buy currency from the Fund, whether it intends to avail itself of the transitional arrangements in Section 2 of this Article, or whether it is prepared to accept the obligations of Article VIII, Sections 2, 3, and 4. A member availing itself of the transitional arrangements shall notify the Fund as soon thereafter as it is prepared to accept the above-mentioned obligations.

SEC. 4. *Action of the Fund relating to restrictions.*—Not later than three years after the date on which the Fund begins operations and in each year thereafter, the Fund shall report on the restrictions still in force under Section 2 of this Article. Five years after the date on which the Fund begins operations, and in each year thereafter, any member still retaining any restrictions inconsistent with Article VIII, Sections 2, 3, or 4, shall consult the Fund as to their further retention. The Fund may, if it deems such action necessary in exceptional circumstances, make representations to any member that conditions are favorable for the withdrawal of any particular restriction, or for the general abandonment of restrictions, inconsistent with the provisions of any other article of this Agreement. The member shall be given a suitable time to reply to such representations. If the Fund finds that the member persists in maintaining restrictions which are inconsistent with the purposes of the Fund, the member shall be subject to Article XV, Section 2 (*a*).

SEC. 5. *Nature of transitional period.*—In its relations with members, the Fund shall recognize that the post-war transitional period will be one of change and adjustment and in making decisions on requests occasioned thereby which are presented by any member it shall give the member the benefit of any reasonable doubt.

ARTICLE XV. WITHDRAWAL FROM MEMBERSHIP

SECTION 1. *Right of members to withdraw.*—Any member may withdraw from the Fund at any time by transmitting a notice in writing to the Fund at its principal office. Withdrawal shall become effective on the date such notice is received.

SEC. 2. *Compulsory withdrawal.*—(*a*) If a member fails to fulfill any obligations under this Agreement, the Fund may declare the member ineligible to use the resources of the Fund. Nothing in this Section shall be deemed to limit the provisions of Article IV, Section 6, Article V, Section 5, or Article VI, Section 1.

(*b*) If, after the expiration of a reasonable period the member persists in its failure to fulfill any of its obligations under this Agreement, or a difference between a member and the Fund under Article IV, Section 6, continues, that member may be required to withdraw from membership in the Fund by a decision of the Board of Governors carried by a majority of the governors representing a majority of the total voting power.

(*c*) Regulations shall be adopted to ensure that before action is taken against any member under (*a*) or (*b*) above, the member shall be informed in reasonable time of the complaint against it and given an adequate opportunity for stating its case, both orally and in writing.

SEC. 3. *Settlement of accounts with members withdrawing.*—When a member withdraws from the Fund, normal transactions of the Fund in its currency shall cease and settlement of all accounts between it and the Fund shall be made with reasonable despatch by agreement between it and the Fund. If agreement is not reached promptly, the provisions of Schedule D shall apply to the settlement of accounts.

ARTICLE XVI. EMERGENCY PROVISIONS

SECTION 1. *Temporary suspension.*—(*a*) In the event of an emergency or the development of unforeseen circumstances threatening the operations of the Fund, the Executive Directors by unanimous vote may suspend for a period of not more than one hundred twenty days the operation of any of the following provisions:

(i) Article IV, Sections 3 and 4 (*b*).
(ii) Article V, Sections 2, 3, 7, 8 (*a*) and (*f*).
(iii) Article VI, Section 2.
(iv) Article XI, Section 1.

(*b*) Simultaneously with any decision to suspend the operation of any of the foregoing provisions, the Executive Directors shall call a meeting of the Board of Governors for the earliest practicable date.

(*c*) The Executive Directors may not extend any suspension beyond one hundred twenty days. Such suspension may be extended, however, for an additional period of not more than two hundred forty days, if the Board of Governors by a four-fifths majority of the total voting power so decides, but it may not be further extended except by amendment of this Agreement pursuant to Article XVII.

(*d*) The Executive Directors may, by a majority of the total voting power, terminate such suspension at any time.

SEC. 2. *Liquidation of the Fund.*— (*a*) The Fund may not be liquidated except by decision of the Board of Governors. In an emergency, if the Executive Directors decide that liquidation of the Fund may be necessary, they may temporarily suspend all transactions, pending decision by the Board.

(*b*) If the Board of Governors decides to liquidate the Fund, the Fund shall forthwith cease to engage in any activities except those incidental to the orderly collection and liquidation of its assets and the settlement of its liabilities, and all obligations of members under this Agreement shall cease except those set out in this Article, in Article XVIII, paragraph (*c*), in Schedule D, paragraph 7, and in Schedule E.

(*c*) Liquidation shall be administered in accordance with the provisions of Schedule E.

ARTICLE XVII. AMENDMENTS

(*a*) Any proposal to introduce modifications in this Agreement, whether emanating from a member, a governor or the Executive Directors, shall be communicated to the chairman of the Board of Governors who shall bring the proposal before the Board. If the proposed amendment is approved by the Board the Fund shall, by circular letter or telegram, ask all members whether they accept the proposed amendment. When three-fifths of the members, having four-

fifths of the total voting power, have accepted the proposed amendment, the Fund shall certify the fact by a formal communication addressed to all members.

(*b*) Notwithstanding (*a*) above, acceptance by all members is required in the case of any amendment modifying

(i) the right to withdraw from the Fund (Article XV, Section 1);
(ii) the provision that no change in a member's quota shall be made without its consent (Article III, Section 2);
(iii) the provision that no change may be made in the par value of a member's currency except on the proposal of that member (Article IV, Section 5 (*b*)).

(*c*) Amendments shall enter into force for all members three months after the date of the formal communication unless a shorter period is specified in the circular letter or telegram.

ARTICLE XVIII. INTERPRETATION

(*a*) Any question of interpretation of the provisions of this Agreement arising between any member and the Fund or between any members of the Fund shall be submitted to the Executive Directors for their decision. If the question particularly affects any member not entitled to appoint an executive director it shall be entitled to representation in accordance with Article XII, Section 3 (*j*).

(*b*) In any case where the Executive Directors have given a decision under (*a*) above, any member may require that the question be referred to the Board of Governors, whose decision shall be final. Pending the result of the reference to the Board the Fund may, so far as it deems necessary, act on the basis of the decision of the Executive Directors.

(*c*) Whenever a disagreement arises between the Fund and a member which has withdrawn, or between the Fund and any member during liquidation of the Fund, such disagreement shall be submitted to arbitration by a tribunal of three arbitrators, one appointed by the Fund, another by the member or withdrawing member and an umpire who, unless the parties otherwise agree, shall be appointed by the President of the Permanent Court of International Justice or such other authority as may have been prescribed by regulation adopted by the Fund. The umpire shall have full power to settle all questions of procedure in any case where the parties are in disagreement with respect thereto.

ARTICLE XIX. EXPLANATION OF TERMS

In interpreting the provisions of this Agreement the Fund and its members shall be guided by the following:

(*a*) A member's monetary reserves means its net official holdings of gold, of convertible currencies of other members, and of the currencies of such non-members as the Fund may specify.

(*b*) The official holdings of a member means central holdings (that is, the holdings of its Treasury, central bank, stabilization fund, or similar fiscal agency).

(*c*) The holdings of other official institutions or other banks within its territories may, in any particular case, be deemed by the Fund, after consultation with the member, to be official holdings to the extent that they are substantially in excess of working balances; provided that for the purpose of determining whether, in a particular case, holdings are in excess of working balances, there shall be deducted from such holdings amounts of currency due to official institutions and banks in the territories of members or non-members specified under (*d*) below.

(*d*) A member's holdings of convertible currencies means its holdings of the currencies of other members which are not availing themselves of the transitional arrangements under Article XIV, Section 2, together with its holdings of the currencies of such non-members as the Fund may from time to time specify. The term currency for this purpose includes without limitation coins, paper money, bank balances, bank acceptances, and government obligations issued with a maturity not exceeding twelve months.

(*e*) A member's monetary reserves shall be calculated by deducting from its central holdings the currency liabilities to the Treasuries, central banks, stabilization funds, or similar fiscal agencies of other members or non-members specified under (*d*) above, together with similar liabilities to other official institutions and other banks in the territories of members, or non-members specified under (*d*) above. To these net holdings shall be added the sums deemed to be official holdings of other official institutions and other banks under (*c*) above.

(*f*) The Fund's holdings of the currency of a member shall include any securities accepted by the Fund under Article III, Section 5.

(*g*) The Fund, after consultation with a member which is availing itself of the transitional arrangements under Article XIV, Section 2, may deem holdings of the currency of that member which carry specified rights of conversion into another currency or into gold to be holdings of convertible currency for the purpose of the calculation of monetary reserves.

(*h*) For the purpose of calculating gold subscriptions under Article III, Section 3, a member's net official holdings of gold and United States dollars shall consist of its official holdings of gold and United States currency after deducting central holdings of its currency by other countries and holdings of its currency by other official institutions and other banks if these holdings carry specified rights of conversion into gold or United States currency.

(*i*) Payments for current transactions means payments which are not for the purpose of

transferring capital, and includes, without limitation:

(1) All payments due in connection with foreign trade, other current business, including services, and normal short-term banking and credit facilities;

(2) Payments due as interest on loans and as net income from other investments;

(3) Payments of moderate amount for amortization of loans or for depreciation of direct investments;

(4) Moderate remittances for family living expenses.

The Fund may, after consultation with the members concerned, determine whether certain specific transactions are to be considered current transactions or capital transactions.

ARTICLE XX. FINAL PROVISIONS

SECTION 1. *Entry into force.*—This Agreement shall enter into force when it has been signed on behalf of governments having sixty-five per cent of the total of the quotas set forth in Schedule A and when the instruments referred to in Section 2 (*a*) of this Article have been deposited on their behalf, but in no event shall this Agreement enter into force before May 1, 1945.

SEC. 2. *Signature.*—(*a*) Each government on whose behalf this Agreement is signed shall deposit with the Government of the United States of America an instrument setting forth that it has accepted this Agreement in accordance with its law and has taken all steps necessary to enable it to carry out all of its obligations under this Agreement.

(*b*) Each government shall become a member of the Fund as from the date of the deposit on its behalf of the instrument referred to in (*a*) above, except that no government shall become a member before this Agreement enters into force under Section 1 of this Article.

(*c*) The Government of the United States of America shall inform the governments of all countries whose names are set forth in Schedule A, and all governments whose membership is approved in accordance with Article II, Section 2, of all signatures of this Agreement and of the deposit of all instruments referred to in (*a*) above.

(*d*) At the time this Agreement is signed on its behalf, each government shall transmit to the Government of the United States of America one one-hundredth of one per cent of its total subscription in gold or United States dollars for the purpose of meeting administrative expenses of the Fund. The Government of the United States of America shall hold such funds in a special deposit account and shall transmit them to the Board of Governors of the Fund when the initial meeting has been called under Section 3 of this Article. If this Agreement has not come into force by December 31, 1945, the Government of the United States of America shall return such funds to the governments that transmitted them.

(*e*) This Agreement shall remain open for signature at Washington on behalf of the governments of the countries whose names are set forth in Schedule A until December 31, 1945.

(*f*) After December 31, 1945, this Agreement shall be open for signature on behalf of the government of any country whose membership has been approved in accordance with Article II, Section 2.

(*g*) By their signature of this Agreement, all governments accept it both on their own behalf and in respect of all their colonies, overseas territories, all territories under their protection, suzerainty, or authority and all territories in respect of which they exercise a mandate.

(*h*) In the case of governments whose metropolitan territories have been under enemy occupation, the deposit of the instrument referred to in (*a*) above may be delayed until one hundred eighty days after the date on which these territories have been liberated. If, however, it is not deposited by any such government before the expiration of this period the signature affixed on behalf of that government shall become void and the portion of its subscription paid under (*d*) above shall be returned to it.

(*i*) Paragraphs (*d*) and (*h*) shall come into force with regard to each signatory government as from the date of its signature.

SEC. 3. *Inauguration of the Fund.*—(*a*) As soon as this Agreement enters into force under Section 1 of this Article, each member shall appoint a governor and the member having the largest quota shall call the first meeting of the Board of Governors.

(*b*) At the first meeting of the Board of Governors, arrangements shall be made for the selection of provisional executive directors. The governments of the five countries for which the largest quotas are set forth in Schedule A shall appoint provisional executive directors. If one or more of such governments have not become members, the executive directorships they would be entitled to fill shall remain vacant until they become members, or until January 1, 1946, whichever is the earlier. Seven provisional executive directors shall be elected in accordance with the provisions of Schedule C and shall remain in office until the date of the first regular election of executive directors which shall be held as soon as practicable after January 1, 1946.

(*c*) The Board of Governors may delegate to the provisional executive directors any powers except those which may not be delegated to the Executive Directors.

SEC. 4. *Initial determination of par values.*—(*a*) When the Fund is of the opinion that it will shortly be in a position to begin exchange transactions, it shall so notify the members and shall request each member to communicate

within thirty days the par value of its currency based on the rates of exchange prevailing on the sixtieth day before the entry into force of this Agreement. No member whose metropolitan territory has been occupied by the enemy shall be required to make such a communication while that territory is a theater of major hostilities or for such period thereafter as the Fund may determine. When such a member communicates the par value of its currency the provisions of (*d*) below shall apply.

(*b*) The par value communicated by a member whose metropolitan territory has not been occupied by the enemy shall be the par value of that member's currency for the purposes of this Agreement unless, within ninety days after the request referred to in (*a*) above has been received, (i) the member notifies the Fund that it regards the par value as unsatisfactory, or (ii) the Fund notifies the member that in its opinion the par value cannot be maintained without causing recourse to the Fund on the part of that member or others on a scale prejudicial to the Fund and to members. When notification is given under (i) or (ii) above, the Fund and the member shall, within a period determined by the Fund in the light of all relevant circumstances, agree upon a suitable par value for that currency. If the Fund and the member do not agree within the period so determined, the member shall be deemed to have withdrawn from th Fund on the date when the period expires.

(*c*) When the par value of a member's currency has been established under (*b*) above, either by the expiration of ninety days without notification, or by agreement after notification, the member shall be eligible to buy from the Fund the currencies of other members to the full extent permitted in this Agreement, provided that the Fund has begun exchange transactions.

(*d*) In the case of a member whose metropolitan territory has been occupied by the enemy, the provisions of (*b*) above shall apply, subject to the following modifications:

(i) The period of ninety days shall be extended so as to end on a date to be fixed by agreement between the Fund and the member.

(ii) Within the extended period the member may, if the Fund has begun exchange transactions, buy from the Fund with its currency the currencies of other members, but only under such conditions and in such amounts as may be prescribed by the Fund.

(iii) At any time before the date fixed under (i) above, changes may be made by agreement with the Fund in the par value communicated under (*a*) above.

(*e*) If a member whose metropolitan territory has been occupied by the enemy adopts a new monetary unit before the date to be fixed under (*d*) (i) above, the par value fixed by that member for the new unit shall be communicated to the Fund and the provisions of (d) above shall apply.

(*f*) Changes in par values agreed with the Fund under this Section shall not be taken into account in determining whether a proposed change falls within (i), (ii), or (iii) of Article IV, Section 5 (*c*).

(*g*) A member communicating to the Fund a par value for the currency of its metropolitan territory shall simultaneously communicate a value, in terms of that currency, for each separate currency, where such exists, in the territories in respect of which it has accepted this Agreement under Section 2 (*g*) of this Article, but no member shall be required to make a communication for the separate currency of a territory which has been occupied by the enemy while that territory is a theater of major hostilities or for such period thereafter as the Fund may determine. On the basis of the par value so communicated, the Fund shall compute the par value of each separate currency. A communication or notification to the Fund under (*a*), (*b*) or (*d*) above regarding the par value of a currency, shall also be deemed, unless the contrary is stated, to be a communication or notification regarding the par value of all the separate currencies referred to above. Any member may, however, make a communication or notification relating to the metropolitan or any of the separate currencies alone. If the member does so, the provisions of the preceding paragraphs (including (*d*) above, if a territory where a separate currency exists has been occupied by the enemy) shall apply to each of these currencies separately.

(*h*) The Fund shall begin exchange transactions at such date as it may determine after members having sixty-five per cent of the total of the quotas set forth in Schedule A have become eligible, in accordance with the preceding paragraphs of this Section, to purchase the currencies of other members, but in no event until after major hostilities in Europe have ceased.

(*i*) The Fund may postpone exchange transactions with any member if its circumstances are such that, in the opinion of the Fund, they would lead to use of the resources of the Fund in a manner contrary to the purposes of this Agreement or prejudicial to the Fund or the members.

(*j*) The par values of the currencies of governments which indicate their desire to become members after Decembr 31, 1945, shall be determined in accordance with the provisions of Article II, Section 2.

Done at Washington, in a single copy which shall remain deposited in the archives of the Government of the United States of America, which shall transmit certified copies to all governments whose names are set forth in Schedule A and to all governments whose membership

is approved in accordance with Article II, Section 2.

SCHEDULE A. QUOTAS

(In millions of United States dollars)

Australia	200	Iraq	8
Belgium	225	Liberia	.5
Bolivia	10	Luxembourg	10
Brazil	150	Mexico	90
Canada	300	Netherlands	275
Chile	50	New Zealand	50
China	550	Nicaragua	2
Colombia	50	Norway	50
Costa Rica	5	Panama	.5
Cuba	50	Paraguay	2
Czechoslovakia	125	Peru	25
Denmark	(1)	Philippine Commonwealth	15
Dominican Republic	5	Poland	125
Ecuador	5	Union of South Africa	100
Egypt	45	Union of Soviet Socialist Republics	1,200
El Salvador	2.5	United Kingdom	1,300
Ethiopia	6	United States	2,750
France	450	Uruguay	15
Greece	40	Venezuela	15
Guatemala	5	Yugoslavia	60
Haiti	5		
Honduras	2.5	TOTAL	8,800
Iceland	1		
India	400		
Iran	25		

SCHEDULE B. PROVISIONS WITH RESPECT TO REPURCHASE BY A MEMBER OF ITS CURRENCY HELD BY THE FUND

1. In determining the extent to which repurchase of a member's currency from the Fund under Article V, Section 7 (*b*), shall be made with each type of monetary reserve, that is, with gold and with each convertible currency, the following rule, subject to 2 below, shall apply:

(*a*) If the member's monetary reserves have not increased during the year, the amount payable to the Fund shall be distributed among all types of reserves in proportion to the member's holdings thereof at the end of the year.

(*b*) If the member's monetary reserves have increased during the year, a part of the amount payable to the Fund equal to one-half of the increase shall be distributed among those types of reserves which have increased in proportion to the amount by which each of them has increased. The remainder of the sum payable to the Fund shall be distributed among all types of reserves in proportion to the member's remaining holdings thereof.

(*c*) If after all the repurchases required under Article V, Section 7 (*b*), had been made, the result would exceed any of the limits specified in Article V, Section 7 (*c*), the Fund shall require such repurchases to be made by the members proportionately in such manner that the limits will not be exceeded.

2. The Fund shall not acquire the currency of any non-member under Article V, Section 7 (*b*) and (*c*).

3. In calculating monetary reserves and the increase in monetary reserves during any year for the purpose of Article V, Section 7 (*b*) and (*c*), no account shall be taken, unless deductions have otherwise been made by the member for such holdings, of any increase in those monetary reserves which is due to currency previously inconvertible having become convertible during the year; or to holdings which are the proceeds of a long-term or medium-term loan contracted during the year; or to holdings which have been transferred or set aside for repayment of a loan during the subsequent year.

4. In the case of members whose metropolitan territories have been occupied by the enemy, gold newly produced during the five years after the entry into force of this Agreement from mines located within their metropolitan territories shall not be included in computations of their monetary reserves or of increases in their monetary reserves.

SCHEDULE C. ELECTION OF EXECUTIVE DIRECTORS

1. The election of the elective executive directors shall be by ballot of the governors eligible to vote under Article XII, Section 3 (*b*) (iii) and (iv).

2. In balloting for the five directors to be elected under Article XII, Section 3 (*b*) (iii), each of the governors eligible to vote shall cast for one person all of the votes to which he is entitled under Article XII, Section 5 (*a*). The five persons receiving the greatest number of votes shall be directors, provided that no person who received less than nineteen per cent of the total number of votes that can be cast (eligible votes) shall be considered elected.

3. When five persons are not elected on the first ballot, a second ballot shall be held in which the person who received the lowest number of votes shall be ineligible for election and in which there shall vote only (*a*) those governors who voted in the first ballot for a person not elected, and (*b*) those governors whose votes for a person elected are deemed under 4 below above twenty per cent of the eligible votes.

4. In determining whether the votes cast by a governor are to be deemed to have raised the total of any person above twenty per cent of the eligible votes the twenty per cent shall be deemed to include, first, the votes of the governor casting the largest number of votes for such person, then the votes of the governor casting the next largest number, and so on until twenty per cent is reached.

5. Any governor part of whose votes must

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[1] The quota of Denmark shall be determined by the Fund after the Danish Government has declared its readiness to sign this Agreement but before signature takes place.

be counted in order to raise the total of any person above nineteen per cent shall be considered as casting all of his votes for such person even if the total votes for such person thereby exceed twenty per cent.

6. If, after the second ballot, five persons have not been elected, further ballots shall be held on the same principles until five persons have been elected, provided that after four persons are elected, the fifth may be elected by a simple majority of the remaining votes and shall be deemed to have been elected by all such votes.

7. The directors to be elected by the American Republics under Article XI, Section 3 (*b*) (iv) shall be elected as follows:

(*a*) Each of the directors shall be elected separately.

(*b*) In the election of the first director, each governor representing an American Republic eligible to participate in the election shall cast for one person all the votes to which he is entitled. The person receiving the largest number of votes shall be elected provided that he has received not less than forty-five per cent of the total votes.

(*c*) If no person is elected on the first ballot, further ballots shall be held, in each of which the person receiving the lowest number of votes shall be eliminated, until one person receives a number of votes sufficient for election under (*b*) above.

(*d*) Governors whose votes contributed to the election of the first director shall take no part in the election of the second director.

(*e*) Persons who did not succeed in the first election shall not be ineligible for election as the second director.

(*f*) A majority of the votes which can be cast shall be required for election of the second director. If at the first ballot no person receives a majority, further ballots shall be held in each of which the person receiving the lowest number of votes shall be eliminated, until some person obtains a majority.

(*g*) The second director shall be deemed to have been elected by all the votes which could have been cast in the ballot securing his election.

SCHEDULE D. SETTLEMENT OF ACCOUNTS WITH MEMBERS WITHDRAWING

1. The Fund shall be obligated to pay to a member withdrawing an amount equal to its quota, plus any other amounts due to it from the Fund, less any amounts due to the Fund, including charges accruing after the date of its withdrawal; but no payments shall be made until six months after the date of withdrawal. Payments shall be made in the currency of the withdrawing member.

2. If the Fund's holdings of the currency of the withdrawing member are not sufficient to pay the net amount due from the Fund, the balance shall be paid in gold, or in such other manner as may be agreed. If the Fund and the withdrawing member do not reach agreement within six months of the date of withdrawal, the currency in question held by the Fund shall be paid forthwith to the withdrawing member. Any balance due shall be paid in ten half-yearly installments during the ensuing five years. Each such installment shall be paid, at the option of the Fund, either in the currency of the withdrawing member acquired after its withdrawal or by the delivery of gold.

3. If the Fund fails to meet any installment which is due in accordance with the preceding paragraphs, the withdrawing member shall be entitled to require the Fund to pay the installment in any currency held by the Fund with the exception of any currency which has been declared scarce under Article VII, Section 3.

4. If the Fund's holdings of the currency of a withdrawing member exceed the amount due to it, and if agreement on the method of settling accounts is not reached within six months of the date of withdrawal, the former member shall be obligated to redeem such excess currency in gold or, at its option, in the currencies of members which at the time of redemption are convertible. Redemption shall be made at the parity existing at the time of withdrawal from the Fund. The withdrawing member shall complete redemption within five years of the date of withdrawal, or within such longer period as may be fixed by the Fund, but shall not be required to redeem in any half-yearly period more than one-tenth of the Fund's excess holdings of its currency at the date of withdrawal plus further acquisitions of the currency during such half-yearly period. If the withdrawing member does not fulfill this obligation, the Fund may in an orderly manner liquidate in any market the amount of currency which should have been redeemed.

5. Any member desiring to obtain the currency of a member which has withdrawn shall acquire it by purchase from the Fund, to the extent that such member has access to the resources of the Fund and that such currency is available under 4 above.

6. The withdrawing member guarantees the unrestricted use at all times of the currency disposed of under 4 and 5 above for the purchase of goods or for payment of sums due to it or to persons within its territories. It shall compensate the Fund for any loss resulting from the difference between the par value of its currency on the date of withdrawal and the value realized by the Fund on disposal under 4 and 5 above.

7. In the event of the Fund going into liquidation under Article XVI, Section 2, within six months of the date on which the member withdraws, the account between the Fund and that government shall be settled in accordance with Article XVI, Section 2, and Schedule E.

SCHEDULE E. ADMINISTRATION OF LIQUIDATION

1. In the event of liquidation the liabilities of the Fund other than the repayment of subscriptions shall have priority in the distribution of the assets of the Fund. In meeting each such liability the Fund shall use its assets in the following order:

(*a*) the currency in which the liability is payable;
(*b*) gold;
(*c*) all other currencies in proportion, so far as may be practicable, to the quotas of the members.

2. After the discharge of the Fund's liabilities in accordance with 1 above, the balance of the Fund's assets shall be distributed and apportioned as follows:

(*a*) The Fund shall distribute its holdings of gold among the members whose currencies are held by the Fund in amounts less than their quotas. These members shall share the gold so distributed in the proportions of the amounts by which their quotas exceed the Fund's holdings of their currencies.
(*b*) The Fund shall distribute to each member one-half the Fund's holdings of its currency but such distribution shall not exceed fifty per cent of its quota.
(*c*) The Fund shall apportion the remainder of its holdings of each currency among all the members in proportion to the amounts due to each member after the distributions under (*a*) and (*b*) above.

3. Each member shall redeem the holdings of its currency apportioned to other members under 2 (*c*) above, and shall agree with the Fund within three months after a decision to liquidate upon an orderly procedure for such redemption.

4. If a member has not reached agreement with the Fund within the three-month period referred to in 3 above, the Fund shall use the currencies of other members apportioned to that member under 2 (*c*) above to redeem the currency of that member apportioned to other members. Each currency apportioned to a member which has not reached agreement shall be used, so far as possible, to redeem its currency apportioned to the members which have made agreements with the Fund under 3 above.

5. If a member has reached agreement with the Fund in accordance with 3 above, the Fund shall use the currencies of other members apportioned to that member under 2 (*c*) above to redeem the currency of that member apportioned to other members which have made agreements with the Fund under 3 above. Each amount so redeemed shall be redeemed in the currency of the member to which it was apportioned.

6. After carrying out the preceding paragraphs, the Fund shall pay to each member the remaining currencies held for its account.

7. Each member whose currency has been distributed to other members under 6 above shall redeem such currency in gold or, at its option, in the currency of the member requesting redemption, or in such other manner as may be agreed between them. If the members involved do not otherwise agree, the member obligated to redeem shall complete redemption within five years of the date of distribution, but shall not be required to redeem in any half-yearly period more than one-tenth of the amount distributed to each other member. If the member does not fulfill this obligation, the amount of currency which should have been redeemed may be liquidated in an orderly manner in any market.

8. Each member whose currency has been distributed to other members under 6 above guarantees the unrestricted use of such currency at all times for the purchase of goods or for payment of sums due to it or to persons in its territories. Each member so obligated agrees to compensate other members for any loss resulting from the difference between the par value of its currency on the date of the decision to liquidate the Fund and the value realized by such members on disposal of its currency.

VII. The World Health Organization

A. THE INTERNATIONAL HEALTH CONFERENCE

At its first session the Economic and Social Council of the United Nations adopted on February 15, 1946, a resolution establishing a Technical Preparatory Committee consisting of health experts who were to prepare the documentation for an International Health Conference. The Committee met in Paris from March 18 to April 5 and reached agreement on the draft constitution of a World Health Organization.

The International Health Conference was called by the Economic and Social Council to meet in New York from June 19 to July 22, 1946. The governments of the following States were represented at the Conference by delegates:

Argentina
Australia
Belgium
Bolivia
Brazil
Byelorussian S.S.R.
Canada
Chile
China
Colombia
Costa Rica
Cuba
Czechoslovakia
Denmark
Dominican Republic
Ecuador
Egypt
El Salvador
Ethiopia
France
Greece
Guatemala
Haiti
Honduras
India
Iran
Iraq
Lebanon
Liberia
Luxembourg
Mexico
Netherlands
New Zealand
Nicaragua
Norway
Panama
Paraguay
Peru
Poland
Philippine Republic
Saudi Arabia
Syria
Turkey
Ukrainian S.S.R.
U.S.S.R.
Union of South Africa
United Kingdom
United States
Uruguay
Venezuela
Yugoslavia

The governments of the following States were represented by observers:

Albania
Austria
Bulgaria
Eire
Finland
Hungary
Iceland
Italy
Portugal
Siam
Sweden
Switzerland
Transjordan

The governments of the following States were invited to send observers, but were not represented:

Afganistan
Roumania
Yemen

The Allied Control Authorities for Germany, Japan and Korea were represented by observers.

The following international organizations were represented by observers:

Food and Agriculture Organization of the United Nations
International Labour Organisation
League of Red Cross Societies

Office international d'hygiène publique

Pan American Sanitary Bureau
Provisional International Civil Aviation Organization
The Rockefeller Foundation
United Nations Educational, Scientific and Cultural Organization
United Nations Relief and Rehabilitation Administration
World Federation of Trade Unions

The Conference adopted a Constitution of the World Health Organization and an Arrangement Concluded by the Governments Represented at the International Health Conference. The Arrangement provided for the establishment of an Interim Commission to act for all signatories[1] to the Arrangement; the Interim Commission was to function until the first session of the World Health Assembly. The Conference requested the Secretary-General of the United Nations to make arrange-

[1] For list of states signatory to the Agreement and the Constitution, see Annex I.

ments for transferring to the Interim Commission of WHO such functions of the League of Nations Health Organization as had been assumed by the United Nations. In addition, the Conference adopted a Protocol Concerning the *Office international d'hygiène publique* providing for the transfer of the duties and functions of the *Office* to WHO or its Interim Commission.

The Constitution of the World Health Organization will come into force when 26 Members of the United Nations have become parties to it by signature without reservation as to approval, or by signature subject to approval followed by acceptance, or by acceptance. Acceptance is effected by the deposit of a formal instrument with the Secretary-General of the United Nations. The General Assembly on December 14, 1946, recommended that all Members of the United Nations accept the Constitution of WHO and the Protocol Concerning the *Office international d'hygiène publique* at the earliest possible date. Fourteen countries had become parties to the Constitution as of June 30, 1947. Ten of these are Members of the United Nations: Canada, China, Ethiopia, Iran, Liberia, Netherlands, New Zealand, Saudi Arabia, Syria and the United Kingdom. The four non-Members of the United Nations which have become parties to the Constitution are: Albania, Italy, Switzerland and Transjordan.

B. FUNCTIONS

The functions of the World Health Organization, as defined in its Constitution, are:

(a) to act as the directing and co-ordinating authority on international health work;

(b) to establish and maintain effective collaboration with the United Nations, specialized agencies, governmental health administrations, professional groups and such other organizations as may be deemed appropriate;

(c) to assist governments, upon request, in strengthening health services;

(d) to furnish appropriate technical assistance and, in emergencies, necessary aid upon the request or acceptance of governments;

(e) to provide or assist in providing, upon the request of the United Nations, health services and facilities to special groups, such as the peoples of trust territories;

(f) to establish and maintain such administrative and technical services as may be required, including epidemiological and statistical services;

(g) to stimulate and advance work to eradicate epidemic, endemic and other diseases;

(h) to promote, in co-operation with other specialized agencies where necessary, the prevention of accidental injuries;

(i) to promote, in co-operation with other specialized agencies where necessary, the improvement of nutrition, housing, sanitation, recreation, economic or working conditions and other aspects of environmental hygiene;

(j) to promote co-operation among scientific and professional groups which contribute to the advancement of health;

(k) to propose conventions, agreements and regulations, and make recommendations with respect to international health matters and to perform such duties as may be assigned thereby to the Organization and are consistent with its objective;

(l) to promote maternal and child health and welfare and to foster the ability to live harmoniously in a changing total environment;

(m) to foster activities in the field of mental health, especially those affecting the harmony of human relations;

(n) to promote and conduct research in the field of health;

(o) to promote improved standards of teaching and training in the health, medical and related professions;

(p) to study and report on, in co-operation with other specialized agencies where necessary, administrative and social techniques affecting public health and medical care from preventive and curative points of view, including hospital services and social security;

(q) to provide information, counsel and assistance in the field of health;

(r) to assist in developing an informed public opinion among all peoples on matters of health;

(s) to establish and revise, as necessary, international nomenclatures of diseases, of causes of death and of public health practices;

(t) to standardize diagnostic procedures as necessary;

(u) to develop, establish and promote international standards with respect to food, biological, pharmaceutical and similar products;

(v) generally to take all necessary action to attain the objective of the Organization.

C. STRUCTURE

WHO will consist of a World Health Assembly, an Executive Board, a number of expert committees and sub-committees, and a Secretariat.

The Assembly will be composed of delegates of all members; it will meet annually. It will act as the policy-making body of the Organization.

The Executive Board will consist of eighteen persons designated by as many members States. The States will be elected by the Assembly for a term of three years. The Board will act as the executive organ of the Health Assembly and carry out the decisions and policies of the Assembly.

The Secretariat will comprise the Director-General and such technical and administrative staff as may be required.

D. INTERIM COMMISSION

The International Health Conference established an Interim Commission consisting of representatives of the following eighteen States:

Australia	Netherlands
Brazil	Norway
Canada	Peru
China	Ukrainian S.S.R.
Egypt	U.S.S.R.
France	United Kingdom
India	United States
Liberia	Venezuela
Mexico	Yugoslavia

Under the terms of the Arrangement, the Interim Commission is to convoke the first session of the World Health Assembly and to prepare the preliminary documentation for that Assembly. The Assembly must be convoked within six months from the time the Constitution of WHO comes into force. The Commission is to enter into negotiations with the United Nations with a view to the preparation of an agreement, as contemplated in Article 57 of the United Nations Charter; to take necessary steps for the transfer of the functions and activities of the League of Nations Health Organization, the *Office international d'hygiène publique,* and the health functions of UNRRA, as provided by the Agreement; and to study the question of relations with other intergovernmental agencies and with non-governmental international and national organizations.

Sessions of the Interim Commission must be held at least once every four months to examine the work in progress, receive the reports of the committees and decide the programs for continued operations.

The WHO Interim Commission has held three sessions, the first in New York City from July 19 to 23, 1946; the second in Geneva from November 4 to 13, 1946; and the third in Geneva from March 31 to April 12, 1947. A fourth session of the Interim Commission is scheduled to be held in Geneva from August 30 to September 13, 1947, at which time it is hoped to schedule the first session of the World Health Assembly.

The headquarters of the World Health Organization Interim Commission are in New York City; a technical office is located in Geneva.

The Economic and Social Council of the United Nations and the WHO Interim Commission have begun negotiations toward an agreement between the two organizations. Until the conclusion of the agreement, the Interim Commission is developing informal cooperative relations with the United Nations and its specialized agencies.

E. ACTIVITIES OF THE INTERIM COMMISSION

The WHO Interim Commission is carrying forward numerous health activities pending their assumption by WHO. The health functions of the League of Nations Health Organization were transferred to the Interim Commission on October 16, 1946. These functions were principally of two types: operation of an epidemiological reporting service and administration of work in biological standardization. The Singapore Epidemiological Intelligence Station, operated by the League of Nations until 1942, was taken over by the Interim Commission on April 1, 1947.

The Commission has assumed some of UNRRA's activities in the health field. The functions and duties of UNRRA under the

Sanitary Conventions of 1944 were transferred to the Commission on December 1, 1946. Later, on January 1, 1947, UNRRA transferred a program of field operations dealing with assistance to public health administration. These include malaria and tuberculosis programs in Greece, a scholarship program in Europe, and a medical mission in Ethiopia. Epidemiological information activities of the UNRRA Health Division were transferred to the Interim Commission and consolidated with epidemiological work in Geneva. On April 1, 1947, a public health and training program in China was transferred to the Commission. In each situation, both funds and responsibilities are transferred from UNRRA to WHO. Since April both Korea and the Philippine Republic have been added to the fellowship program.

Although the Protocol Concerning the *Office international d'Hygiène publique* has not yet come into force, the Interim Commission is carrying out the duties of the *Office*.

An important share of the work of WHO will be done by committees, of which there are two types: internal and expert. The Interim Commission has established five internal committees: Epidemiology and Quarantine, Administration and Finance, Headquarters, Priorities and Relations.

Expert committees established by the Commission are as follows: Expert Committee on Quarantine; Expert Sub-Committee on Yellow Fever; Expert Committee for the Revision of the Existing International Sanitary Conventions; Expert Sub-Committee for the Revision of the Pilgrimage Clauses of the International Sanitary Conventions; Expert Committee for the Preparation of the Sixth Decennial Revision of the International Lists of Diseases and Causes of Death; Expert Committee on Habit-Forming Drugs; Expert Committee on Biological Standardization; Expert Committee on Malaria; Expert Committee on Tuberculosis; and Expert Committee for the Unification of Pharmacopoeias.

Four of the expert committees have met since their establishment. The Expert Committee for the Preparation of the Sixth Decennial Revision of the International Lists of Diseases and Causes of Death met in Ottawa, Canada, from March 10 to 19, 1947. The Expert Sub-Committee for the Revision of the Pilgrimage Clauses of the International Sanitary Conventions convened in Alexandria, Egypt, on April 16 and made an eight-day field investigation of Red Sea ports to study control measures in connection with quarantine problems arising out of pilgrimages. The Expert Committee on Malaria met in Geneva on April 21 for a week's session to review scientific knowledge in this field and to formulate plans for the practical application of discoveries and advances in the control and treatment of malaria. The Expert Committee on Biological Standardization met in Geneva from June 9 to 13, 1947, to study the use of drugs, vaccines and serums in the treatment of disease.

F. BUDGET

The expenses of the Interim Commission are met from funds provided by the United Nations. In the event of insufficient funds, the Interim Commission may accept advances from governments, such advances to be deducted from the contribution of the government concerned to the Organization.

At its third session, the Interim Commission approved a budget in the amount of $3,000,000 for the period ending December 1947; $1,500,000 of this is for field services to continue health activities transferred from UNRRA. The Commission also approved a preliminary estimate for operations in 1948 totalling $4,800,000, for submission to the Secretary-General of the United Nations.

ANNEX I

Signatories to the Constitution of the World Health Organization and the Arrangement concluded by the Governments represented at the International Health Conference

Albania
Argentina
Australia
Austria
Belgium
Bolivia
Brazil
Bulgaria
Byelorussian S.S.R.
Canada
Chile
China
Colombia
Costa Rica
Cuba
Czechoslovakia
Denmark
Dominican Republic
Ecuador
Egypt
El Salvador
Ethiopia
Finland
France

Greece
Guatemala
Haiti
Honduras
Hungary
India
Iran
Iraq
Ireland
Italy
Lebanon
Liberia
Luxembourg
Mexico
Netherlands
New Zealand
Nicaragua
Norway
Panama
Paraguay
Peru
Poland
Portugal
Philippine Republic
Saudi Arabia
Siam
Sweden
Switzerland
Syria
Transjordan
Turkey
Ukrainian S.S.R.
U.S.S.R.
Union of South Africa
United Kingdom
United States
Uruguay
Venezuela
Yugoslavia

ANNEX II

Officers of the Interim Commission

Chairman
Dr. Andrija Stampar (Yugoslavia)

Vice Chairmen
Dr. Szeming Sze (China)
Dr. A. T. Choucha Pacha (Egypt)
Dr. O. S. Mondragon (Mexico)

Executive Secretary
Dr. Brock Chisholm (Canada)

Deputy Executive Secretary
Dr. Yves M. Biraud (France)

Director, Headquarters Office
Dr. Frank A. Calderone (United States)

Head of Geneva Office and Counsellor
Dr. Raymond Gautier (Switzerland)

Director of Field Services for Europe and Africa
Dr. Neville Goodman (United Kingdom)

Director, Technical Services
Zygmunt Deutschman (Poland)

Financial Controller
Leo J. Richards (United States)

Headquarters

Address:
World Health Organization, Interim Commission, 350 Fifth Avenue, New York 1, New York.

Telephone:
Longacre 3-7200

Geneva Office

Address:
Organisation mondiale de la Santé, Commisison intérimaire, Palais des Nations, Geneva, Switzerland.

Telephone:
28000

ANNEX III

Constitution of the World Health Organization

THE STATES parties to this Constitution declare, in conformity with the Charter of the United Nations, that the following principles are basic to the happiness, harmonious relations and security of all peoples:

Health is a state of complete physical, mental and social well-being and not merely the absence of disease or infirmity.

The enjoyment of the highest attainable standard of health is one of the fundamental rights of every human being without distinction of race, religion, political belief, economic or social condition.

The health of all peoples is fundamental to the attainment of peace and security and is dependent upon the fullest co-operation of individuals and States.

The achievement of any State in the promotion and protection of health is of value to all.

Unequal development in different countries in the promotion of health and control of disease, especially communicable disease, is a common danger.

Healthy development of the child is of basic importance; the ability to live harmoniously in a changing total environment is essential to such development.

The extension to all peoples of the benefits of medical, psychological and related knowledge is essential to the fullest attainment of health.

Informed opinion and active co-operation on the part of the public are of the utmost importance in the improvement of the health of the people.

Governments have a responsibility for the health of their peoples which can be fulfilled only by the provision of adequate health and social measures.

ACCEPTING THESE PRINCIPLES, and for the purpose of co-operation among themselves and with others to promote and protect the

health of all peoples, the contracting parties agree to the present Constitution and hereby establish the World Health Organization as a specialized agency within the terms of Article 57 of The Charter of the United Nations.

CHAPTER I
OBJECTIVE

Article 1

The objective of the World Health Organization (hereinafter called the Organization) shall be the attainment by all peoples of the highest possible level of health.

CHAPTER II
FUNCTIONS

Article 2

In order to achieve its objective, the functions of the Organization shall be:

(a) to act as the directing and co-ordinating authority on international health work;

(b) to establish and maintain effective collaboration with the United Nations, specialized agencies, governmental health administrations, professional groups and such other organizations as may be deemed appropriate;

(c) to assist governments, upon request, in strengthening health services;

(d) to furnish appropriate technical assistance and, in emergencies, necessary aid upon the request or acceptance of governments;

(e) to provide or assist in providing, upon the request of the United Nations, health services and facilities to special groups, such as the peoples of trust territories;

(f) to establish and maintain such administrative and technical services as may be required, including epidemiological and statistical services;

(g) to stimulate and advance work to eradicate epidemic, endemic and other diseases;

(h) to promote, in co-operation with other specialized agencies where necessary, the prevention of accidental injuries;

(i) to promote, in co-operation with other specialized agencies where necessary, the improvement of nutrition, housing, sanitation, recreation, economic or working conditions and other aspects of environmental hygiene;

(j) to promote co-operation among scientific and professional groups which contribute to the advancement of health;

(k) to propose conventions, agreements and regulations, and make recommendations with respect to international health matters and to perform such duties as may be assigned thereby to the Organization and are consistent with its objective;

(l) to promote maternal and child health and welfare and to foster the ability to live harmoniously in a changing total environment;

(m) to foster activities in the field of mental health, especially those affecting the harmony of human relations;

(n) to promote and conduct research in the field of health;

(o) to promote improved standards of teaching and training in the health, medical and related professions;

(p) to study and report on, in co-operation with other specialized agencies where necessary, administrative and social techniques affecting public health and medical care from preventive and curative points of view, including hospital services and social security;

(q) to provide information, counsel and assistance in the field of health;

(r) to assist in developing an informed public opinion among all peoples on matters of health;

(s) to establish and revise as necessary international nomenclatures of diseases, of causes of death and of public health practices;

(t) to standardize diagnostic procedures as necessary;

(u) to develop, establish and promote international standards with respect to food, biological, pharmaceutical and similar products;

(v) generally to take all necessary action to attain the objective of the Organization.

CHAPTER III
MEMBERSHIP AND ASSOCIATE MEMBERSHIP

Article 3

Membership in the Organization shall be open to all States.

Article 4

Members of the United Nations may become Members of the Organization by signing or otherwise accepting this Constitution in accordance with the provisions of Chapter XIX and in accordance with their constitutional processes.

Article 5

The States whose governments have been invited to send observers to the International Health Conference held in New York, 1946, may become Members by signing or otherwise accepting this Constitution in accordance with the provisions of Chapter XIX and in accordance with their constitutional processes provided that such signature or acceptance shall be completed before the first session of the Health Assembly.

Article 6

Subject to the conditions of any agreement between the United Nations and the Organization, approved pursuant to Chapter XVI, States which do not become Members in accordance

with Articles 4 and 5 may apply to become Members and shall be admitted as Members when their application has been approved by a simple majority vote of the Health Assembly.

Article 7

If a Member fails to meet its financial obligations to the Organization or in other exceptional circumstances the Health Assembly may, on such conditions as it thinks proper, suspend the voting privileges and services to which a Member is entitled. The Health Assembly shall have the authority to restore such voting privileges and services.

Article 8

Territories or groups of territories which are not responsible for the conduct of their international relations may be admitted as Associate Members by the Health Assembly upon application made on behalf of such territory or group of territories by the Member or other authority having responsibility for their international relations. Representatives of Associate Members to the Health Assembly should be qualified by their technical competence in the field of health and should be chosen from the native population. The nature and extent of the rights and obligations of Associate Members shall be determined by the Health Assembly.

CHAPTER IV
ORGANS

Article 9

The work of the Organization shall be carried out by:

(a) The World Health Assembly (herein called the Health Assembly);

(b) The Executive Board (hereinafter called the Board);

(c) The Secretariat.

CHAPTER V
THE WORLD HEALTH ASSEMBLY

Article 10

The Health Assembly shall be composed of delegates representing Members.

Article 11

Each Member shall be represented by not more than three delegates, one of whom shall be designated by the Member as chief delegate. These delegates should be chosen from among persons most qualified by their technical competence in the field of health, preferably representing the national health administration of the Member.

Article 12

Alternates and advisers may accompany delegates.

Article 13

The Health Assembly shall meet in regular annual session and in such special sessions as may be necessary. Special sessions shall be convened at the request of the Board or of a majority of the Members.

Article 14

The Health Assembly, at each annual session, shall select the country or region in which the next annual session shall be held, the Board subsequently fixing the place. The Board shall determine the place where a special session shall be held.

Article 15

The Board, after consultation with the Secretary-General of the United Nations, shall determine the date of each annual and special session.

Article 16

The Health Assembly shall elect its President and other officers at the beginning of each annual session. They shall hold office until their successors are elected.

Article 17

The Health Assembly shall adopt its own rules of procedure.

Article 18

The functions of the Health Assembly shall be:

(a) to determine the policies of the Organization;

(b) to name the Members entitled to designate a person to serve on the Board;

(c) to appoint the Director-General;

(d) to review and approve reports and activities of the Board and of the Director-General and to instruct the Board in regard to matters upon which action, study, investigation or report may be considered desirable;

(e) to establish such committees as may be considered necessary for the work of the Organization;

(f) to supervise the financial policies of the Organization and to review and approve the budget;

(g) to instruct the Board and the Director-General to bring to the attention of Members and of international organizations, governmental or non-governmental, any matter with regard to health which the Health Assembly may consider appropriate;

(h) to invite any organization, international or national, governmental or non-governmental, which has responsibilities related to those of the Organization, to appoint representatives to participate, without right of vote, in its meetings or in those of the committees and conferences convened under its authority, on conditions prescribed by the Health Assembly; but in the case of national organizations, invitations shall be issued only with the consent of the government concerned;

(i) to consider recommendations bearing on health made by the General Assembly, the Economic and Social Council, the Security Council or Trusteeship Council of the United

Nations, and to report to them on the steps taken by the Organization to give effect to such recommendations;
(j) to report to the Economic and Social Council in accordance with any agreement between the Organization and the United Nations;
(k) to promote and conduct research in the field of health by the personnel of the Organization, by the establishment of its own institutions or by co-operation with official or non-official institutions of any Member with the consent of its government;
(l) to establish such other institutions as it may consider desirable;
(m) to take any other appropriate action to further the objective of the Organization.

Article 19

The Health Assembly shall have authority to adopt conventions or agreements with respect to any matter within the competence of the Organization. A two-thirds vote of the Health Assembly shall be required for the adoption of such conventions or agreements which shall come into force for each Member when accepted by it in accordance with its constitutional processes.

Article 20

Each Member undertakes that it will, within eighteen months after the adoption by the Health Assembly of a convention or agreement, take action relative to the acceptance of such convention or agreement. Each Member shall notify the Director-General of the action taken and if it does not accept such convention or agreement within the time limit, it will furnish a statement of the reasons for non-acceptance. In case of acceptance, each Member agrees to make an annual report to the Director-General in accordance with Chapter XIV.

Article 21

The Health Assembly shall have authority to adopt regulations concerning:

(a) sanitary and quarantine requirements and other procedures designed to prevent the international spread of disease;
(b) nomenclatures with respect to diseases, causes of death and public health practices;
(c) standards with respect to diagnostic procedures for international use;
(d) standards with respect to the safety, purity and potency of biological, pharmaceutical and similar products moving in international commerce;
(e) advertising and labelling of biological, pharmaceutical and similar products moving in international commerce.

Article 22

Regulations adopted pursuant to Article 21 shall come into force for all Members after due notice has been given of their adoption by the Health Assembly except for such Members as may notify the Director-General of rejection or reservations within the period stated in the notice.

Article 23

The Health Assembly shall have authority to make recommendations to Members with respect to any matter within the competence of the Organization.

CHAPTER VI
THE EXECUTIVE BOARD

Article 24

The Board shall consist of eighteen persons designated by as many Members. The Health Assembly, taking into account an equitable geographical distribution, shall elect the Members entitled to designate a person to serve on the Board. Each of these Members should appoint to the Board a person technically qualified in the field of health, who may be accompanied by alternates and advisers.

Article 25

These Members shall be elected for three years and may be re-elected; provided that of the Members elected at the first session of the Health Assembly, the terms of six Members shall be for one year and the terms of six Members shall be for two years, as determined by lot.

Article 26

The Board shall meet at least twice a year and shall determine the place of each meeting.

Article 27

The Board shall elect its Chairman from among its members and shall adopt its own rules of procedure.

Article 28

The functions of the Board shall be:
(a) to give effect to the decisions and policies of the Health Assembly;
(b) to act as the executive organ of the Health Assembly;
(c) to perform any other functions entrusted to it by the Health Assembly;
(d) to advise the Health Assembly on questions referred to it by that body and on matters assigned to the Organization by conventions, agreements and regulations;
(e) to submit advice or proposals to the Health Assembly on its own initiative;
(f) to prepare the agenda of meetings of the Health Assembly;
(g) to submit to the Health Assembly for consideration and approval a general programme of work covering a specific period;
(h) to study all questions within its competence;
(i) to take emergency measures within the functions and financial resources of the Organization to deal with events requiring immediate action. In particular it may authorize the Director-General to take the necessary steps to combat epidemics, to partic-

ipate in the organization of health relief to victims of a calamity and to undertake studies and research the urgency of which has been drawn to the attention of the Board by any Member or by the Director-General.

Article 29

The Board shall exercise on behalf of the whole Health Assembly the powers delegated to it by that body.

CHAPTER VII
THE SECRETARIAT

Article 30

The Secretariat shall comprise the Director-General and such technical and administrative staff as the Organization may require.

Article 31

The Director-General shall be appointed by the Health Assembly on the nomination of the Board on such terms as the Health Assembly may determine. The Director-General, subject to the authority of the Board, shall be the chief technical and administrative officer of the Organization.

Article 32

The Director-General shall be *ex officio* Secretary of the Health Assembly, of the Board, of all commissions and committees of the Organization and of conferences convened by it. He may delegate these functions.

Article 33

The Director-General or his representative may establish a procedure by agreement with Members, permitting him, for the purpose of discharging his duties, to have direct access to their various departments, especially to their health administrations and to national health organizations, governmental or non-governmental. He may also establish direct relations with international organizations whose activities come within the competence of the Organization. He shall keep Regional Offices informed on all matters involving their respective areas.

Article 34

The Director-General shall prepare and submit annually to the Board the financial statements and budget estimates of the Organization.

Article 35

The Director-General shall appoint the staff of the Secretariat in accordance with staff regulations established by the Health Assembly. The paramount consideration in the employment of the staff shall be to assure that the efficiency, integrity and internationally representative character of the Secretariat shall be maintained at the highest level. Due regard shall be paid also to the importance of recruiting the staff on as wide a geographical basis as possible.

Article 36

The conditions of service of the staff of the Organization shall conform as far as possible with those of other United Nations organizations.

Article 37

In the performance of their duties the Director-General and the staff shall not seek or receive instructions from any government or from any authority external to the Organization. They shall refrain from any action which might reflect on their position as international officers. Each Member of the Organization on its part undertakes to respect the exclusively international character of the Director-General and the staff and not to seek to influence them.

CHAPTER VIII
COMMITTEES

Article 38

The Board shall establish such committees as the Health Assembly may direct and, on its own initiative or on the proposal of the Director-General, may establish any other committees considered desirable to serve any purpose within the competence of the Organization.

Article 39

The Board, from time to time and in any event annually, shall review the necessity for continuing each committee.

Article 40

The Board may provide for the creation of or the participation by the Organization in joint or mixed committees with other organizations and for the representation of the Organization in committees established by such other organizations.

CHAPTER IX
CONFERENCES

Article 41

The Health Assembly or the Board may convene local, general, technical or other special conferences to consider any matter within the competence of the Organization and may provide for the representation at such conferences of international organizations and, with the consent of the government concerned, of national organizations, governmental or non-governmental. The manner of such representation shall be determined by the Health Assembly or the Board.

Article 42

The Board may provide for representation of the Organization at conferences in which the Board considers that the Organization has an interest.

CHAPTER X
HEADQUARTERS

Article 43

The location of the headquarters of the Organization shall be determined by the Health Assembly after consultation with the United Nations.

CHAPTER XI
REGIONAL ARRANGEMENTS

Article 44

(a) The Health Assembly shall from time to time define the geographical areas in which it is desirable to establish a regional organization.

(b) The Health Assembly may, with the consent of a majority of the Members situated within each area so defined, establish a regional organization to meet the special needs of such area. There shall not be more than one regional organization in each area.

Article 45

Each regional organization shall be an integral part of the Organization in accordance with this Constitution.

Article 46

Each regional organization shall consist of a Regional Committee and a Regional Office.

Article 47

Regional Committees shall be composed of representatives of the Member States and Associate Members in the region concerned. Territories or groups of territories within the region, which are not responsible for the conduct of their international relations and which are not Associate Members, shall have the right to be represented and to participate in Regional Committees. The nature and extent of the rights and obligations of these territories or groups of territories in Regional Committees shall be determined by the Health Assembly in consultation with the Member or other authority having responsibility for the international relations of these territories and with the Member States in the region.

Article 48

Regional Committees shall meet as often as necessary and shall determine the place of each meeting.

Article 49

Regional Committees shall adopt their own rules of procedure.

Article 50

The functions of the Regional Committee shall be:

(a) to formulate policies governing matters of an exclusively regional character;
(b) to supervise the activities of the Regional Office;
(c) to suggest to the Regional Office the calling of technical conferences and such additional work or investigation in health matters as in the opinion of the Regional Committee would promote the objective of the Organization within the region;
(d) to co-operate with the respective regional committees of the United Nations and with those of other specialized agencies and with other regional international organizations having interests in common with the Organization;
(e) to tender advice, through the Director-General, to the Organization on international health matters which have wider than regional significance;
(f) to recommend additional regional appropriations by the governments of the respective regions if the proportion of the central budget of the Organization allotted to that region is insufficient for the carrying out of the regional functions;
(g) such other functions as may be delegated to the Regional Committee by the Health Assembly, the Board or the Director-General.

Article 51

Subject to the general authority of the Director-General of the Organization, the Regional Office shall be the administrative organ of the Regional Committee. It shall, in addition, carry out within the region the decisions of the Health Assembly and of the Board.

Article 52

The head of the Regional Office shall be the Regional Director appointed by the Board in agreement with the Regional Committee.

Article 53

The staff of the Regional Office shall be appointed in a manner to be determined by agreement between the Director-General and the Regional Director.

Article 54

The Pan American sanitary organization represented by the Pan American Sanitary Bureau and the Pan American Sanitary Conferences, and all other inter-governmental regional health organizations in existence prior to the date of signature of this Constitution, shall in due course be integrated with the Organization. This integration shall be effected as soon as practicable through common action based on mutual consent of the competent authorities expressed through the organizations concerned.

CHAPTER XII
BUDGET AND EXPENSES

Article 55

The Director-General shall prepare and submit to the Board the annual budget estimates of the Organization. The Board shall consider and submit to the Health Assembly such budget estimates, together with any recommendations the Board may deem advisable.

Article 56

Subject to any agreement between the Organization and the United Nations, the Health Assembly shall review and approve the budget estimates and shall apportion the expenses among the Members in accordance with a scale to be fixed by the Health Assembly.

Article 57

The Health Assembly or the Board acting on behalf of the Health Assembly may accept and administer gifts and bequests made to the Organization provided that the conditions attached to such gifts or bequests are acceptable to the Health Assembly or the Board and are consistent with the objective and policies of the Organization.

Article 58

A special fund to be used at the discretion of the Board shall be established to meet emergencies and unforeseen contingencies.

CHAPTER XIII
VOTING

Article 59

Each Member shall have one vote in the Health Assembly.

Article 60

(a) Decisions of the Health Assembly on important questions shall be made by a two-thirds majority of the Members present and voting. These questions shall include: the adoption of conventions or agreements; the approval of agreements bringing the Organization into relation with the United Nations and inter-governmental organizations and agencies in accordance with Articles 69, 70 and 72; amendments to this Constitution.

(b) Decisions on other questions, including the determination of additional categories of questions to be decided by a two-thirds majority, shall be made by a majority of the Members present and voting.

(c) Voting on analogous matters in the Board and in committees of the Organization shall be made in accordance with paragraphs (a) and (b) of this Article.

CHAPTER XIV
REPORTS SUBMITTED BY STATES

Article 61

Each Member shall report annually to the Organization on the action taken and progress achieved in improving the health of its people.

Article 62

Each Member shall report annually on the action taken with respect to recommendations made to it by the Organization and with respect to conventions, agreements and regulations.

Article 63

Each Member shall communicate promptly to the Organization important laws, regulations, official reports and statistics pertaining to health which have been published in the State concerned.

Article 64

Each Member shall provide statistical and epidemiological reports in a manner to be determined by the Health Assembly.

Article 65

Each Member shall transmit upon the request of the Board such additional information pertaining to health as may be practicable.

CHAPTER XV
LEGAL CAPACITY, PRIVILEGES AND IMMUNITIES

Article 66

The Organization shall enjoy in the territory of each Member such legal capacity as may be necessary for the fulfilment of its objective and for the exercise of its functions.

Article 67

(a) The Organization shall enjoy in the territory of each Member such privileges and immunities as may be necessary for the fulfilment of its objective and for the exercise of its functions.

(b) Representatives of Members, persons designated to serve on the Board and technical and administrative personnel of the Organization shall similarly enjoy such privileges and immunities as are necessary for the independent exercise of their functions in connection with the Organization.

Article 68

Such legal capacity, privileges and immunities shall be defined in a separate agreement to be prepared by the Organization in consultation with the Secretary-General of the United Nations and concluded between the Members.

CHAPTER XVI
RELATIONS WITH OTHER ORGANIZATIONS

Article 69

The Organization shall be brought into relation with the United Nations as one of the specialized agencies referred to in Article 57 of the Charter of the United Nations. The agreement or agreements bringing the Organization into relation with the United Nations shall be subject to approval by a two-thirds vote of the Health Assembly.

Article 70

The Organization shall establish effective relations and co-operate closely with such other inter-governmental organizations as may be desirable. Any formal agreement entered into with such organizations shall be subject to approval by a two-thirds vote of the Health Assembly.

Article 71

The Organization may, on matters within its competence, make suitable arrangements for consultation and co-operation with non-governmental international organizations and, with the consent of the government concerned, with national organizations, governmental or non-governmental.

Article 72

Subject to the approval by a two-thirds vote of the Health Assembly, the Organization may take over from any other international organization or agency whose purpose and activities lie within the field of competence of the Organization such functions, resources and obligations as may be conferred upon the Organization by international agreement or by mutually acceptable arrangements entered into between the competent authorities of the respective organizations.

CHAPTER XVII
AMENDMENTS

Article 73

Texts of proposed amendments to this Constitution shall be communicated by the Director-General to Members at least six months in advance of their consideration by the Health Assembly. Amendments shall come into force for all Members when adopted by a two-thirds vote of the Health Assembly and accepted by two-thirds of the Members in accordance with their respective constitutional processes.

CHAPTER XVIII
INTERPRETATION

Article 74

The Chinese, English, French, Russian and Spanish texts of this Constitution shall be regarded as equally authentic.

Article 75

Any question or dispute concerning the interpretation or application of this Constitution which is not settled by negotiation or by the Health Assembly shall be referred to the International Court of Justice in conformity with the Statute of the Court, unless the parties concerned agree on another mode of settlement.

Article 76

Upon authorization by the General Assembly of the United Nations or upon authorization in accordance with any agreement between the Organization and the United Nations, the Organization may request the International Court of Justice for an advisory opinion on any legal question arising within the competence of the Organization.

Article 77

The Director-General may appear before the Court on behalf of the Organization in connection with any proceedings arising out of any such request for an advisory opinion. He shall make arrangements for the presentation of the case before the Court including arrangements for the argument of different views on the question.

CHAPTER XIX
ENTRY INTO FORCE

Article 78

Subject to the provisions of Chapter III, this Constitution shall remain open to all States for signature or acceptance.

Article 79

(a) States may become parties to this Constitution by

(i) signature without reservation as to approval;

(ii) signature subject to approval followed by acceptance; or

(iii) acceptance.

(b) Acceptance shall be effected by the deposit of a formal instrument with the Secretary-General of the United Nations.

Article 80

This Constitution shall come into force when twenty-six Members of the United Nations have become parties to it in accordance with the provisions of Article 79.

Article 81

In accordance with Article 102 of the Charter of the United Nations, the Secretary-General of the United Nations will register this Constitution when it has been signed without reservation as to approval on behalf of one State or upon deposit of the first instrument of acceptance.

Article 82

The Secretary-General of the United Nations will inform States parties to this Constitution of the date when it has come into force. He will also inform them of the dates when other States have become parties to this Constitution.

IN FAITH WHEREOF the undersigned representatives having been duly authorized for that purpose, sign this Constitution.

DONE in the City of New York this twenty-second day of July 1946, in a single copy in the Chinese, English, French, Russian and Spanish languages, each text being equally authentic. The original texts shall be deposited in the archives of the United Nations. The Secretary-General of the United Nations will send certified copies to each of the Governments represented at the Conference.

ANNEX IV

ARRANGEMENT CONCLUDED BY THE GOVERNMENTS REPRESENTED AT THE INTERNATIONAL HEALTH CONFERENCE

Held in the City of New York, from 19 June to 22 July 1946

THE GOVERNMENTS represented at the International Health Conference convened on 19 June 1946 in the City of New York by the Economic and Social Council of the United Nations,

Having agreed that an international organization to be known as the World Health Organization shall be established,

Having this day agreed upon a Constitution for the World Health Organization, and

Having resolved that, pending the coming into force of the Constitution and the establishment of the World Health Organization, as provided in the Constitution, an Interim Commission should be established,

AGREE as follows:

1. There is hereby established an Interim Commission of the World Health Organization consisting of the following eighteen States entitled to designate persons to serve on it: Australia, Brazil, Canada, China, Egypt, France, India, Liberia, Mexico, Netherlands, Norway, Peru, Ukrainian Soviet Socialist Republic, United Kingdom, United States of America, Union of Soviet Socialist Republics, Venezuela and Yugoslavia. Each of these States should designate to the Interim Commission a person technically qualified in the field of health, who may be accompanied by alternates and advisers.

2. The functions of the Interim Commission shall be:

(a) to convoke the first session of the World Health Assembly as soon as practicable, but not later than six months after the date on which the Constitution of the Organization comes into force;

(b) to prepare and submit to the signatories to this Arrangement, at least six weeks before the first session of the Health Assembly, the provisional agenda for that session and necessary documents and recommendations relating thereto, including:

(i) proposals as to programme and budget for the first year of the Organization,
(ii) studies regarding location of headquarters of the Organization,
(iii) studies regarding the definition of geographical areas with a view to the eventual establishment of regional organizations as contemplated in Chapter XI of the Constitution, due consideration being given to the views of the governments concerned, and
(iv) draft financial and staff regulations for approval by the Health Assembly.

In carrying out the provisions of this paragraph due consideration shall be given to the proceedings of the International Health Conference.

(c) to enter into negotiations with the United Nations with a view to the preparation of an agreement or agreements as contemplated in Article 57 of the Charter of the United Nations and in Article 69 of the Constitution. Such agreement or agreements shall:

(i) provide for effective co-operation between the two organizations in the pursuit of their common purposes;
(ii) facilitate, in conformity with Article 58 of the Charter, the co-ordination of the policies and activities of the Organization with those of other specialized agencies; and
(iii) at the same time recognize the autonomy of the Organization within the field of its competence as defined in its Constitution.

(d) to take all necessary steps to effect the transfer from the United Nations to the Interim Commission of the functions, activities, and assets of the League of Nations Health Organization which have been assigned to the United Nations;

(e) to take all necessary steps in accordance with the provisions of the Protocol concerning the *Office international d'Hygiène publique* signed 22 July 1946 for the transfer to the Interim Commission of the duties and functions of the *Office*, and to initiate any action necessary to facilitate the transfer of the assets and liabilities of the *Office* to the World Health Organization upon the termination of the Rome Agreement of 1907;

(f) to take all necessary steps for assumption by the Interim Commission of the duties and functions entrusted to the United Nations Relief and Rehabilitation Administration by the International Sanitary Convention, 1944, modifying the International Sanitary Convention of 21 June 1926, the Protocol to Prolong the International Sanitary Convention, 1944, the International Sanitary Convention for Aerial Navigation, 1944, modifying the International Sanitary Convention for Aerial Navigation of 12 April 1933, and the Protocol to Prolong the International Sanitary Convention for Aerial Navigation, 1944;

(g) to enter into the necessary arrangements with the Pan American sanitary organization and other existing inter-governmental regional health organizations with a view to giving effect to the provisions of

Article 54 of the Constitution, which arrangements shall be subject to approval by the Health Assembly;

(h) to establish effective relations and enter into negotiations with a view to concluding agreements with other inter-governmental organizations as contemplated in Article 70 of the Constitution;

(i) to study the question of relations with non-governmental international organizations and with national organizations in accordance with Article 71 of the Constitution, and to make interim arrangements for consultation and co-operation with such organizations as the Interim Commission may consider desirable;

(j) to undertake initial preparations for revising, unifying and strengthening existing international sanitary conventions;

(k) to review existing machinery and undertake such preparatory work as may be necessary in connection with:

(i) the next decennial revision of "The International Lists of Causes of Death" (including the lists adopted under the International Agreement of 1934 relating to Statistics of Causes of Death); and

(ii) the establishment of International Lists of Causes of Morbidity;

(l) to establish effective liaison with the Economic and Social Council and such of its commissions as may appear desirable, in particular the Commission on Narcotic Drugs; and

(m) to consider any urgent health problem which may be brought to its notice by any government, to give technical advice in regard thereto, to bring urgent health needs to the attention of governments and organizations which may be in a position to assist, and to take such steps as may be desirable to co-ordinate any assistance such governments and organizations may undertake to provide.

3. The Interim Commission may establish such committees as it considers desirable.

4. The Interim Commission shall elect its Chairman and other officers, adopt its own rules of procedure, and consult such persons as may be necessary to facilitate its work.

5. The Interim Commission shall appoint an Executive Secretary who shall:

(a) be its chief technical and administrative officer;

(b) be ex-officio secretary of the Interim Commission and of all committees established by it;

(c) have direct access to national health administrations in such manner as may be acceptable to the government concerned; and

(d) perform such other functions and duties as the Interim Commission may determine.

6. The Executive Secretary, subject to the general authority of the Interim Commission, shall appoint such technical and administrative staff as may be required. In making these appointments he shall have due regard for the principles embodied in Article 35 of the Constitution. He shall take into consideration the desirability of appointing available personnel from the staffs of the League of Nations Health Organization, the *Office international d'hygiène publique*, and the Health Division of the United Nations Relief and Rehabilitation Administration. He may appoint officials and specialists made available by governments. Pending the recruitment and organization of his staff, he may utilize such technical and administrative assistance as the Secretary-General of the United Nations may make available.

7. The Interim Commission shall hold its first session in New York immediately after its appointment and shall meet thereafter as often as may be necessary, but not less than once in every four months. At each session the Interim Commission shall determine the place of its next session.

8. The expenses of the Interim Commission shall be met from funds provided by the United Nations and for this purpose the Interim Commission shall make the necessary arrangements with the appropriate authorities of the United Nations. Should these funds be insufficient, the Interim Commission may accept advances from governments. Such advances may be set off against the contributions of the governments concerned to the Organization.

9. The Executive Secretary shall prepare and the Interim Commission shall review and approve budget estimates:

(a) for the period from the establishment of the Interim Commission until 31 December 1946, and

(b) for subsequent periods as necessary.

10. The Interim Commission shall submit a report of its activities to the Health Assembly at its first session.

11. The Interim Commission shall cease to exist upon resolution of the Health Assembly at its first session, at which time the property and records of the Interim Commission and such of its staff as may be required shall be transferred to the Organization.

12. This Arrangement shall come into force for all signatories on this day's date.

IN FAITH WHEREOF the undersigned representatives, having been duly authorized for that purpose, sign this Arrangement in the Chinese, English, French, Russian and Spanish languages, all texts being equally authentic.

SIGNED in the City of New York this twenty-second day of July 1946.

ANNEX V

PROTOCOL CONCERNING THE *Office international d'hygiene publique*

Article 1

The Governments signatories to this protocol agree that, as between themselves, the duties and functions of the *Office international d'hygiène publique* as defined in the Agreement signed at Rome on 9 December 1907, shall be performed by the World Health Organization or its Interim Commission and that, subject to existing international obligations, they will take the necessary steps to accomplish this purpose.

Article 2

The parties to this protocol further agree that, as between themselves, from the date when this protocol comes into force, the duties and functions conferred upon the *Office* by the international agreements listed in Annex I shall be performed by the Organization or its Interim Commission.

Article 3

The Agreement of 1907 shall be terminated and the *Office* dissolved when all parties to the Agreement have agreed to its termination. It shall be understood that any Government party to the Agreement of 1907, has agreed, by becoming party to this protocol, to the termination of the Agreement of 1907.

Article 4

The parties to this protocol further agree that, if all the parties to the Agreement of 1907 have not agreed to its termination by 15 November 1949, they will then, in accordance with Article 8 thereof, denounce the Agreement of 1907.

Article 5

Any Government party to the Agreement of 1907 which is not a signatory to this protocol may at any time accept this protocol by sending an instrument of acceptance to the Secretary-General of the United Nations, who will inform all signatory and other Governments which have accepted this protocol of such accession.

Article 6

Governments may become parties to this protocol by:

(a) signature without reservation as to approval;

(b) signature subject to approval followed by acceptance; or

(c) acceptance.

Acceptance shall be effected by the deposit of a formal instrument with the Secretary-General of the United Nations.

Article 7

This protocol shall come into force when twenty Governments parties to the Agreement of 1907 have become parties to this protocol.

IN FAITH WHEREOF the duly authorized representatives of their respective Governments have signed the present protocol, which is drawn up in the English and French languages, both texts being equally authentic, in a single original which shall be deposited with the Secretary-General of the United Nations. Authentic copies shall be furnished by the Secretary-General of the United Nations to each of the signatory and accepting Governments and to any other Government which, at the time this protocol is signed, is a party to the Agreement of 1907. The Secretary-General will as soon as possible notify each of the parties to this protocol when it comes into force.

DONE in the City of New York this twenty-second day of July 1946.

ANNEX I

1. International Sanitary Convention of 21 June 1926.

2. Convention Modifying the International Sanitary Convention of 21 June 1926, signed 31 October 1938.

3. International Sanitary Convention, 1944, Modifying the International Sanitary Convention of 21 June 1926.

4. Protocol to Prolong the International Sanitary Convention, 1944 (opened for signature 23 April 1946; in force, 30 April 1946).

5. International Sanitary Convention for Aerial Navigation of 12 April 1933.

6. International Sanitary Convention for Aerial Navigation, 1944, Modifying the International Sanitary Convention for Aerial Navigation of 12 April 1933.

7. Protocol to Prolong the International Sanitary Convention for Aerial Navigation, 1944 (opened for signature 23 April 1946; in force, 30 April 1946).

8. International Agreement Relating to Facilities to be Accorded to Merchant Seamen in the Treatment of Venereal Diseases, Brussels, 1 Dcember 1924.

9. Convention on Traffic in Opium and Drugs, Geneva, 19 February 1925.

10. Convention for Limiting the Manufacture and Regulating the Distribution of Narcotic Drugs, Geneva, 13 July 1931.

11. Convention Relating to the Antidiphtheria Serum, Paris, 1 August 1930.

12. International Convention for Mutual Protection against Dengue Fever, Athens, 25 July 1934.

13. International Agreement for Dispensing with Bills of Health, Paris, 22 December 1934.

14. International Agreement for Dispensing with Consular Visas on Bills of Health, Paris, 22 December 1934.

15. International Agreement Concerning the Transport of Corpses, Berlin, 10 February 1937.

VIII. The International Refugee Organization

A. ORIGIN

The General Assembly of the United Nations, recognizing the immediate urgency of the international problem of refugees and displaced persons, recommended, on February 12, 1946, that the Economic and Social Council establish a special committee for the purpose of examining this problem. Pursuant to this resolution, the Council, on February 16, established a Special Committee on Refugees and Displaced Persons. The Committee met in London from April 8 to June 1, 1946, and recommended the establishment of a specialized agency of a non-permanent character to deal with the problem of refugees and displaced persons. The Committee submitted to the second session of the Economic and Social Council a report covering: (a) the scope and nature of the problem to be dealt with, (b) definition of the terms "refugee" and "displaced person," (c) organization of and financial provision for an International Refugee Organization with a draft Constitution, (d) numbers of displaced persons and refugees in various countries, (e) the numbers estimated to be resettled during the first year of the Organization.

On June 21, 1946, the Economic and Social Council in turn recommended to the General Assembly the establishment of an International Refugee Organization and requested the Secretary-General to forward the draft Constitution to governments for their comments. The Council also recommended that the Secretary-General take such steps as might be appropriate to plan, in consultation with UNRRA and the Intergovernmental Committee on Refugees (IGC), the initiation of the work of the IRO. It further established a Committee on the Finances of the IRO to prepare provisional administrative and operational budgets for the first financial year of IRO and scales according to which contributions to these budgets might be allocated equitably among the Members of the United Nations. This Committee met in London from July 6 to 20, 1946.

At its third session the Economic and Social Council had before it the comments of governments on the draft Constitution and on the report of the Committee on the Finances of the IRO, and a report from the Secretary-General relating to the initiation of the work of the projected Organization. It established an *ad hoc* Committee on Finances to review the report of the Committee on the Finances of the IRO. The Council finally approved and submitted to the General Assembly a draft Constitution of IRO together with a resolution regarding Interim Arrangements which provided for the establishment of a Preparatory Commission. It also transmitted to the General Assembly the report of the Committee on the Finances of the IRO together with the report of the *ad hoc* Committee on Finances.

The General Assembly on December 15, 1946, approved, with certain modifications, the Constitution of the International Refugee Organization, including a budget for its first year of operation and the arrangements for a Preparatory Commission, and urged Members of the United Nations to sign both of these instruments.

The Constitution of IRO will come into force when at least fifteen States, whose required contributions to the operational budget ($151,060,500) amount to not less than 75 per cent of the total, have become parties to it. States may become parties to the Constitution by signature without reservation as to approval, signature subject to approval followed by acceptance, or acceptance. As of July 1, 1947, representatives of nineteen governments[1] had signed the Constitution and the Agreement on Interim Measures; of this number, however, only seven, with contributions amounting to 65.26 per cent of the operational budget, had accepted the Constitution unconditionally.

[1] For list of these governments, see Annex 1.

B. FUNCTIONS

According to its Constitution the functions of IRO will be the repatriation; identification, registration and classification; care and assistance; legal and political protection; transport; and resettlement and re-establishment, in countries able and willing to receive them, of refugees and displaced persons.

These functions are to be exercised with a view to:

(1) encouraging and assisting the repatriation of persons the concern of the Organization, having regard to the principle that no person shall be compulsorily repatriated;

(2) promoting repatriation by all possible means, especially by providing repatriated persons with adequate food for a period of three months, provided that they are returning to a country suffering as a result of enemy occupation during the war, and provided such food is distributed under the auspices of the IRO.

The term "refugee" is intended to apply to a person who has left, or who is outside of, his country of nationality or of former habitual residence, and who is a victim of the nazi, fascist or falangist regimes or who was considered a refugee before the outbreak of the Second World War for reasons of race, religion, nationality or political opinion.

The term "displaced person" is intended to apply to an individual who has been deported from his country of nationality or of former habitual residence to undertake forced labor, or has been deported for racial, religious or political reasons.

C. STRUCTURE

Under the terms of the Constitution the principal organs of IRO will be a General Council, an Executive Committee and a Secretariat headed by a Director-General.

The General Council, in which each Member is to be represented, will be the ultimate policy-making body of IRO. The Executive Committee will consist of the representatives of nine members of IRO elected by the General Council. It will perform such functions as may be necessary to give effect to the policies of the General Council, with power to make policy decisions of an emergency nature subject to reconsideration by the General Council.

The chief administrative officer of IRO will be the Director-General, who will be nominated by the Executive Committee and appointed by the General Council. He will carry out the administrative and executive functions of IRO, in accordance with the decisions of the General Council and the Executive Committee, and will also be responsible for appointing the staff, under regulations to be established by the General Council.

Membership in the Organization, under the terms of the Constitution, is open to all Members of the United Nations and to any other peace-loving State, upon recommendation of the Executive Committee and subject to certain conditions.

D. PREPARATORY COMMISSION

The Preparatory Commission, as provided by the Agreement on Interim Measures, came into being on December 31, 1946, when representatives of eight governments signatories to the Constitution had signed the Agreement. Signature of the Constitution and of the Agreement automatically entitles a State to membership in the Preparatory Commission. The Commission will remain in existence until the convening of the General Council of IRO.

The functions of the Preparatory Commission, as stated in the Agreement, are, among others, to take all necessary measures for bringing IRO into effective operation as soon as possible; to convene the General Council of IRO in its first session and to prepare the agenda therefor; to suggest plans for the first year's program of IRO, and prepare draft financial and staff regulations and draft rules of procedure for the General Council and the Executive Committee of IRO.

The Preparatory Commission met in Geneva, Switzerland, for the first part of its first session from February 11 to 21, 1947, holding twenty plenary meetings during this period. The second part of the first session was held

in Lausanne from May 1 to 21, 1947, and included twelve plenary meetings. As required by the Agreement on Interim Measures, a representative of the Director-General of ILO, the Director of IGC and a representative of the Director-General of UNRRA were present in a consultative capacity. Observers from the United Nations also attended the meetings.

The Commission elected Henri Ponsot (France) Chairman of the Commission, R. B. Skylstad (Norway) Vice-Chairman, and E. M. J. Sassen (Netherlands) Rapporteur. Arthur J. Altmeyer (United States) was appointed Executive Secretary.

The Commission adopted a formal resolution recording its decision to assume operating responsibility as from July 1, 1947, and to ask member Governments to make advance contributions in order to finance the conduct of operations for a period of three months from July 1. In accordance with the Agreement on Interim Measures, these contributions would be advances against and would be deductible from the first contributions to be made by those Governments to the IRO itself.

Having reached this decision of principle, the Commission proceeded to consider the detailed measures which should be taken in order to carry it into effect and also the various administrative and organizational problems which would need to be settled before the Preparatory Commission could in fact assume this operational responsibility. A necessary preliminary was the consideration of the proposed budget for the Preparatory Commission for the period up to June 30, 1947. The Commission requested the Secretary-General of the United Nations for an advance, not to exceed a total of $250,000, to enable the Commission to continue its work during this period. This request was granted to assist the Commission until it could finance its own activities from contributions by member Governments.

To advise the Executive Secretary and report to the Preparatory Commission concerning the organization of the IRO and the appointments of senior members of the staff, the Commission elected an Advisory Committee, composed of representatives of Belgium, Canada, China, France, Netherlands, the United Kingdom and the United States, with the Chairman of the Preparatory Commission (the representative of France) acting as Chairman.

The Commission directed the Executive Secretary, subject to the advice of the Advisory Committee, to conclude agreements with existing organizations dealing with refugees and displaced persons for the purpose of taking over their functions, activities, assets and personnel, and to make the necessary agreements and commitments with governments and occupation authorities concerned to accomplish a smooth transfer. The IRO therefore assumed the work of UNRRA and IGC on July 1, 1947. UNRRA, up to June 30, 1947, administered the camps in which the great majority of refugees and displaced persons were cared for; in the British, French, and United States zones of occupation, however, the control authorities provided all basic supplies. The IGC was established in 1938 at the Evian Conference in France to help victims of nazi persecution in Germany and Austria, providing for their legal protection, maintenance and resettlement; IGC gradually expanded its program until in July 1946 it included all non-repatriable refugees and displaced persons which now come under the jurisdiction of IRO. UNRRA and IGC had concluded agreements with more than 60 voluntary societies which are providing relief and specialized services. Existing agreements are to be continued temporarily and new agreements negotiated between IRO and these voluntary societies.

Of approximately 8,000,000 displaced persons at the time of liberation, more than 6,500,000 had returned to their homelands by the beginning of 1947. The remainder of the refugees and displaced persons were divided approximately as follows:

	Number	*Per Cent*
Poles	370,000	29
Balts (Esthonians, Latvians, Lithuanians)	194,000	15
Yugoslavs	77,000	6
U.S.S.R.	30,000	2
Stateless and Undetermined	98,000	8
Jews	229,000	18
Other	281,000	22
	1,279,000	100

Of this number, two-thirds were quartered in camps in the three western zones of Germany and Austria, and in Italy. The rest were living outside of camps, chiefly in these countries although 14,000 refugees from Europe took refuge as far away as Shanghai. By the time

the Preparatory Commission assumed operating responsibility for refugees and displaced persons, their number, through repatriation or resettlement, had been reduced still further. The Commission concluded, after examining a statistical report made by the Executive Secretary, that the best estimate of the number of persons who, on July 1, 1947, would be eligible for and would require care and maintenance pending repatriation and resettlement would be 879,950, more than 80 per cent of whom were in the occupied zones. For this 80 per cent, the occupation authorities are to make available from indigenous sources food and other basic supplies without cost to IRO, whereas IRO or its Preparatory Commission will be responsible for the selection and direction of operating and supervisory staff. The Commission established the principles to be followed with regard to diet, housing, clothing, health, education and general living conditions for refugees and displaced persons coming within the mandate of IRO. It determined that the diet provided should not be lower than that of the local population and should be augmented by the Commission, if necessary, to maintain a minimum emergency standard of health.

With regard to resettlement possibilities, the Commission noted that there was a real prospect for the early resettlement of large numbers of refugees and displaced persons. This was particularly the case with regard to the schemes for resettlement in Western European countries, but the prospects for resettlement overseas, particularly in South America, had also much improved. The Commission felt that it had at last been realized that refugees and displaced persons were not simply a problem and a "liability" but could be a very valuable help, particularly to countries where there was a shortage of manpower.

It is expected that by June 30, 1948, the total number of persons requiring the care and assistance of IRO will be reduced by approximately 300,000, on the basis of withdrawals as follows: 150,000 through repatriation, 30,000 through settlement overseas, 70,000 through settlement in countries in Western Europe and 50,000 increase in the number of self-sustaining refugees and displaced persons no longer requiring care and maintenance.

The Commission urged the governments concerned to carry out as soon as practicable the screening of refugees and displaced persons as recommended by the General Assembly of the United Nations on December 15, 1946. It also appealed to governments concerned to intensify their efforts to provide employment for refugees and displaced persons, pending their repatriation or resettlement.

There are about 3,000,000 persons, scattered throughout the world during the war, about whom it has been thus far impossible to gain any information, although it is assumed that the majority of them are dead. In view of the importance of tracing these missing persons, the Commission directed the Executive Secretary to establish, in co-operation with the National Tracing Bureaus, an International Tracing Bureau to continue on a European scale the activities of zonal tracing services in Germany and Austria. The tracing services of the Central Tracing Bureau, set up for Germany by UNRRA in co-operation with the occupation authorities, have as a result been assumed by the Preparatory Commission. The Executive Secretary was directed to appeal to all governments concerned to submit, as soon as possible, lists of names, with particulars, of persons to be traced and to seek especially the co-operation of those countries where tracing operations were to be carried out.

With a view to encouraging membership in the IRO, the Commission urged Members of the United Nations which had not yet done so to adhere to the Constitution of IRO, pointing out that this imposed no obligation on them to accept refugees and displaced persons. Admittance of refugees and displaced persons to the territories of governments, as well as the precise form of contribution to IRO, was a matter of free negotiation between the government concerned and the Organization.

E. BUDGET

The General Assembly of the United Nations, on December 15, 1946, approved, as an Annex to the IRO Constitution, the budget of the Organization for its first year of operations. This included an administrative budget in the amount of $4,800,000, an operational budget of $151,060,500, and a budget of $5,000,000 for large-scale resettlement purposes.

In view of the difficulties experienced by

member Governments of IRO's Preparatory Commission in making early advances, and of the uncertainty as to the total sums likely to be made available during the last half of 1947, the Commission, at the second part of its first session, decided to approve operational and administrative budgets each of which were 75 per cent of the original estimates approved by the General Assembly. Thus, the operational budget for the Commission was $112,045,000 as compared with the General Assembly's estimate of $151,060,500, which was based on 100 per cent United Nations membership in IRO. The administrative budget was reduced, accordingly, to $3,600,000. The Commission agreed that as soon as sufficient funds became available or were pledged, the Executive Secretary could proceed on a 100 per cent basis.

ANNEX I.

Status of Ratifications of IRO Constitution

(as of July 1, 1947)

The Constitution of the IRO provides that it will come into force when fifteen States, contributing no less than 75 per cent of the first-year operational budget, have become parties to that document. At present, although representatives of nineteen countries have signed the Constitution, only seven governments, with contributions amounting to 65.26 per cent of the operational budget, have indicated final acceptance; the remaining twelve signatures indicate commitments subject to acceptance by the governments concerned. The following is a breakdown of present subscriptions, in percentages of the total:

Unconditional		
Australia	1.76%	
China	2.50	
Guatemala	0.04	
Iceland	0.02	
New Zealand	0.44	
United Kingdom	14.75	
United States	45.75	
		65.26
Conditional[1]		
Argentina	1.50%	
Belgium	1.00	
Bolivia	0.07	
Brazil	1.50	
Canada	3.50	
Dominican Republic	0.04	
France	4.10	
Honduras	0.02	
Liberia	0.02	
Netherlands	0.90	
Norway	0.44	
Panama	0.04	
		13.13
Total		78.39

ANNEX II.

Members and Officers of the Preparatory Commission of IRO

(as of July 1, 1947)

Members[2]

Argentina	Dominican Republic	Netherlands
Australia	France	New Zealand
Belgium	Guatemala	Norway
Bolivia	Honduras	Panama
Brazil	Iceland	United Kingdom
Canada	Liberia	United States
China		

Officers

Executive Secretary: Arthur J. Altmeyer[3] (United States)

Chairman: Henri Ponsot (France)

Vice-Chairman: R. B. Skylstad (Norway)

Rapporteur: E. M. J. Sassen (Netherlands)

Address: Palais des Nations, Geneva, Switzerland

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[1] On July 25, 1947, Peru, with a contribution of 0.17 per cent, signed the Constitution, subject to acceptance. On July 31, 1947 Canada ratified its signature.

[2] Peru became a member of the Preparatory Commission on July 25, 1947.

[3] Mr. Altmeyer was succeeded as Executive Secretary on July 18, 1947, by William H. Tuck.

ANNEX III

CONSTITUTION OF THE INTERNATIONAL REFUGEE ORGANIZATION

PREAMBLE

The Governments accepting this Constitution,

RECOGNIZING:

That genuine refugees and displaced persons constitute an urgent problem which is international in scope and character;

That as regards displaced persons, the main task to be performed is to encourage and assist in every way possible their early return to their country of origin;

That genuine refugees and displaced persons should be assisted by international action, either to return to their countries of nationality or former habitual residence, or to find new homes elsewhere, under the conditions provided for in this Constitution; or in the case of Spanish Republicans, to establish themselves temporarily in order to enable them to return to Spain when the present Falangist regime is succeeded by a democratic regime;

That re-settlement and re-establishment of refugees and displaced persons be contemplated only in cases indicated clearly in the Constitution;

That genuine refugees and displaced persons, until such time as their repatriation or re-settlement and re-establishment is effectively completed, should be protected in their rights and legitimate interests, should receive care and assistance and, as far as possible, should be put to useful employment in order to avoid the evil and anti-social consequences of continued idleness; and

That the expenses of repatriation to the extent practicable should be charged to Germany and Japan for persons displaced by those Powers from countries occupied by them:

HAVE AGREED:

For the accomplishment of the foregoing purposes in the shortest possible time, to establish and do hereby establish, a non-permanent organization to be called the International Refugee Organization, a specialized agency to be brought into relationship with the United Nations, and accordingly,

HAVE ACCEPTED THE FOLLOWING ARTICLES:

Article 1

MANDATE

The mandate of the Organization shall extend to refugees and displaced persons in accordance with the principles, definitions and conditions set forth in Annex I, which is attached to and made an integral part of this Constitution.

Article 2

FUNCTIONS AND POWERS

1. The functions of the Organization to be carried out in accordance with the purposes and the principles of the Charter of the United Nations, shall be: the repatriation; the identification, registration and classification; the care and assistance; the legal and political protection; the transport; and the re-settlement and re-establishment, in countries able and willing to receive them, of persons who are the concern of the Organization under the provisions of Annex I. Such functions shall be exercised with a view:

(*a*) To encouraging and assisting in every way possible the early return to their country of nationality, or former habitual residence, of those persons who are the concern of the Organization, having regard to the principles laid down in the resolution on refugees and displaced persons adopted by the General Assembly of the United Nations on 12 February 1946 (Annex III) and to the principles set forth in the Preamble, and to promoting this by all possible means, in particular by providing them with material assistance, adequate food for a period of three months from the time of their departure from their present places of residence provided they are returning to a country suffering as a result of enemy occupation during the war, and provided such food shall be distributed under the auspices of the Organization; and the necessary clothing and means of transportation; and

(*b*) With respect to persons for whom repatriation does not take place under paragraph (*a*) of this article to facilitating:

(i) Their re-establishment in countries of temporary residence;

(ii) The emigration to, re-settlement and re-establishment in, other countries of individuals or family units; and

(iii) As may be necessary and practicable, within available resources and subject to the relevant financial regulations, the investigation, promotion or execution of projects of group re-settlement or large-scale re-settlement.

(*c*) With respect to Spanish Republicans, to assisting them to establish themselves temporarily until the time when a democratic regime in Spain is established.

2. For the purpose of carrying out its functions, the Organization may engage in all appropriate activities, and to this end, shall have power:

(*a*) To receive and disburse private and public funds;

(*b*) As necessary, to acquire land and buildings by lease, gift, or in exceptional

circumstances only, by purchase; and to hold such land and buildings or to dispose of them by lease, sale or otherwise;

(*c*) To acquire, hold and convey other necessary property;

(*d*) To enter into contracts, and undertake obligations; including contracts with Governments or with occupation or control authorities, whereby such authorities would continue, or undertake, in part or in whole, the care and maintenance of refugees and displaced persons in territories under their authority, under the supervision of the Organization;

(*e*) To conduct negotiations and conclude agreements with Governments;

(*f*) To consult and co-operate with public and private organizations whenever it is deemed advisable, in so far as such organizations share the purpose of the Organization and observe the principles of the United Nations;

(*g*) To promote the conclusion of bilateral arrangements for mutual assistance in the repatriation of displaced persons, having regard to the principles laid down in paragraph (*c*) (ii) of the resolution adopted by the General Assembly of the United Nations on 12 February 1946 regarding the problem of refugees (Annex III);

(*h*) To appoint staff, subject to the provisions of Article 9 of this Constitution;

(*i*) To undertake any project appropriate to the accomplishment of the purposes of this Organization;

(*j*) To conclude agreements with countries able and willing to receive refugees and displaced persons for the purpose of ensuring the protection of their legitimate rights and interests in so far as this may be necessary; and

(*k*) In general, to perform any other legal act appropriate to its purposes.

Article 3

RELATIONSHIP TO THE UNITED NATIONS

The relationship between the Organization and the United Nations shall be established in an agreement between the Organization and the United Nations as provided in Articles 57 and 63 of the Charter of the United Nations.

Article 4

MEMBERSHIP

1. Membership in the Organization is open to Members of the United Nations. Membership is also open to any other peace-loving States, not members of the United Nations, upon recommendation of the Executive Committee, by a two-thirds majority vote of members of the General Council present and voting, subject to the conditions of the agreement between the Organization and the United Nations approved pursuant to Article 3 of this Constitution.

2. Subject to the provisions of paragraph 1 of this article, the members of the Organization shall be those States whose duly authorized representatives sign this Constitution without reservation as to subsequent acceptance, and those States which deposit with the Secretary-General of the United Nations their instruments of acceptance after their duly authorized representatives have signed this Constitution with such reservation.

3. Subject to the provisions of paragraph 1 of this article, those States, whose representatives have not signed the Constitution referred to in the previous paragraph, or which, having signed it, have not deposited the relevant instrument of acceptance within the following six months, may, however, be admitted as members of the Organization in the following cases:

(*a*) If they undertake to liquidate any outstanding contributions in accordance with the relevant scale; or

(*b*) If they submit to the Organization a plan for the admission to their territory, as immigrants, of refugees or displaced persons in such numbers, and on such settlement conditions as shall, in the opinion of the Organization, require from the applicant State an expenditure or investment equivalent, or approximately equivalent, to the contribution that they would be called upon, in accordance with the relevant scale, to make to the budget of the Organization.

4. Those States which, on signing the Constitution, express their intention to avail themselves of clause (*b*) of paragraph 3 of this article may submit the plan referred to in that paragraph within the following three months, without prejudice to the presentation within six months of the relevant instrument of acceptance.

5. Members of the Organization which are suspended from the exercise of the rights and privileges of Membership of the United Nations shall, upon request of the latter, be suspended from the rights and privileges of this Organization.

6. Members of the Organization which are expelled from the United Nations shall automatically cease to be members of this Organization.

7. With the approval of the General Assembly of the United Nations, members of the Organization which are not members of the United Nations, and which have persistently violated the principles of the Charter of the United Nations may be suspended from the rights and privileges of the Organization, or expelled from its membership by the General Council.

8. A member of the Organization which has persistently violated the principles contained in the present Constitution, may be suspended from the rights and privileges of the Organization by the General Council, and with the ap-

proval of the General Assembly of the United Nations, may be expelled from the Organization.

9. A member of the Organization undertakes to afford its general support to the work of the Organization.

10. Any member may at any time give written notice of withdrawal to the Chairman of the Executive Committee. Such notice shall take effect one year after the date of its receipt by the Chairman of the Executive Committee.

Article 5

ORGANS

There are established as the principal organs of the Organization: a General Council, an Executive Committee and a Secretariat.

Article 6

THE GENERAL COUNCIL

1. The ultimate policy-making body of the Organization shall be the General Council, in which each member shall have one representative and such alternates and advisers as may be necessary. Each member shall have one vote in the General Council.

2. The General Council shall be convened in regular session not less than once a year by the Executive Committee provided, however, that for three years after the Organization comes into being the General Council shall be convened in regular session not less than twice a year. It may be convened in special session whenever the Executive Committee shall deem necessary; and it shall be convened in special session by the Director-General within thirty days after a request for such a special session is received by the Director-General from one-third of the members of the Council.

3. At the opening meeting of each session of the General Council, the Chairman of the Executive Committee shall preside until the General Council has elected one of its members as Chairman for the session.

4. The General Council shall thereupon proceed to elect from among its members a first Vice-Chairman and a second Vice-Chairman, and such other officers as it may deem necessary.

Article 7

EXECUTIVE COMMITTEE

1. The Executive Committee shall perform such functions as may be necessary to give effect to the policies of the General Council, and may make, between sessions of the General Council, policy decisions of an emergency nature which it shall pass on to the Director-General, who shall be guided thereby, and shall report to the Executive Committee on the action which he has taken thereon. These decisions shall be subject to reconsideration by the General Council.

2. The Executive Committee of the General Council shall consist of the representatives of nine members of the Organization. Each member of the Executive Committee shall be elected for a two-year term by the General Council at a regular session of the Council. A member may continue to hold office on the Executive Committee during any such period as may intervene between the conclusion of its term of office and the first succeeding meeting of the General Council at which an election takes place. A member shall be at all times eligible for re-election to the Executive Committee. If a vacancy occurs in the membership of the Executive Committee between two sessions of the General Council, the Executive Committee may fill the vacancy by itself appointing another member to hold office until the next meeting of the Council.

3. The Executive Committee shall elect a Chairman and a Vice-Chairman from among its members, the terms of office to be determined by the General Council.

4. Meetings of the Executive Committee shall be convened:

(*a*) At the call of the Chairman, normally twice a month;

(*b*) Whenever any representative of a member of the Executive Committee shall request the convening of a meeting, by a letter addressed to the Director-General, in which case the meeting shall be convened within seven days of the date of the receipt of the request;

(*c*) In the case of a vacancy occurring in the Chairmanship, the Director-General shall convene a meeting at which the first item on the agenda shall be the election of a Chairman.

5. The Executive Committee may, in order to investigate the situation in the field, either as a body or through a delegation of its members, visit camps, hostels or assembly points within the control of the Organization, and may give instructions to the Director-General in consequence of the reports of such visits.

6. The Executive Committee shall receive the reports of the Director-General as provided in paragraph 6 of Article 8 of this Constitution, and, after consideration thereof, shall request the Director-General to transmit these reports to the General Council with such comments as the Executive Committee may consider appropriate. These reports and such comments shall be transmitted to all members of the General Council before its next regular session and shall be published. The Executive Committee may request the Director-General to submit such further reports as may be deemed necessary.

Article 8

ADMINISTRATION

1. The chief administrative officer of the Organization shall be the Director-General. He shall be responsible to the General Council and the Executive Committee and shall carry out the administrative and executive functions of the Organization in accordance with the deci-

sions of the General Council and the Executive Committee, and shall report on the action taken thereon.

2. The Director-General shall be nominated by the Executive Committee and appointed by the General Council. If no person acceptable to the General Council is nominated by the Executive Committee, the General Council may proceed to appoint a person who has not been nominated by the Committee. When a vacancy occurs in the office of the Director-General the Executive Committee may appoint an Acting Director-General to assume all the duties and functions of the office until a Director-General can be appointed by the General Council.

3. The Director-General shall serve under a contract which shall be signed, on behalf of the Organization, by the Chairman of the Executive Committee and it shall be a clause of such contract that six months' notice of termination can be given on either side. In exceptional circumstances, the Executive Committee, subject to subsequent confirmation by the General Council, has the power to relieve the Director-General of his duties by a two-thirds majority vote of the members if, in the Committee's opinion, his conduct is such as to warrant such action.

4. The staff of the Organization shall be appointed by the Director-General under regulations to be established by the General Council.

5. The Director-General shall be present, or be represented by one of his subordinate officers, at all meetings of the General Council, or the Executive Committee and of all other committees and sub-committees. He or his representatives may participate in any such meeting but shall have no vote.

6. (*a*) The Director-General shall prepare at the end of each half-year period a report on the work of the Organization. The report, prepared at the end of each alternate period of six months, shall relate to the work of the Organization during the preceding year and shall give a full account of the activities of the Organization during that period. These reports shall be submitted to the Executive Committee for consideration, and thereafter shall be transmitted to the General Council together with any comments of the Executive Committee thereon, as provided by paragraph 6 of Article 7 of this Constitution.

(*b*) At every special session of the General Council the Director-General shall present a statement of the work of the Organization since the last meeting.

Article 9

STAFF

1. The paramount consideration in the employment of the staff and in the determination of the conditions of service shall be the necessity of securing the highest standards of efficiency, competence and integrity. A further consideration in the employment of the staff shall be adherence to the principles laid down in the present Constitution. Due regard shall be paid to the importance of recruiting staff on an appropriate geographical basis, and of employing an adequate number of persons from the countries of origin of the displaced persons.

2. No person shall be employed by the Organization who is excluded under Part II, other than paragraph 5, of Annex I to this Constitution, from becoming the concern of the Organization.

3. In the performance of their duties, the Director-General and the staff shall not seek or receive instructions from any Government or from any other authority external to the Organization. They shall refrain from any action which might reflect on their position as international officials responsible only to the Organization. Each member of the Organization undertakes to respect the exclusively international character of the responsibilities of the Director-General and the staff and not to seek to influence them in the discharge of their responsibilities.

Article 10

FINANCE

1. The Director-General shall submit, through the Executive Committee, to the General Council an annual budget, covering the necessary administrative, operational and large-scale re-settlement expenditures of the Organization, and from time to time such supplementary budgets as may be required. The Executive Committee shall transmit the budget to the General Council with any remarks it may deem appropriate. Upon final approval of a budget by the General Council, the total under each of these three headings—to wit, "administrative," "operational" and "large-scale re-settlement"—shall be allocated to the members in proportions for each heading to be determined from time to time by a two-thirds majority vote of the members of the General Council present and voting.

2. Contributions shall be payable, as a result of negotiations undertaken, at the request of members, between the Organization and such members, in kind or in such currency as may be provided for in a decision by the General Council, having regard to currencies in which the anticipated expenditure of the Organization will be effected from time to time, regardless of the currency in which the budget is expressed.

3. Each member undertakes to contribute to the Organization its share of the administrative expenses as determined and allocated under paragraphs 1 and 2 of this article.

4. Each member shall contribute to the operational expenditures – except for large-scale re-settlement expenditures – as determined and allocated under paragraphs 1 and 2 of this article, subject to the requirements of the constitutional procedure of such members.

The members undertake to contribute to the large-scale re-settlement expenditures on a voluntary basis and subject to the requirements of their constitutional procedure.

5. A member of the Organization which, after the expiration of a period of three months following the date of the coming into force of this Constitution, has not paid its financial contribution to the Organization for the first financial year, shall have no vote in the General Council or the Executive Committee until such contribution has been paid.

6. Subject to the provisions of paragraph 5 of this article, a member of the Organization which is in arrears in the payment of its financial contributions to the Organization shall have no vote in the General Council or the Executive Committee if the amount of its arrears equals or exceeds the amount of the contributions due from it for the preceding one full year.

7. The General Council may, nevertheless, permit such members to vote if it is satisfied that the failure to pay is due to conditions beyond the control of such members.

8. The administrative budget of the Organization shall be submitted annually to the General Assembly of the United Nations for such review and recommendation as the General Assembly may deem appropriate. The agreement under which the Organization shall be brought into relationship with the United Nations under Article 3 of this Constitution may provide, *inter alia*, for the approval of the administrative budget of the Organization by the General Assembly of the United Nations.

9. Without prejudice to the provisions concerning supplementary budgets in paragraph 1 of this article, the following exceptional arrangements shall apply in respect of the financial year in which this Constitution comes into force:

(*a*) The budget shall be the provisional budget set forth in Annex II to this Constitution; and

(*b*) The amounts to be contributed by the members shall be in the proportions set forth in Annex II to this Constitution.

Article 11

HEADQUARTERS AND OTHER OFFICES

1. The Organization shall establish its headquarters at Paris or at Geneva, as the General Council shall decide, and all meetings of the General Council and the Executive Committee shall be held at this headquarters, unless a majority of the members of the General Council or the Executive Committee have agreed, at a previous meeting or by correspondence with the Director-General, to meet elsewhere.

2. The Executive Committee may establish such regional and other offices and representations as may be necessary.

3. All offices and representations shall be established only with the consent of the Government in authority in the place of establishment.

Article 12

PROCEDURE

1. The General Council shall adopt its own rules of procedure, following, in general, the rules of procedure of the Economic and Social Council of the United Nations, wherever appropriate, and with such modifications as the General Council shall deem desirable. The Executive Committee shall regulate its own procedure subject to any decisions of the General Council in respect thereto.

2. Unless otherwise provided in the Constitution or by action of the General Council, motions shall be carried by simple majority of the members present and voting in the General Council and the Executive Committee.

Article 13

STATUS, IMMUNITIES AND PRIVILEGES

1. The Organization shall enjoy in the territory of each of its members such legal capacity as may be necessary for the exercise of its functions and the fulfilment of its objectives.

2. (*a*) The Organization shall enjoy in the territory of each of its members such privileges and immunities as may be necessary for the exercise of its functions and the fulfilment of its objectives.

(*b*) Representatives of members, officials and administrative personnel of the Organization shall similarly enjoy such privileges and immunities as are necessary for the independent exercise of their functions in connection with the Organization.

3. Such legal status, privileges and immunities shall be defined in an agreement to be prepared by the Organization after consultation with the Secretary-General of the United Nations. The agreement shall be open to accession by all members and shall continue in force as between the Organization and every member which accedes to the agreement.

Article 14

RELATIONS WITH OTHER ORGANIZATIONS

1. Subject to the provisions of the agreement to be negotiated with the United Nations, pursuant to Article 3 of this Constitution, the Organization may establish such effective relationships as may be desirable with other international organizations.

2. The Organization may assume all or part of the functions, and acquire all or part of the resources, assets and liabilities of any intergovernmental organization or agency, the purposes and functions of which lie within the scope of the Organization. Such action may be taken either through mutually acceptable arrangements with the competent authorities of such organizations or agencies, or pursuant to authority conferred upon the Organization by international convention or agreement.

Article 15

RELATIONSHIP WITH AUTHORITIES OF COUNTRIES OF LOCATION OF REFUGEES AND DISPLACED PERSONS

The relationship of the Organization with the Governments or administrations of countries in which displaced persons or refugees are located, and the conditions under which it will operate in such countries, shall be determined by agreements to be negotiated by it with such Governments or administrations in accordance with the terms of this Constitution.

Article 16

AMENDMENT OF CONSTITUTION

Texts of proposed amendments to this Constitution shall be communicated by the Director-General to members at least three months in advance of their consideration by the General Council. Amendments shall come into effect when adopted by a two-thirds majority of the members of the General Council present and voting and accepted by two-thirds of the members in accordance with their respective constitutional processes, provided, however, that amendments involving new obligations for members shall come into force in respect of each member only on acceptance by it.

Article 17

INTERPRETATION

1. The Chinese, English, French, Russian and Spanish texts of this Constitution shall be regarded as equally authentic.

2. Subject to Article 96 of the Charter of the United Nations and of Chapter II of the Statute of the International Court of Justice, any question or dispute concerning the interpretation or application of this Constitution shall be referred to the International Court of Justice, unless the General Council or the parties to such dispute agree to another mode of settlement.

Article 18

ENTRY INTO FORCE

1. (*a*) States may become parties to this Constitution by :

(i) Signature without reservation as to approval;

(ii) Signature subject to approval followed by acceptance;

(iii) Acceptance.

(*b*) Acceptance shall be effected by the deposit of a formal instrument with the Secretary-General of the United Nations.

2. This Constitution shall come into force when at least fifteen States, whose required contributions to Part I of the operational budget as set forth in Annex II of this Constitution amount to not less than seventy-five per cent of the total thereof, have become parties to it.

3. In accordance with Article 102 of the Charter of the United Nations, the Secretary-General of the United Nations will register this Constitution, when it has been signed, without reservation as to approval, on behalf of one State or upon deposit of the first instrument of acceptance.

4. The Secretary-General of the United Nations will inform States parties to this Constitution, of the date when it has come into force; he will also inform them of the dates when other States have become parties to this Constitution.

IN FAITH WHEREOF the undersigned, duly authorized for that purpose, have signed this Constitution.

DONE at Flushing Meadow, New York, this fifteenth day of December, one thousand nine hundred and forty-six, in a single copy in the Chinese, English, French, Russian and Spanish languages. The original texts shall be deposited in the archives of the United Nations. The Secretary-General of the United Nations will send certified copies of the texts to each of the signatory Governments and, upon the coming into force of the Constitution and the election of a Director-General, to the Director-General of the Organization.

ANNEX I

DEFINITIONS—GENERAL PRINCIPLES

1. The following general principles constitute an integral part of the definitions as laid down in Parts I and II of this Annex.

(*a*) The main object of the Organization will be to bring about a rapid and positive solution of the problem of *bona fide* refugees and displaced persons, which shall be just and equitable to all concerned.

(*b*) The main task concerning displaced persons is to encourage and assist in every way possible their early return to their countries of origin, having regard to the principles laid down in paragraph (*c*) (ii) of the resolution adopted by the General Assembly of the United Nations on 12 February 1946 regarding the problem of refugees (Annex III).

(*c*) As laid down in the resolution adopted by the Economic and Social Council on 16 February 1946, no international assistance should be given to traitors, quislings and war criminals, and nothing should be done to prevent in any way their surrender and punishment.

(*d*) It should be the concern of the Organization to ensure that its assistance is not exploited in order to encourage subversive or hostile activities directed against the Government of any of the United Nations.

(*e*) It should be the concern of the Organization to ensure that its assistance is not exploited by persons in the case of whom it is clear that they are unwilling to return to their countries of origin because they prefer idleness to facing the hardships of helping in the reconstruction of their countries, or by persons who intend to settle in other

countries for purely economic reasons, thus qualifying as emigrants.

(*f*) On the other hand it should equally be the concern of the Organization to ensure that no *bona fide* and deserving refugee or displaced person is deprived of such assistance as it may be in a position to offer.

(*g*) The Organization should endeavour to carry out its functions in such a way as to avoid disturbing friendly relations between nations. In the pursuit of this objective, the Organization should exercise special care in cases in which the re-establishment or resettlement of refugees or displaced persons might be contemplated, either in countries contiguous to their respective countries of origin or in non-self-governing countries. The Organization should give due weight, among other factors, to any evidence of genuine apprehension and concern felt in regard to such plans, in the former case, by the country of origin of the persons involved, or, in the latter case, by the indigenous population of the non-self-governing country in question.

2. To ensure the impartial and equitable application of the above principles and of the terms of the definition which follows, some special system of semi-judicial machinery should be created, with appropriate constitution, procedure and terms of reference.

PART I

Refugees and displaced persons within the meaning of the resolution adopted by the Economic and Social Council of the United Nations on 16 February 1946.

SECTION A—DEFINITION OF REFUGEES

1. Subject to the provisions of sections C and D and Part II of this Annex, the term "refugee" applies to a person who has left, or who is outside of, his country of nationality or of former habitual residence, and who, whether or not he had retained his nationality, belongs to one of the following categories:

(*a*) Victims of the nazi or fascist regimes or of regimes which took part on their side in the second world war, or of the quisling or similar regimes which assisted them against the United Nations, whether enjoying international status as refugees or not;

(*b*) Spanish Republicans and other victims of the Falangist regime in Spain, whether enjoying international status as refugees or not;

(*c*) Persons who were considered refugees before the outbreak of the second world war, for reasons of race, religion, nationality or political opinion.

2. Subject to the provisions of sections C and D and of Part II of this Annex regarding the exclusion of certain categories of persons, including war criminals, quislings and traitors, from the benefits of the Organization, the term "refugee" also applies to a person, other than a displaced person as defined in section B of this Annex, who is outside of his country of nationality or former habitual residence, and who, as a result of events subsequent to the outbreak of the second world war, is unable or unwilling to avail himself of the protection of the Government of his country of nationality or former nationality.

3. Subject to the provisions of Section D and of Part II of this Annex, the term "refugee" also applies to persons who, having resided in Germany or Austria, and being of Jewish origin or foreigners or stateless persons, were victims of nazi persecution and were detained in, or were obliged to flee from, and were subsequently returned to, one of those countries as a result of enemy action, or of war circumstances, and have not yet been firmly resettled therein.

4. The term "refugee" also applies to unaccompanied children who are war orphans or whose parents have disappeared, and who are outside their countries of origin. Such children, 16 years of age or under, shall be given all possible priority assistance, including, normally, assistance in repatriation in the case of those whose nationality can be determined.

SECTION B—DEFINITION OF DISPLACED PERSONS

The term "displaced person" applies to a person who, as a result of the actions of the authorities of the regimes mentioned in Part I, section A, paragraph 1 (*a*) of this Annex, has been deported from, or has been obliged to leave, his country of nationality or of former habitual residence, such as persons who were compelled to undertake forced labour or who were deported for racial, religious or political reasons. Displaced persons will only fall within the mandate of the Organization subject to the provisions of sections C and D of Part I and to the provisions of Part II of this Annex. If the reasons for their displacement have ceased to exist, they should be repatriated as soon as possible in accordance with Article 2, paragraph 1 (*a*) of this Constitution, and subject to the provision of paragraph (*c*), sub-paragraphs (ii) and (iii) of the General Assembly resolution of 12 February 1946 regarding the problem of refugees (Annex III).

SECTION C—CONDITIONS UNDER WHICH "REFUGEES" AND "DISPLACED PERSONS" WILL BECOME THE CONCERN OF THE ORGANIZATION

1. In the case of all the above categories except those mentioned in section A, paragraphs 1 (*b*) and 3 of this Annex, persons will become the concern of the Organization in the sense of the resolution adopted by the Economic and Social Council on 16 February 1946 if they can be repatriated, and the help of the Organization is required in order to provide for their repatriation, or if they have definitely, in complete freedom and after receiving full knowledge of the facts, including adequate

information from the Governments of their countries of nationality or former habitual residence, expressed valid objections to returning to those countries.

(*a*) The following shall be considered as valid objections:

(i) Persecution, or fear, based on reasonable grounds of persecution because of race, religion, nationality or political opinions, provided these opinions are not in conflict with the principles of the United Nations, as laid down in the Preamble of the Charter of the United Nations;

(ii) Objections of a political nature judged by the Organization to be "valid", as contemplated in paragraph 8 (*a*)[1] of the report of the Third Committee of the General Assembly as adopted by the Assembly on 12 February 1946.

(iii) In the case of persons falling within the category mentioned in section A, paragraphs 1 (*a*) and 1 (*c*) compelling family reasons arising out of previous persecution, or compelling reasons of infirmity or illness.

(*b*) The following shall normally be considered "adequate information": information regarding conditions in the countries of nationality of the refugees and displaced persons concerned, communicated to them directly by representatives of the Governments of these countries, who shall be given every facility for visiting camps and assembly centres of refugees and displaced persons in order to place such information before them.

2. In the case of all refugees falling within the terms of section A, paragraph 1 (*b*) of this Annex, persons will become the concern of the Organization in the sense of the resolution adopted by the Economic and Social Council of the United Nations on 16 February 1946, so long as the Falangist regime in Spain continues. Should that regime be replaced by a democratic regime they will have to produce valid objections against returning to Spain corresponding to those indicated in paragraph 1 (*a*) of this section.

SECTION D — CIRCUMSTANCES IN WHICH REFUGEES AND DISPLACED PERSONS WILL CEASE TO BE THE CONCERN OF THE ORGANIZATION

Refugees or displaced persons will cease to be the concern of the Organization:

(*a*) When they have returned to the countries of their nationality in United Nations territory, unless their former habitual residence to which they wish to return is outside their country of nationality; or

(*b*) When they have acquired a new nationality; or

(*c*) When they have, in the determination of the Organization, become otherwise firmly established; or

(*d*) When they have unreasonably refused to accept the proposals of the Organization for their re-settlement or repatriation; or

(*e*) When they are making no substantial effort towards earning their living when it is possible for them to do so, or when they are exploiting the assistance of the Organization.

PART II

Persons who will not be the concern of the Organization.

1. War criminals, quislings and traitors.

2. Any other persons who can be shown:

(*a*) To have assisted the enemy in persecuting civil populations of countries Members of the United Nations; or

(*b*) To have voluntarily assisted the enemy forces since the outbreak of the second world war in their operations against the United Nations.[2]

3. Ordinary criminals who are extraditable by treaty.

4. Persons of German ethnic origin, whether German nationals or members of German minorities in other countries, who:

(*a*) Have been or may be transferred to Germany from other countries;

(*b*) Have been, during the second world war, evacuated from Germany to other countries;

(*c*) Have fled from, or into, Germany, or from their places of residence into countries other than Germany in order to avoid falling into the hands of Allied armies.

5. Persons who are in receipt of financial support and protection from their country of nationality, unless their country of nationality requests international assistance for them.

6. Persons who, since the end of hositilities in the second world war:

(*a*) Have participated in any organization having as one of its purposes the overthrow by armed force of the Government of their country of origin, being a Member of the United Nations; or the overthrow by armed force of the Government of any other Member of the United Nations, or have participated in any terrorist organization;

(*b*) Have become leaders of movements hostile to the Government of their country

[1] *Paragraph 8 (a):*

"In answering the representative of Belgium, the Chairman stated that it was implied that the international body would judge what were, or what were not, 'valid objections'; and that such objections clearly might be of a political nature."

[2] Mere continuance of normal and peaceful duties, not performed with the specific purpose of aiding the enemy against the Allies or against the civil population of territory in enemy occupation, shall not be considered to constitute "voluntary assistance." Nor shall acts of general humanity, such as care of wounded or dying, be so considered except in cases where help of this nature given to enemy nationals could equally well have been given to Allied nationals and was purposely withheld from them.

of origin being a Member of the United Nations or sponsors of movements encouraging refugees not to return to their country of origin;

(*c*) At the time of application for assistance, are in the military or civil service of a foreign State.

ANNEX II

BUDGET AND CONTRIBUTIONS FOR THE FIRST FINANCIAL YEAR

1. The provisional budget for the first financial year shall be the sum of 4,800,000 United States dollars for administrative expenses, and a sum of 151,060,500 United States dollars for operational expenses (except for large-scale re-settlement expenses), and a sum of 5,000,000 United States dollars for large-scale re-settlement expenses. Any unspent balance under these headings shall be carried over to the corresponding heading as a credit in the budget of the next financial year.

2. These sums, (except for large-scale re-settlement expenses), shall be contributed by the members in the following proportions:

A—FOR ADMINISTRATIVE EXPENSES

Country	*Percentage*
Afghanistan	0.05
Argentina	1.85
Australia	1.97
Belgium	1.35
Bolivia	0.08
Brazil	1.85
Byelorussian Soviet Socialist Republic	0.22
Canada	3.20
Chile	0.45
China	6.00
Colombia	0.37
Costa Rica	0.04
Cuba	0.29
Czechoslovakia	0.90
Denmark	0.79
Dominican Republic	0.05
Ecuador	0.05
Egypt	0.79
El Salvador	0.05
Ethiopia	0.08
France	6.00
Greece	0.17
Guatemala	0.05
Haiti	0.04
Honduras	0.04
Iceland	0.04
India	3.95
Iran	0.45
Iraq	0.17
Lebanon	0.06
Liberia	0.04
Luxembourg	0.05
Mexico	0.63
Netherlands	1.40
New Zealand	0.50
Nicaragua	0.04
Norway	0.50
Panama	0.05
Paraguay	0.04
Peru	0.20
Philippine Republic	0.29
Poland	0.95
Saudi Arabia	0.08
Sweden	2.35
Syria	0.12
Turkey	0.91
Ukrainian Soviet Socialist Republic	0.84
Union of South Africa	1.12
Union of Soviet Socialist Republics	6.34
United Kingdom	11.48
United States of America	39.89
Uruguay	0.18
Venezuela	0.27
Yugoslavia	0.33
	100.00

B—FOR OPERATIONAL EXPENSES (EXCEPT FOR LARGE-SCALE RESETTLEMENT)

Country	*Percentage*
Afghanistan	0.03
Argentina	1.50
Australia	1.76
Belgium	1.00
Bolivia	0.07
Brazil	1.50
Byelorussian Soviet Socialist Republic	0.16
Canada	3.50
Chile	0.39
China	2.50
Colombia	0.32
Costa Rica	0.02
Cuba	0.24
Czechoslovakia	0.80
Denmark	0.68
Dominican Republic	0.04
Ecuador	0.04
Egypt	0.68
El Salvador	0.03
Ethiopia	0.07
France	4.10
Greece	0.15
Guatemala	0.04
Haiti	0.02
Honduras	0.02
Iceland	0.02
India	3.66
Iran	0.39
Iraq	0.15
Lebanon	0.05
Liberia	0.02
Luxembourg	0.04
Mexico	0.54
Netherlands	0.90
New Zealand	0.44
Nicaragua	0.02
Norway	0.44
Panama	0.04
Paraguay	0.02
Peru	0.17
Philippine Republic	0.24
Poland	0.61
Saudi Arabia	0.07
Sweden	2.20
Syria	0.10
Turkey	0.88
Ukrainian Soviet Socialist Republic	0.62
Union of South Africa	1.00
Union of Soviet Socialist Republics	4.69
United Kingdom	14.75
United States of America	45.75
Uruguay	0.15
Venezuela	0.23
Yugoslavia	0.23
New Members	1.92
	100.00

3. Contributions to large-scale re-settlement expenses shall be governed by the provisions of Article 10, paragraph 4 of this Constitution.

ANNEX III

RESOLUTION ADOPTED BY THE GENERAL ASSEMBLY ON 12 FEBRUARY 1946 (document A/45)

THE GENERAL ASSEMBLY,

RECOGNIZING that the problem of refugees and displaced persons of all categories is one of immediate urgency and recognizing the necessity of clearly distinguishing between genuine refugees and displaced persons on the one hand, and the war criminals, quislings and traitors referred to in paragraph (*d*) below, on the other:

(*a*) DECIDES to refer this problem to the Economic and Social Council for thorough examination in all its aspects under item 10 of the agenda for the first session of the Council and for report to the second part of the first session of the General Assembly;

(*b*) RECOMMENDS to the Economic and Social Council that it establish a special committee for the purpose of carrying out promptly the examination and preparation of the report referred to in paragraph (*a*); and

(*c*) RECOMMENDS to the Economic and Social Council that it take into consideration in this matter the following principles:

(i) this problem is international in scope and nature;

(ii) no refugees or displaced persons who have finally and definitely, in complete freedom and after receiving full knowledge of the facts, including adequate information from the Governments of their countries of origin, expressed valid objections to returning to their countries of origin and who do not come within the provisions of paragraph (*d*) below, shall be compelled to return to their country of origin. The future of such refugees or displaced persons shall become the concern of whatever international body may be recognized or established as a result of the report referred to in paragraphs (*a*) and (*b*) above, except in cases where the Government of the country where they are established has made an arrangement with this body to assume the complete cost of their maintenance and the responsibility for their protection;

(iii) the main task concerning displaced persons is to encourage and assist in every way possible their early return to their countries of origin. Such assistance may take the form of promoting the conclusion of bilateral arrangements for mutual assistance in the repatriation of such persons, having regard to the principles laid down in paragraph (*c*) (ii) above;

(*d*) CONSIDERS that no action taken as a result of this resolution shall be of such a character as to interfere in any way with the surrender and punishment of war criminals, quislings and traitors, in conformity with present or future international arrangements or agreements;

(*e*) CONSIDERS that Germans being transferred to Germany from other States or who fled to other States from Allied troops, do not fall under the action of this declaration in so far as their situation may be decided by Allied forces of occupation in Germany, in agreement with the Governments of the respective countries.

ANNEX IV

AGREEMENT ON INTERIM MEASURES TO BE TAKEN IN RESPECT OF REFUGEES AND DISPLACED PERSONS

The GOVERNMENTS which have signed the Constitution of the International Refugee Organization,

Having determined that they will take all measures possible to accomplish expeditiously the entry into effective operation of that Organization, and to provide for an orderly transfer to it of the functions and assets of existing organizations;

Having decided that, pending the entry into force of the Constitution of the Organization, a Preparatory Commission for the International Refugee Organization should be established for the performance of certain functions and duties;

AGREE to the following measures:

1. There is hereby established a Preparatory Commission for the International Refugee Organization, which shall consist of one representative from each Government signatory to the Constitution. The Director of the Intergovernmental Committee on Refugees, the Director-General of UNRRA and the Director of the International Labour Organisation, or their representatives, shall be invited to sit with the Commission in a consultative capacity.

2. The Commission shall:

(*a*) Take all necessary and practicable measures for the purpose of bringing the Organization into effective operation as soon as possible;

(*b*) Arrange for the convening of the General Council in its first session at the earli-

est practicable date following the entry into force of the Constitution of the Organization;

(*c*) Prepare the provisional agenda for this first session as well as documents and recommendations relating thereto;

(*d*) Suggest plans, in consultation with existing organizations and the control authorities, for the programme for the first year of the Organization;

(*e*) Prepare draft financial and staff regulations, and draft rules of procedure for the General Council and the Executive Committee.

3. The Commission may, in its discretion and after agreement with existing organizations dealing with refugees and displaced persons, take over any of the functions, activities, assets and personnel of such organizations, provided that the Commission is satisfied that this is essential in order to accomplish the orderly transfer to the International Refugee Organization of such functions or activities.

4. The Commission shall be governed by the rules of procedure of the Economic and Social Council of the United Nations so far as these are applicable.

5. The Commission shall appoint an Executive Secretary, who shall serve the Commission in that capacity and perform such duties as the Commission may determine. He shall be responsible for the appointment and direction of such staff as may be required for the work of the Commission.

6. The expenses of the Commission may be met by advances from such Governments as choose to make advance contributions, which shall be deductible from their first contributions to the Organization; and from such funds and assets as may be transferred from existing organizations to meet the cases provided for in paragraph 3 of this Agreement.

7. The first meeting of the Commission shall be convened as soon as practicable by the Secretary-General of the United Nations.

8. The Commission shall cease to exist upon the election of the Director-General of the Organization, at which time its property, assets and records shall be transferred to the Organization.

9. This Agreement shall come into force as soon as it has been signed by the representatives of eight Governments signatories to the Constitution of the International Refugee Organization and shall remain open for signature by Members of the United Nations which sign the Constitution of the International Refugee Organization until the Commission is dissolved in accordance with paragraph 8 of this Agreement.

IN FAITH WHEREOF, the undersigned representatives, having been duly authorized for that purpose, sign this agreement in the Chinese, English, French, Russian and Spanish languages, all five texts being equally authentic.

DONE at Flushing Meadow, New York, this fifteenth day of December, one thousand nine hundred and forty-six.

IX. The International Trade Organization

(PROPOSED)

A. ORIGIN

On February 18, 1946, the Economic and Social Council of the United Nations, on the motion of the United States representative, decided to call an International Conference on Trade and Employment, to meet in the latter part of 1946, for the purpose of expanding the production, exchange and consumption of goods.

Prior to this, on December 6, 1945, the Department of State of the United States had made public a document setting forth "Proposals for Expansion of World Trade and Employment." On the same day the Government of the United Kingdom expressed its full agreement on all important points in these proposals, which had resulted from the Anglo-American financial and trade discussions, and accepted them as a basis for international discussion. The proposals were later elaborated by the United States Government and published in September 1946 as a "Suggested Charter for an International Trade Organization."

The Economic and Social Council established a Preparatory Committee of the United Nations Conference on Trade and Employment to prepare for consideration at the Conference, an agenda and a draft convention or charter for an International Trade Organization. The Council also suggested certain topics to be included in the agenda of the Preparatory Committee. It appointed the following States to designate representatives as members of the Committee: Australia, Belgium, Brazil, Canada, Chile, China, Cuba, Czechoslovakia, France, India, Lebanon, Luxembourg, Netherlands, New Zealand, Norway, Union of South Africa, the U.S.S.R., the United Kingdom and the United States.

The Secretary-General of the United Nations announced in May 1946, during the second session of the Council, that it would not be possible to hold the International Conference on Trade and Employment until the following year, but that arrangements had been made for the Preparatory Committee to meet in London on October 15, 1946.

B. FIRST SESSION OF THE PREPARATORY COMMITTEE

The Preparatory Committee held its first session in London from October 15 to November 26, 1946. It was attended by representatives of eighteen of its nineteen member governments. The U.S.S.R. had indicated that it felt unable to participate in the work of the Committee as it had not found it possible to devote sufficient preliminary study to the important questions which were the subject of the Committee's discussions. Colombia, Denmark, Mexico, Peru, Poland and Syria, not members of the Committee, sent observers to the meeting. The following international organizations also sent observers: the International Labour Organisation, Food and Agriculture Organization, International Bank for Reconstruction and Development, International Monetary Fund, International Chamber of Commerce, International Co-operative Alliance, World Federation of Trade Unions and the American Federation of Labor.

The Preparatory Committee elected Max Suetens (Belgium) as its Chairman. Eric Wyndham-White (United Kingdom) was Executive Secretary.

The Committee had before it for discussion the agenda suggested by the Economic and Social Council, which included: international agreement on the achievement and maintenance of high and stable levels of employment and economic activity; international agreement on regulations, restrictions and discrimination affecting international trade; international agreement on intergovernmental commodity arrangements; and establishment of an international trade organization as a specialized agency of the United Nations. It added to these the question of an international agree-

ment relating to industrial development and the question of international agreement on an undertaking to promote high and steadily rising levels of effective demand.

To examine the appropriate sections of the agenda, the Preparatory Committee established six working committees, as follows: Employment and Economic Activity, General Commercial Policy, Restrictive Business Practices, Inter-governmental Commodity Arrangements, Administration and Organization and a joint Committee on Industrial Development. The working committees, in considering the relevant sections of the agenda, used as a basic document the "Suggested Charter" issued by the United States in September 1946, together with documents submitted by other delegations. These included, among others, a draft Charter submitted by the delegation of Brazil, a detailed commentary on the United States proposals submitted by the delegation of India and a memorandum on employment policy submitted by the delegation of the United Kingdom.

The Preparatory Committee adopted the reports of its working committees. It noted that the United States had previously invited the States which were now members of the Committee to meet to negotiate concrete arrangements for the relaxation of tariffs and trade barriers of all kinds. It therefore suggested that such reciprocal and mutually advantageous tariff negotiations be conducted under the sponsorship of the Preparatory Committee at its second session.

Pending the establishment of an International Trade Organization, the Committee suggested that the Secretary-General of the United Nations appoint an interim co-ordinating committee for international commodity arrangements. This interim committee was to be composed of the Executive Secretary of the Preparatory Committee, a representative from FAO to be concerned with agricultural primary commodities, and a person to be selected by the Secretary-General of the United Nations to be concerned with non-agricultural primary commodities. Accordingly, in June 1947, the Secretary-General, at the request of the Economic and Social Council, appointed the Interim Co-ordinating Committee for International Commodity Arrangements. The Economic and Social Council recommended that Members of the United Nations adopt as a guide in inter-governmental commodity arrangements the principles laid down in the chapter of the ITO Charter dealing with these arrangements.

The Preparatory Committee requested the Economic and Social Council to state whether the suggested functions of ITO with regard to economic development, as set forth in the relevant section of the Charter, were in accordance with the Council's views on the appropriate allocation of such functions. The Council, when this question came up before it in March 1947, decided that it would be appropriate for the ITO to provide advice and technical assistance to its member nations in making and carrying out their plans for economic development. At the same time, the Council expressed the hope that in the final drafting of the ITO charter, careful consideration would be given to the activities of specialized agencies and of the Sub-Commission on Economic Development.

A drafting committee was established by the Preparatory Committee to prepare a draft charter of the International Trade Organization. It was to edit for consistency and clarity those portions of the text on which the Preparatory Committee had come to substantial agreement, and prepare alternative drafts of those portions on which there remained disagreement. It was also to prepare suggested drafts covering such uncompleted portions as were referred to it by the Preparatory Committee, together with explanatory notes and commentaries.

C. DRAFTING COMMITTEE

The drafting committee was composed of representatives of the members of the Preparatory Committee. It met at the headquarters of the United Nations from January 20 to February 25, 1947.

The report of the drafting committee, which included the draft Charter of the proposed organization, was forwarded for approval and further consideration to governments and to the second session of the Preparatory Committee. In its revised form, the draft Charter as it emerged from the drafting committee was divided into eight chapters: 1. Purposes; 2. Membership; 3. Employment, Effective Demand

and Economic Activity; 4. Economic Development; 5. General Commercial Policy; 6. Restrictive Business Practices; 7. Inter-Governmental Commodity Arrangements; 8. Organization.

Inasmuch as the second session of the Preparatory Committee, in addition to completing the work of its first session, was to be concerned with concluding multilateral tariff negotiations, the drafting committee prepared an interim instrument entitled "General Agreement on Tariffs and Trade" to aid the delegates in their discussions. This instrument embodied the fundamental provisions of the Charter, especially of its chapter on General Commercial Policy. (These provisions included such questions as: general most-favored-nation treatment; national treatment on international taxation and regulations; freedom of transit; anti-dumping and countervailing duties; tariff valuation; customs formalities and unions; exchange arrangements; subsidies; non-discriminatory administration of State-trading enterprises; maintenance of domestic employment and governmental assistance to economic development.) The General Agreement provides for an interim trade committee, to be composed of one representative of each contracting party, to administer its provisions. As soon as the ITO is established and capable of exercising its functions, the committee may be dissolved and its functions transferred to the Organization.

D. SECOND SESSION OF THE PREPARATORY COMMITTEE

The Preparatory Committee convened for its second session in Geneva on April 10, 1947, and hoped to complete its work some time in September 1947.

In addition to the States and organizations represented at the first session, the following sent observers to the second session: Afghanistan, Argentina, Ecuador, Egypt, Greece, Iran, Saudi-Arabia, Sweden, Turkey, Uruguay, Venezuela, Yugoslavia and the International Federation of Agricultural Producers. Syrian representatives attended the second session as part of a delegation representing the Syro-Lebanese Customs Union in the tariff negotiations.

This session of the Preparatory Committee was charged with the two-fold task of completing its work on the draft Charter, which is to be presented as the basic document for discussion at the International Conference on Trade and Employment, and of concluding negotiations for a multilateral trade agreement.

Prior to the session, each member of the Committee had compiled a list of commodities which it was interested in exporting and for which it asked tariff concessions from the other members of the Committee. Each member also compiled a schedule of concessions which it was prepared to make to other countries on particular products. The negotiations are being conducted in accordance with a selective product-by-product method, ensuring flexibility by taking into account the needs of individual countries and their industries. No country is expected to grant concessions without receiving concessions in return from the other negotiating countries. Belgium, Luxembourg and the Netherlands are considered as a Customs Union, and are jointly represented in the negotiations as one delegation. Sixteen delegations are taking part in the negotiations. Of the 120 possible bilateral negotiations which might have taken place, 104 have begun; in other cases, the volume of trade is so small that there is no need for negotiations. Each negotiating country will be contractually entitled to each of the tariff reductions and other concessions in each of the schedules of the other parties. When the bilateral negotiations are completed, their results will be grouped together into a multilateral agreement to be signed by the contracting States and presented to the Conference.

With regard to the draft Charter of ITO, the Committee discussed anew all the articles and appointed a special committee of lawyers to put the text into final form.

The Preparatory Committee recommended to the Economic and Social Council that the International Conference on Trade and Employment be convened on November 21, 1947, in Havana, Cuba. It felt that States not Members of the United Nations which had an appreciable interest in world trade should also be invited to the Conference. The Committee recommended that all Members of the United Nations be asked to participate and that the following non-Members of the United Nations,

which had an appreciable interest in world trade, should also be invited to the Conference: Albania, Austria, Bulgaria, Eire, Finland, Hungary, Italy, Portugal, Rumania, Switzerland, Transjordania and the Yemen. It was suggested that appropriate authorities in Germany, Japan and Korea should also be invited, as well as Burma, Ceylon and Southern Rhodesia, which possess full autonomy in the conduct of their external commercial relations and in related matters to be dealt with by the Conference.

The substance of the agenda of the Conference, (subject to the approval of the fifth session of the Economic and Social Council)[1] will be based on the subject index of the draft Charter. This includes: Employment and Economic Activity; Economic Development; General Commercial Policy; and Inter-Governmental Commodity Arrangements. The relevant chapters of the draft Charter will be the principal working paper under each heading. The Conference is to establish the proposed International Trade Organization and to adopt a Charter for the Organization.

ANNEX

MEMBERS AND OFFICERS OF THE PREPARATORY COMMITTEE

Members

Australia
Belgium
Brazil
Canada
Chile
China
Cuba
Czechoslovakia
France
India
Lebanon
Luxembourg
Netherlands
New Zealand
Norway
Union of South Africa
U.S.S.R.
United Kingdom
United States

Officers

Chairman
Max Suetens (Belgium)

Executive Secretary
E. Wyndham-White (United Kingdom)

Deputy Executive Secretary
J. A. Lacarte (Uruguay)

Vice-Chairmen

(*First Session*)
Zdenek Augenthaler (Czechoslovakia)
Alberto Innocente Alvarez (Cuba)

(*Second Session*)
Erik Colban (Norway)
Zdenek Augenthaler (Czechoslovakia)
Sir Raghavan Pillai (India)
Sergio Clark (Cuba)
L. D. Wilgress (Canada)

[1] The Economic and Social Council approved the recommendation of the Preparatory Committee with respect to the date and place of the Conference and its agenda, and added Pakistan and the Indonesian Republic to the text of invitees.

X. *The Universal Postal Union*

A. ORIGIN

The Universal Postal Union was established on October 9, 1874, with the approval of the Universal Postal Convention by the Postal Congress of Berne, Switzerland. It superseded the General Postal Union, which had been established in 1863. The Universal Postal Union was extended and improved by the Postal Congresses of Paris (1878), Lisbon (1885), Vienna (1891), Washington (1897), Rome (1906), Stockholm (1924), London (1929), Cairo (1934) and Buenos Aires (1939), and by the conferences of Berne (1876), Paris (1880), Brussels (1890), Zermatt (1921), Nice (1922), Cortina d'Ampezzo (1925), The Hague (1927), Paris (1928) and Ottawa (1933).

Ten years after its foundation, the Union included 86 postal administrations; by 1900 there were 113; by 1938 the membership included all of the countries of the world, except for Nepal and Touva.

B. PURPOSE

The UPU was established to alleviate the uncertainty, confusion and excessive cost of international postal communications by uniting its member countries in a single postal territory for the reciprocal exchange of mail. Every member of the Union binds itself to transmit the mails entrusted to it by every other member by the best means of communications which it employs for its own mail.

C. STRUCTURE

The Convention provides for a Universal Postal Congress and an International Bureau.

Every member is invited to send representatives to the Congress, which usually meets at intervals of five years. It reviews the International Postal Convention and its subsidiary agreements on the basis of proposals submitted by member countries.

The Twelfth Congress provided for the establishment of a Permanent Executive and Liaison Commission, which will not come into existence until the entry into force of the Twelfth Postal Convention on July 1, 1948.

The International Bureau, which was founded on September 15, 1875, functions as the permanent secretariat of the Union. It collects, co-ordinates, publishes and circulates information of all kinds concerning the international postal service; gives opinions, on request, on questions in dispute; examines requests for amendments to the Acts of the Congresses; gives notice of amendments adopted. It is also responsible for supplying the administrations of the Union with reply-coupons, identity-cards and postal orders for travellers, and in general acts as a clearing house for the settlement of accounts relative to the international postal service. The International Bureau has no executive powers; it must follow the instructions of the Congress.

D. ACTIVITIES

In accordance with a decision of the second session of the Economic and Social Council of the United Nations, the Secretary-General called a meeting of postal experts of Members of the United Nations for the purpose of drafting proposals for submission to the Congress regarding the relationship between the United Nations and UPU. The Committee of Governmental Postal Experts, attended by representatives from 39 countries, met in Decem-

ber 1946 at United Nations Headquarters. A draft agreement was adopted for submission to the Universal Postal Congress. The report of the Postal Experts expressed the view that any modification of the Convention of the UPU in consequence of the eventual conclusion of the contemplated agreement could be discussed solely by the Congress. By a resolution of March 28, 1947, the Economic and Social Council authorized its Committee on Negotiations with Specialized Agencies to enter into negotiations at the appropriate time with the UPU for the purpose of bringing it into relationship with the United Nations as a specialized agency.

The Twelfth Congress of the UPU convened in Paris on May 6, 1947. All members of the Union, with the exception of Spain, were invited to participate. In view of the resolution of the General Assembly barring Franco Spain from membership in any specialized agency brought into relationship with the United Nations, the Congress voted to exclude Spain from membership in the Union. On May 28 the Congress passed a resolution approving relationship with the United Nations. Discussions on the terms of the relationship were subsequently conducted between a negotiating committee of the Congress and representatives of the Economic and Social Council's Committee on Negotiations with Specialized Agencies. The text of a draft agreement was decided upon and finally approved by the Congress. The agreement has still to be approved by the General Assembly of the United Nations.

It was anticipated that before its adjournment in early July 1947, the Congress would have decided on changes in the Universal Postal Convention, revisions of international postal regulations and questions with regard to membership in the Union.

ANNEX

OFFICERS OF THE UNIVERSAL POSTAL UNION

President of the Twelfth Congress — Joseph Le Mouel (France)

Director of the International Bureau — Charles Muri (Switzerland)

Vice-Director of the International Bureau — Fulke Radice (Switzerland)

Headquarters: International Bureau of the Universal Postal Union
Schwartzorstrasse 38,
Berne, Switzerland

XI. The International Telecommunications Union

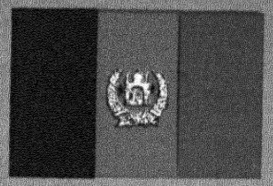
The International Telecommunications Union was established on December 9, 1932, by the Madrid Radio-telegraph Conference as a successor to the International Telegraph Union which was formed in Paris in 1865 by twenty countries. The International Telecommunication Convention provides for a bureau of the International Telecommunications Union to function, under the control of the Swiss Government, as the central office of the Union at Berne. ITU was set up to organize and regulate exchanges of telecommunications by telegraph (since 1865), by telephone (since 1885), and by radio (since 1906) between countries members of the Union. Most of the countries in which there are telecommunication services are members of ITU. There are 77 member countries.

The Economic and Social Council of the United Nations, on March 28, 1947, authorized its Committee on Negotiations with Specialized Agencies to enter into negotiations at the appropriate time with the ITU for the purpose of bringing it into relationship with the United Nations.

A plenipotentiary conference of the ITU convened at Atlantic City, New Jersey, on July 1, 1947, to discuss, among other items, the terms of the agreement with the United Nations and amendments to the International Telecommunications Convention to provide for certain changes in the membership and structure of the ITU.

Director-General of the Bureau M. von Ernst (Switzerland)

Headquarters : Effingerstrasse 1
Berne, Switzerland



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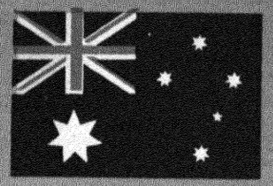
ARGENTINA



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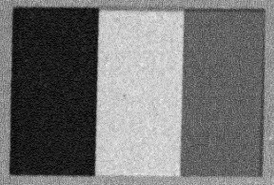
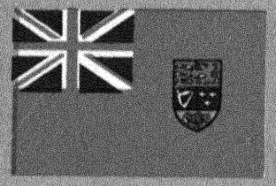


BELGIUM

BOLIVIA

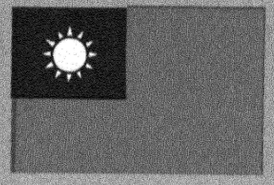
BRAZIL

BYELORUSSIAN S. S. R.

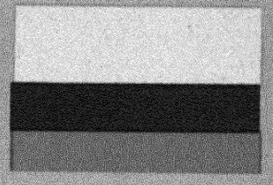


CANADA

CHILE



CHINA



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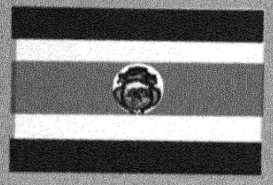

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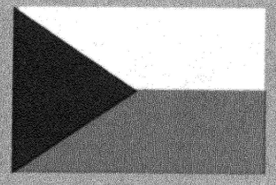

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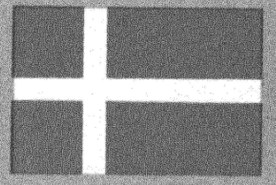

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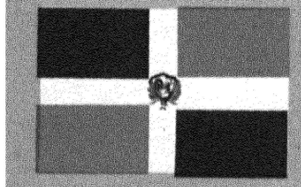

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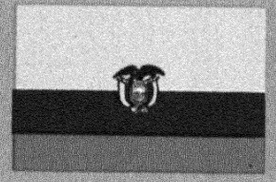

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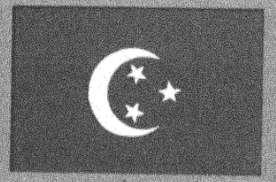

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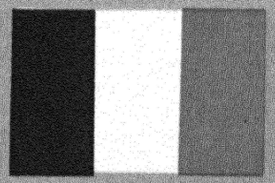

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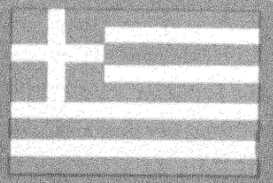

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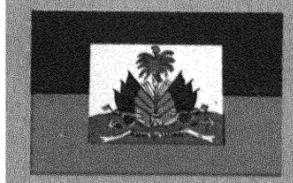

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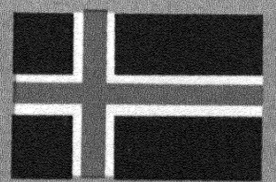

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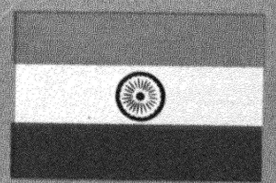

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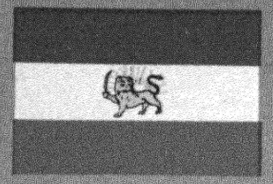

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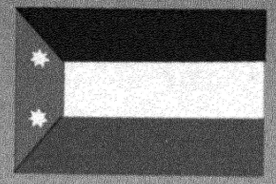

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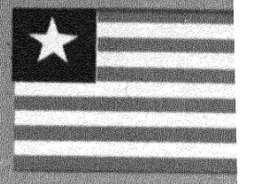

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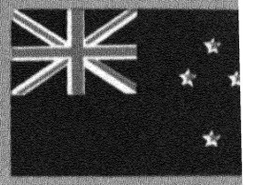

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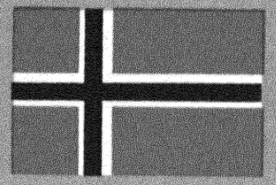

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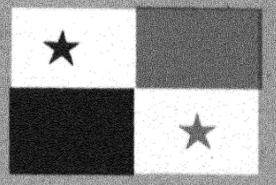

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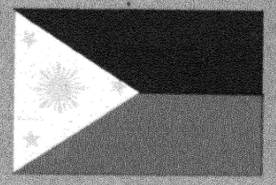

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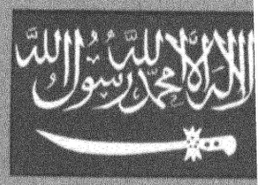

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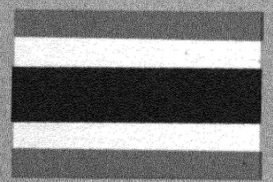

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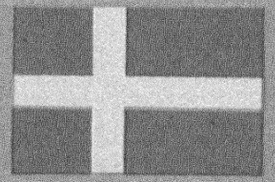

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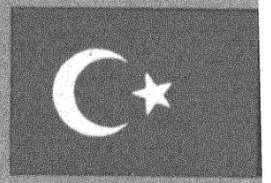

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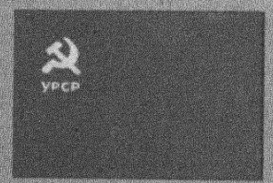

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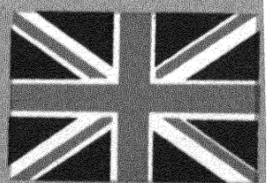
UNION OF SOUTH AFRICA

U. S. S. R.



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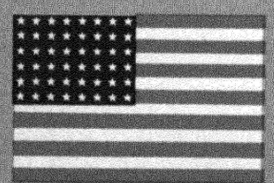

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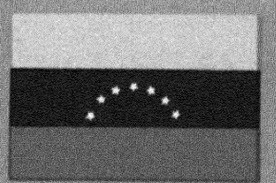

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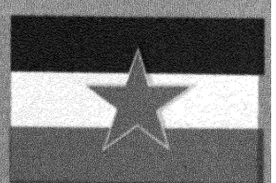

YUGOSLAVIA

Certain flags are not shown here in correct proportion, but presented to conform with the majority.

Part Three

APPENDICES

I. Charter of the United Nations and Statute of the International Court of Justice

II. Index to the Charter and Statute

III. Roster of the United Nations

IV. Membership of the United Nations and the Specialized Agencies

V. Chronology of the United Nations

VI. Selected Bibliography

VII. Who's Who in the United Nations

I. *Charter of the United Nations and Statute of the International Court of Justice*

CHARTER OF THE UNITED NATIONS

WE THE PEOPLES OF THE UNITED NATIONS DETERMINED

to save succeeding generations from the scourge of war, which twice in our lifetime has brought untold sorrow to mankind, and

to reaffirm faith in fundamental human rights, in the dignity and worth of the human person, in the equal rights of men and women and of nations large and small, and

to establish conditions under which justice and respect for the obligations arising from treaties and other sources of international law can be maintained, and

to promote social progress and better standards of life in larger freedom,

AND FOR THESE ENDS

to practice tolerance and live together in peace with one another as good neighbours, and

to unite our strength to maintain international peace and security, and

to ensure, by the acceptance of principles and the institution of methods, that armed force shall not be used, save in the common interest, and

to employ international machinery for the promotion of the economic and social advancement of all peoples,

HAVE RESOLVED TO COMBINE OUR EFFORTS TO ACCOMPLISH THESE AIMS.

Accordingly, our respective Governments, through representatives assembled in the city of San Francisco, who have exhibited their full powers found to be in good and due form, have agreed to the present Charter of the United Nations and do hereby establish an international organization to be known as the United Nations.

CHAPTER I

PURPOSE AND PRINCIPLES

Article 1

The purposes of the United Nations are:

1. To maintain international peace and security, and to that end: to take effective collective measures for the prevention and removal of threats to the peace, and for the suppression of acts of aggression or other breaches of the peace, and to bring about by peaceful means, and in conformity with the principles of justice and international law, adjustment or settlement of international disputes or situations which might lead to a breach of the peace;

2. To develop friendly relations among nations based on respect for the principle of equal rights and self-determination of peoples, and to take other appropriate measures to strengthen universal peace;

3. To achieve international co-operation in solving international problems of an economic, social, cultural, or humanitarian character, and in promoting and encouraging respect for human rights and for fundamental freedoms for all without distinction as to race, sex, language, or religion; and

4. To be a centre for harmonizing the actions of nations in the attainment of these common ends.

Article 2

The Organization and its Members, in pursuit of the Purposes stated in Article 1, shall act in accordance with the following Principles.

1. The Organization is based on the principle of the sovereign equality of all its Members.

2. All Members, in order to ensure to all of them the rights and benefits resulting from membership, shall fulfil in good faith the obligations assumed by them in accordance with the present Charter.

3. All Members shall settle their international disputes by peaceful means in such a manner that international peace and security, and justice, are not endangered.

4. All Members shall refrain in their international relations from the threat or use of force against the territorial integrity or political independence of any state, or in any other manner inconsistent with the Purposes of the United Nations.

5. All Members shall give the United Nations every assistance in any action it takes in accordance with the present Charter, and shall refrain from giving assistance to any state against which the United Nations is taking preventive or enforcement action.

6. The Organization shall ensure that states which are not Members of the United Nations act in accordance with these Principles so far as may be necessary for the maintenance of international peace and security.

7. Nothing contained in the present Charter shall authorize the United Nations to intervene in matters which are essentially within the domestic jurisdiction of any state or shall require the Members to submit such matters to

settlement under the present Charter; but this principle shall not prejudice the application of enforcement measures under Chapter VII.

CHAPTER II

MEMBERSHIP

Article 3

The original Members of the United Nations shall be the states which, having participated in the United Nations Conference on International Organization at San Francisco, or having previously signed the Declaration by United Nations of 1 January 1942, sign the present Charter and ratify it in accordance with Article 110.

Article 4

1. Membership in the United Nations is open to all other peace-loving states which accept the obligations contained in the present Charter and, in the judgment of the Organization, are able and willing to carry out these obligations.

2. The admission of any such State to membership in the United Nations will be effected by a decision of the General Assembly upon the recommendation of the Security Council.

Article 5

A Member of the United Nations against which preventive or enforcement action has been taken by the Security Council may be suspended from the exercise of the rights and privileges of membership by the General Assembly upon the recommendation of the Security Council. The exercise of these rights and privileges may be restored by the Security Council.

Article 6

A Member of the United Nations which has persistently violated the Principles contained in the present Charter may be expelled from the Organization by the General Assembly upon the recommendation of the Security Council.

CHAPTER III

ORGANS

Article 7

1. There are established as the principal organs of the United Nations: a General Assembly, a Security Council, an Economic and Social Council, a Trusteeship Council, an International Court of Justice, and a Secretariat.

2. Such subsidiary organs as may be found necessary may be established in accordance with the present Charter.

Article 8

The United Nations shall place no restrictions on the eligibility of men and women to participate in any capacity and under conditions of equality in its principal and subsidiary organs.

CHAPTER IV

THE GENERAL ASSEMBLY

Composition

Article 9

1. The General Assembly shall consist of all the Members of the United Nations.

2. Each Member shall have not more than five representatives in the General Assembly.

Functions and Powers

Article 10

The General Assembly may discuss any questions or any matters within the scope of the present Charter or relating to the powers and functions of any organs provided for in the present Charter, and, except as provided in Article 12, may make recommendations to the Members of the United Nations or to the Security Council or to both on any such questions or matters.

Article 11

1. The General Assembly may consider the general principles of co-operation in the maintenance of international peace and security, including the principles governing disarmament and the regulation of armaments, and may make recommendations with regard to such principles to the Members or to the Security Council or to both.

2. The General Assembly may discuss any questions relating to the maintenance of international peace and security brought before it by any Member of the United Nations, or by the Security Council, or by a state which is not a Member of the United Nations in accordance with Article 35, paragraph 2, and, except as provided in Article 12, may make recommendations with regard to any such questions to the state or states concerned or to the Security Council or to both. Any such question on which action is necessary shall be referred to the Security Council by the General Assembly either before or after discussion.

3. The General Assembly may call the attention of the Security Council to situations which are likely to endanger international peace and security.

4. The powers of the General Assembly set forth in this Article shall not limit the general scope of Article 10.

Article 12

1. While the Security Council is exercising in respect of any dispute or situation the functions assigned to it in the present Charter, the General Assembly shall not make any recommendation with regard to that dispute or situation unless the Security Council so requests.

2. The Secretary-General, with the consent of the Security Council, shall notify the General Assembly at each session of any matters relative to the maintenance of international peace

and security which are being dealt with by the Security Council and shall similarly notify the General Assembly, or the Members of the United Nations if the General Assembly is not in session, immediately the Security Council ceases to deal with such matters.

Article 13

1. The General Assembly shall initiate studies and make recommendations for the purpose of:

a. promoting international co-operation in the political field and encouraging the progressive development of international law and its codification;

b. promoting international co-operation in the economic, social, cultural, educational, and health fields, and assisting in the realization of human rights and fundamental freedom for all without distinction as to race, sex, language, or religion.

2. The further responsibilities, functions, and powers of the General Assembly with respect to matters mentioned in paragraph 1(b) above are set forth in Chapters IX and X.

Article 14

Subject to the provisions of Article 12, the General Assembly may recommend measures for the peaceful adjustment of any situation, regardless of origin, which it deems likely to impair the general welfare or friendly relations among nations, including situations resulting from a violation of the provisions of the present Charter setting forth the Purposes and Principles of the United Nations.

Article 15

1. The General Assembly shall receive and consider annual and special reports from the Security Council; these reports shall include an account of the measures that the Security Council has decided upon or taken to maintain international peace and security.

2. The General Assembly shall receive and consider reports from the other organs of the United Nations.

Article 16

The General Assembly shall perform such functions with respect to the international trusteeship system as are assigned to it under Chapters XII and XIII, including the approval of the trusteeship agreements for areas not designated as strategic.

Article 17

1. The General Assembly shall consider and approve the budget of the Organization.

2. The expenses of the Organization shall be borne by the Members as apportioned by the General Assembly.

3. The General Assembly shall consider and approve any financial and budgetary arrangements with specialized agencies referred to in Article 57 and shall examine the administrative budgets of such specialized agencies with a view to making recommendations to the agencies concerned.

Voting

Article 18

1. Each member of the General Assembly shall have one vote.

2. Decisions of the General Assembly on important questions shall be made by a two-thirds majority of the members present and voting. These questions shall include: recommendations with respect to the maintenance of international peace and security, the election of the non-permanent members of the Security Council, the election of the members of the Economic and Social Council, the election of members of the Trusteeship Council in accordance with paragraph 1(c) of Article 86, the admission of new Members to the United Nations, the suspension of the rights and privileges of membership, the expulsion of Members, questions relating to the operation of the trusteeship system, and budgetary questions.

3. Decisions on other questions, including the determination of additional categories of questions to be decided by a two-thirds majority, shall be made by a majority of the members present and voting.

Article 19

A Member of the United Nations which is in arrears in the payment of its financial contributions to the Organization shall have no vote in the General Assembly if the amount of its arrears equals or exceeds the amount of the contributions due from it for the preceding two full years. 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.

Procedure

Article 20

The General Assembly shall meet in regular annual sessions and in such special sessions as occasion may require. Special sessions shall be convoked by the Secretary-General at the request of the Security Council or of a majority of the Members of the United Nations.

Article 21

The General Assembly shall adopt its own rules of precedure. It shall elect its President for each session.

Article 22

The General Assembly may establish such subsidiary organs as it deems necessary for the performance of its functions.

CHAPTER V

THE SECURITY COUNCIL

Composition

Article 23

1. The Security Council shall consist of eleven Members of the United Nations. The Republic of China, France, the Union of Soviet Socialist Republics, the United Kingdom of Great Britain and Northern Ireland, and the United States of America shall be permanent members of the Security Council. The General Assembly shall elect six other Members of the United Nations to be non-permament members of the Security Council, due regard being specially paid, in the first instance to the contribution of Members of the United Nations to the maintenance of international peace and security and to the other purposes of the Organization, and also to equitable geographical distribution.

2. The non-permanent members of the Security Council shall be elected for a term of two years. In the first election of the non-permanent members, however, three shall be chosen for a term of one year. A retiring member shall not be eligible for immediate re-election.

3. Each member of the Security Council shall have one representative.

Functions and Powers

Article 24

1. In order to ensure prompt and effective action by the United Nations, its Members confer on the Security Council primary responsibility for the maintenance of international peace and security, and agree that in carrying out its duties under this responsibility the Security Council acts on their behalf.

2. In discharging these duties the Security Council shall act in accordance with the Purposes and Principles of the United Nations. The specific powers granted to the Security Council for the discharge of these duties are laid down in Chapters VI, VII, VIII, and XII.

3. The Security Council shall submit annual and, when necessary, special reports to the General Assembly for its consideration.

Article 25

The Members of the United Nations agree to accept and carry out the decisions of the Security Council in accordance with the present Charter.

Article 26

In order to promote the establishment and maintenance of international peace and security with the least diversion for armaments of the world's human and economic resources, the Security Council shall be responsible for formulating, with the assistance of the Military Staff Committee referred to in Article 47, plans to be submitted to the Members of the United Nations for the establishment of a system for the regulation of armaments.

Voting

Article 27

1. Each member of the Security Council shall have one vote.

2. Decisions of the Security Council on procedural matters shall be made by an affirmative vote of seven members.

3. Decisions of the Security Council on all other matters shall be made by an affirmative vote of seven members including the concurring votes of the permanent members; provided that, in decisions under Chapter VI, and under paragraph 3 of Article 52, a party to a dispute shall abstain from voting.

Procedure

Article 28

1. The Security Council shall be so organized as to be able to function continuously. Each member of the Security Council shall for this purpose be represented at all times at the seat of the Organization.

2. The Security Council shall hold periodic meetings at which each of its members may, if it so desires, be represented by a member of the government or by some other specially designated representative.

3. The Security Council may hold meetings at such places other than the seat of the Organization as in its judgment will best facilitate its work.

Article 29

The Security Council may establish such subsidiary organs as it deems necessary for the performance of its functions.

Article 30

The Security Council shall adopt its own rules of procedure, including the method of selecting its President.

Article 31

Any Member of the United Nations which is not a member of the Security Council may participate, without vote, in the discussion of any question brought before the Security Council whenever the latter considers that the interests of that Member are specially affected.

Article 32

Any Member of the United Nations which is not a member of the Security Council or any state which is not a Member of the United Nations, if it is a party to a dispute under consideration by the Security Council, shall be invited to participate, without vote, in the discussion relating to the dispute. The Security Council shall lay down such conditions as it deems just for the participation of a state which is not a Member of the United Nations.

CHAPTER VI

PACIFIC SETTLEMENT OF DISPUTES

Article 33

1. The parties to any dispute, the continuance of which is likely to endanger the maintenance of international peace and security, shall, first of all, seek a solution by negotiation, enquiry, mediation, conciliation, arbitration, judicial settlement, resort to regional agencies or arrangements, or other peaceful means of their own choice.

2. The Security Council shall, when it deems necessary, call upon the parties to settle their dispute by such means.

Article 34

The Security Council may investigate any dispute, or any situation which might lead to international friction or give rise to a dispute, in order to determine whether the continuance of the dispute or situation is likely to endanger the maintenance of international peace and security.

Article 35

1. Any Member of the United Nations may bring any dispute, or any situation of the nature referred to in Article 34, to the attention of the Security Council or of the General Assembly.

2. A state which is not a Member of the United Nations may bring to the attention of the Security Council or of the General Assembly any dispute to which it is a party if it accepts in advance, for the purposes of the dispute, the obligations of pacific settlement provided in the present Charter.

3. The proceedings of the General Assembly in respect of matters brought to its attention under this Article will be subject to the provisions of Articles 11 and 12.

Article 36

1. The Security Council may, at any stage of a dispute of the nature referred to in Article 33 or of a situation of like nature, recommend appropriate procedures or methods of adjustment.

2. The Security Council should take into consideration any procedures for the settlement of the dispute which have already been adopted by the parties.

3. In making recommendations under this Article the Security Council should also take into consideration that legal disputes should as a general rule be referred by the parties to the International Court of Justice in accordance with the provisions of the Statute of the Court.

Article 37

1. Should the parties to a dispute of the nature referred to in Article 33 fail to settle it by the means indicated in that Article, they shall refer it to the Security Council.

2. If the Security Council deems that the continuance of the dispute is in fact likely to endanger the maintenance of international peace and security, it shall decide whether to take action under Article 36 or to recommend such terms of settlement as it may consider appropriate.

Article 38

Without prejudice to the provisions of Articles 33 to 37, the Security Council may, if all the parties to any dispute so request, make recommendations to the parties with a view to a pacific settlement of the dispute.

CHAPTER VII

ACTION WITH RESPECT TO THREATS TO THE PEACE, BREACHES OF THE PEACE, AND ACTS OF AGGRESSION

Article 39

The Security Council shall determine the existence of any threat to the peace, breach of the peace, or act of aggression and shall make recommendations, or decide what measure shall be taken in accordance with Articles 41 and 42, to maintain or restore international peace and security.

Article 40

In order to prevent an aggravation of the situation, the Security Council may, before making the recommendations or deciding upon the measures provided for in Article 39, call upon the parties concerned to comply with such provisional measures as it deems necessary or desirable. Such provisional measures shall be without prejudice to the rights, claims, or position of the parties concerned. The Security Council shall duly take account of failure to comply with such provisional measures.

Article 41

The Security Council may decide what measures not involving the use of armed force are to be employed to give effect to its decisions, and it may call upon the Members of the United Nations to apply such measures. These may include complete or partial interruption of economic relations and of rail, sea, air, postal, telegraphic, radio, and other means of communication, and the severance of diplomatic relations.

Article 42

Should the Security Council consider that measures provided for in Article 41 would be inadequate or have proved to be inadequate, it may take such action by air, sea, or land forces as may be necessary to maintain or restore international peace and security. Such action may include demonstrations, blockade, and other

operations by air, sea, or land forces of Members of the United Nations.

Article 43

1. All Members of the United Nations, in order to contribute to the maintenance of international peace and security, 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.

2. Such agreement or agreements shall 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.

3. The agreement or agreements shall be negotiated as soon as possible on the initiative of the Security Council. They shall be concluded between the Security Council and Members or between the Security Council and groups of Members and shall be subject to ratification by the signatory states in accordance with their respective constitutional processes.

Article 44

When the Security Council has decided to use force it shall, before calling upon a Member not represented on it to provide armed forces in fulfilment of the obligations assumed under Article 43, invite that Member, if the Member so desires, to participate in the decisions of the Security Council concerning the employment of contingents of that Member's armed forces.

Article 45

In order to enable the United Nations to take urgent military measures, Members shall hold immediately available national air-force contingents for combined international enforcement action. The strength and degree of readiness of these contingents and plans for their combined action shall be determined, within the limits laid down in the special agreement or agreements referred to in Article 43, by the Security Council with the assistance of the Military Staff Committee.

Article 46

Plans for the application of armed force shall be made by the Security Council with the assistance of the Military Staff Committee.

Article 47

1. There shall be established a Military Staff Committee to advise and assist the Security Council on all questions relating to the Security Council's military requirements for the maintenance of international peace and security, the employment and command of forces placed at its disposal, the regulation of armaments, and possible disarmament.

2. The Military Staff Committee shall consist of the Chiefs of Staff of the permanent members of the Security Council or their representatives. Any Member of the United Nations not permanently represented on the Committee shall be invited by the Committee to be associated with it when the efficient discharge of the Committee's responsibilities requires the participation of that Member in its work.

3. The Military Staff Committee shall be responsible under the Security Council for the strategic direction of any armed forces placed at the disposal of the Security Council. Questions relating to the command of such forces shall be worked out subsequently.

4. The Military Staff Committee, with the authorization of the Security Council and after consultation with appropriate regional agencies, may establish regional sub-committees.

Article 48

1. The action required to carry out the decisions of the Security Council for the maintenance of international peace and security shall be taken by all the Members of the United Nations or by some of them, as the Security Council may determine.

2. Such decisions shall be carried out by the Members of the United Nations directly and through their action in the appropriate international agencies of which they are members.

Article 49

The Members of the United Nations shall join in affording mutual assistance in carrying out the measures decided upon by the Security Council.

Article 50

If preventive or enforcement measures against any state are taken by the Security Council, any other state, whether a Member of the United Nations or not, which finds itself confronted with special economic problems arising from the carrying out of those measures shall have the right to consult the Security Council with regard to a solution of those problems.

Article 51

Nothing in the present Charter shall impair the inherent right of individual or collective self-defense if an armed attack occurs against a Member of the United Nations, until the Security Council has taken the measures necessary to maintain international peace and security. Measures taken by Members in the exercise of this right of self-defense shall be immediately reported to the Security Council and shall not in any way affect the authority and responsibility of the Security Council under the present Charter to take at any time such action as it deems necessary in order to maintain or restore international peace and security.

CHAPTER VIII

REGIONAL ARRANGEMENTS

Article 52

1. Nothing in the present Charter precludes the existence of regional arrangements or agencies for dealing with such matters relating to the maintenance of international peace and security as are appropriate for regional action, provided that such arrangements or agencies and their activities are consistent with the Purposes and Principles of the United Nations.

2. The Members of the United Nations entering into such arrangements or constituting such agencies shall make every effort to achieve pacific settlement of local disputes through such regional arrangements or by such regional agencies before referring them to the Security Council.

3. The Security Council shall encourage the development of pacific settlement of local disputes through such regional arrangements or by such regional agencies either on the initiative of the states concerned or by reference from the Security Council.

4. This Article in no way impairs the application of Articles 34 and 35.

Article 53

1. The Security Council shall, where appropriate, utilize such regional arrangements or agencies for enforcement action under its authority. But no enforcement action shall be taken under regional arrangements or by regional agencies without the authorization of the Security Council, with the exception of measures against any enemy state, as defined in paragraph 2 of this Article, provided for pursuant to Article 107 or in regional arrangements directed against renewal of aggressive policy on the part of any such state, until such time as the Organization may, on request of the Governments concerned, be charged with the responsibility for preventing further aggression by such a state.

2. The term enemy state as used in paragraph 1 of this Article applies to any state which during the Second World War has been an enemy of any signatory of the present Charter.

Article 54

The Security Council shall at all times be kept fully informed of activities undertaken or in contemplation under regional arrangements or by regional agencies for the maintenance of international peace and security.

CHAPTER IX

INTERNATIONAL ECONOMIC AND SOCIAL COOPERATION

Article 55

With a view to the creation of conditions of stability and well-being which are necessary for peaceful and friendly relations among nations based on respect for the principle of equal rights and self-determination of peoples, the United Nations shall promote:

a. higher standards of living, full employment, and conditions of economic and social progress and development;

b. solutions of international economic, social, health, and related problems; and international cultural and educational cooperation; and

c. universal respect for, and observance of, human rights and fundamental freedoms for all without distinction as to race, sex, language, or religion.

Article 56

All Members pledge themselves to take joint and separate action in cooperation with the Organization for the achievement of the purposes set forth in Article 55.

Article 57

1. The various specialized agencies, established by intergovernmental agreement and having wide international responsibilities, as defined in their basic instruments, in economic, social, cultural, educational, health, and related fields, shall be brought into relationship with the United Nations in accordance with the provisions of Article 63.

2. Such agencies thus brought into relationship with the United Nations are hereinafter referred to as specialized agencies.

Article 58

The Organization shall make recommendations for the coordination of the policies and activities of the specialized agencies.

Article 59

The Organization shall, where appropriate, initiate negotiations among the states concerned for the creation of any new specialized agencies required for the accomplishment of the purposes set forth in Article 55.

Article 60

Responsibility for the discharge of the functions of the Organization set forth in this Chapter shall be vested in the General Assembly and, under the authority of the General Assembly, in the Economic and Social Council, which shall have for this purpose the powers set forth in Chapter X.

CHAPTER X

THE ECONOMIC AND SOCIAL COUNCIL

Composition

Article 61

1. The Economic and Social Council shall consist of eighteen Members of the United Nations elected by the General Assembly.

2. Subject to the provisions of paragraph 3, six members of the Economic and Social Council shall be elected each year for a term of three years. A retiring member shall be eligible for immediate re-election.

3. At the first election, eighteen members of the Economic and Social Council shall be chosen. The term of office of six members so chosen shall expire at the end of one year, and of six other members at the end of two years, in accordance with arrangements made by the General Assembly.

4. Each member of the Economic and Social Council shall have one representative.

Functions and Powers

Article 62

1. The Economic and Social Council may make or initiate studies and reports with respect to international economic, social, cultural, educational, health, and related matters and may make recommendations with respect to any such matters to the General Assembly, to the Members of the United Nations, and to the specialized agencies concerned.

2. It may make recommendations for the purpose of promoting respect for, and observance of, human rights and fundamental freedoms for all.

3. It may prepare draft conventions for submission to the General Assembly, with respect to matters falling within its competence.

4. It may call, in accordance with the rules prescribed by the United Nations, international conferences on matters falling within its competence.

Article 63

1. The Economic and Social Council may enter into agreements with any of the agencies referred to in Article 57, defining the terms on on which the agency concerned shall be brought into relationship with the United Nations. Such agreements shall be subject to approval by the General Assembly.

2. It may coordinate the activities of the specialized agencies through consultation with and recommendations to such agencies and through recommendations to the General Assembly and to the Members of the United Nations.

Article 64

1. The Economic and Social Council may take appropriate steps to obtain regular reports from the specialized agencies. It may make arrangements with the Members of the United Nations and with the specialized agencies to obtain reports on the steps taken to give effect to its own recommendations and to recommendations on matters falling within its competence made by the General Assembly.

2. It may communicate its observations on these reports to the General Assembly.

Article 65

The Economic and Social Council may furnish information to the Security Council and shall assist the Security Council upon its request.

Article 66

1. The Economic and Social Council shall perform such functions as fall within its competence in connection with the carrying out of the recommendations of the General Assembly.

2. It may, with the approval of the General Assembly, perform services at the request of Members of the United Nations and at the request of specialized agencies.

3. It shall perform such other functions as are specified elsewhere in the present Charter or as may be assigned to it by the General Assembly.

Voting

Article 67

1. Each member of the Economic and Social Council shall have one vote.

2. Decisions of the Economic and Social Council shall be made by a majority of the members present and voting.

Procedure

Article 68

The Economic and Social Council shall set up commissions in economic and social fields and for the promotion of human rights, and such other commissions as may be required for the performance of its functions.

Article 69

The Economic and Social Council shall invite any Member of the United Nations to participate, without vote, in its deliberations on any matter of particular concern to that Member.

Article 70

The Economic and Social Council may make arrangements for representatives of the specialized agencies to participate, without vote, in its deliberations and in those of the commissions established by it, and for its representatives to participate in the deliberations of the specialized agencies.

Article 71

The Economic and Social Council may make suitable arrangements for consultation with non-governmental organizations which are concerned with matters within its competence. Such arrangements may be made with international organizations and, where appropriate, with national organizations after consultation with the Member of the United Nations concerned.

Article 72

1. The Economic and Social Council shall adopt its own rules of procedure, including the method of selecting its President.

2. The Economic and Social Council shall meet as required in accordance with its rules, which shall include provision for the convening of meetings on the request of a majority of its members.

CHAPTER XI

DECLARATION REGARDING NON-SELF-GOVERNING TERRITORIES

Article 73

Members of the United Nations which have or assume responsibilities for the administration of territories whose peoples have not yet attained a full measure of self-government recognize the principle that the interests of the inhabitants of these territories are paramount, and accept as a sacred trust the obligation to promote to the utmost, within the system of international peace and security established by the present Charter, the well-being of the inhabitants of these territories, and, to this end:

a. to ensure, with due respect for the culture of the peoples concerned, their political, economic, social, and educational advancement, their just treatment, and their protection against abuses;

b. to develop self-government, to take due account of the political aspirations of the peoples, and to assist them in the progressive development of their free political institutions, according to the particular circumstances of each territory and its peoples and their varying stages of advancement;

c. to further international peace and security;

d. to promote constructive measures of development, to encourage research, and to cooperate with one another and, when and where appropriate, with specialized international bodies with a view to the practical achievement of the social, economic, and scientific purposes set forth in this Article; and

e. to transmit regularly to the Secretary-General for information purposes, subject to such limitation as security and constitutional considerations may require, statistical and other information of a technical nature relating to economic, social, and educational conditions in the territories for which they are respectively responsible other than those territories to which Chapters XII and XIII apply.

Article 74

Members of the United Nations also agree that their policy in respect of the territories to which this Chapter applies, no less than in respect of their metropolitan areas, must be based on the general principle of good-neighbourliness, due account being taken of the interests and well-being of the rest of the world, in social, economic, and commercial matters.

CHAPTER XII

INTERNATIONAL TRUSTEESHIP SYSTEM

Article 75

The United Nations shall establish under its authority an international trusteeship system for the administration and supervision of such territories as may be placed thereunder by subsequent individual agreements. These territories are hereinafter referred to as trust territories.

Article 76

The basic objectives of the trusteeship system, in accordance with the Purposes of the United Nations laid down in Article 1 of the present Charter, shall be:

a. to further international peace and security;

b. to promote the political, economic, social, and educational advancement of the inhabitants of the trust territories, and their progressive development towards self-government or independence as may be appropriate to the particular circumstances of each territory and its peoples and the freely expressed wishes of the peoples concerned, and as may be provided by the terms of each trusteeship agreement;

c. to encourage respect for human rights and for fundamental freedoms for all without distinction as to race, sex, language, or religion, and to encourage recognition of the interdependence of the peoples of the world; and

d. to ensure equal treatment in social, economic, and commercial matters for all Members of the United Nations and their nationals, and also equal treatment for the latter in the administration of justice, without prejudice to the attainment of the foregoing objectives and subject to the provisions of Article 80.

Article 77

1. The trusteeship system shall apply to such territories in the following categories as may be placed thereunder by means of trusteeship agreements:

a. territories now held under mandate;

b. territories which may be detached from enemy states as a result of the Second World War; and

c. territories voluntarily placed under the system by states responsible for their administration.

2. It will be a matter for subsequent agreement as to which territories in the foregoing categories will be brought under the trusteeship system and upon what terms.

Article 78

The trusteeship system shall not apply to territories which have become Members of the United Nations, relationship among which shall be based on respect for the principle of sovereign equality.

Article 79

The terms of trusteeship for each territory to be placed under the trusteeship system, including any alteration or amendment, shall be agreed upon by the states directly concerned, including the mandatory power in the case of territories held under mandate by a Member of the United Nations, and shall be approved as provided for in Articles 83 and 85.

Article 80

1. Except as may be agreed upon in individual trusteeship agreements, made under Articles 77, 79, and 81, placing each territory under the trusteeship system, and until such agreements have been concluded, nothing in this Chapter shall be construed in or of itself to alter in any manner the rights whatsoever of any states or any peoples or the terms of existing international instruments to which Members of the United Nations may respectively be parties.

2. Paragraph 1 of this Article shall not be interpreted as giving grounds for delay or postponement of the negotiation and conclusion of agreements for placing mandated and other territories under the trusteeship system as provided for in Article 77.

Article 81

The trusteeship agreement shall in each case include the terms under which the trust territory will be administered and designate the authority which will exercise the administration of the trust territory. Such authority, hereinafter called the administering authority, may be one or more states or the Organization itself.

Article 82

There may be designated, in any trusteeship agreement, a strategic area or areas which may include part or all of the trust territory to which the agreement applies, without prejudice to any special agreement or agreements made under Article 43.

Article 83

1. All functions of the United Nations relating to strategic areas, including the approval of the terms of the trusteeship agreements and of their alteration or amendment, shall be exercised by the Security Council.

2. The basic objectives set forth in Article 76 shall be applicable to the people of each strategic area.

3. The Security Council shall, subject to the provisions of the trusteeship agreements and without prejudice to security considerations, avail itself of the assistance of the Trusteeship Council to perform those functions of the United Nations under the trusteeship system relating to political, economic, social, and educational matters in the strategic areas.

Article 84

It shall be the duty of the administering authority to ensure that the trust territory shall play its part in the maintenance of international peace and security. To this end the administering authority may make use of volunteer forces, facilities, and assistance from the trust territory in carrying out the obligations towards the Security Council undertaken in this regard by the administering authority, as well as for local defence and the maintenance of law and order within the trust teritory.

Article 85

1. The functions of the United Nations with regard to trusteeship agreements for all areas not designated as strategic, including the approval of the terms of the trusteeship agreements and of their alteration or amendment, shall be exercised by the General Assembly.

2. The Trusteeship Council, operating under the authority of the General Assembly, shall assist the General Assembly in carrying out these functions.

CHAPTER XIII

THE TRUSTEESHIP COUNCIL

Composition

Article 86

1. The Trusteeship Council shall consist of the following Members of the United Nations:

a. those Members administering trust territories;

b. such of those Members mentioned by name in Article 23 as are not administering trust territories; and

c. as many other members elected for three-year terms by the General Assembly as may be necessary to ensure that the total number of members of the Trusteeship Council is equally divided between those Members of the United Nations which administer trust territories and those which do not.

2. Each member of the Trusteeship Council shall designate one specially qualified person to represent it therein.

Functions and Powers

Article 87

The General Assembly and, under its authority, the Trusteeship Council, in carrying out their functions, may:

a. consider reports submitted by the administering authority;

b. accept petitions and examine them in consultation with the administering authority;

c. provide for periodic visits to the respective trust territories at times agreed upon with the administering authority; and

d. take these and other actions in conformity with the terms of the trusteeship agreements.

Article 88

The Trusteeship Council shall formulate a questionnaire on the political, economic, social, and educational advancement of the inhabitants of each trust territory, and the administering authority for each trust territory within the competence of the General Assembly shall make an annual report to the General Assembly upon the basis of such questionnaire.

Voting

Article 89

1. Each member of the Trusteeship Council shall have one vote.

2. Decisions of the Trusteeship Council shall be made by a majority of the members present and voting.

Procedure

Article 90

1. The Trusteeship Council shall adopt its own rules of procedure, including the method of selecting its President.

2. The Trusteeship Council shall meet as required in accordance with its rules, which shall include provision for the convening of meetings on the request of a majority of its members.

Article 91

The Trusteeship Council shall, when appropriate, avail itself of the assistance of the Economic and Social Council and of the specialized agencies in regard to matters with which they are respectively concerned.

CHAPTER XIV

THE INTERNATIONAL COURT OF JUSTICE

Article 92

The International Court of Justice shall be the principal judicial organ of the United Nations. It shall function in accordance with the annexed Statute, which is based upon the Statute of the Permanent Court of International Justice and forms an integral part of the present Charter.

Article 93

1. All Members of the United Nations are *ipso facto* parties to the Statute of the International Court of Justice.

2. A state which is not a Member of the United Nations may become a party to the Statute of the International Court of Justice on conditions to be determined in each case by the General Assembly upon the recommendation of the Security Council.

Article 94

1. Each Member of the United Nations undertakes to comply with the decision of the International Court of Justice in any case to which it is a party.

2. If any party to a case fails to perform the obligations incumbent upon it under a judgment rendered by the Court, the other party may have recourse to the Security Council, which may, if it deems necessary, make recommendations or decide upon measures to be taken to give effect to the judgment.

Article 95

Nothing in the present Charter shall prevent Members of the United Nations from entrusting the solution of their differences to other tribunals by virtue of agreements already in existence or which may be concluded in the future.

Article 96

1. The General Assembly or the Security Council may request the International Court of Justice to give an advisory opinion on any legal question.

2. Other organs of the United Nations and specialized agencies, which may at any time be so authorized by the General Assembly, may also request advisory opinions of the Court on legal questions arising within the scope of their activities.

CHAPTER XV

THE SECRETARIAT

Article 97

The Secretariat shall comprise a Secretary-General and such staff as the Organization may require. The Secretary-General shall be appointed by the General Assembly upon the recommendation of the Security Council. He shall be the chief administrative officer of the Organization.

Article 98

The Secretary-General shall act in that capacity in all meetings of the General Assembly, of the Security Council, of the Economic and Social Council, and of the Trusteeship Council, and shall perform such other functions as are entrusted to him by these organs. The Secretary-General shall make an annual report to the General Assembly on the work of the Organization.

Article 99

The Secretary-General may bring to the attention of the Security Council any matter which in his opinion may threaten the maintenance of international peace and security.

Article 100

1. In the performance of their duties the Secretary-General and the staff shall not seek or receive instructions from any government or from any other authority external to the Organization. They shall refrain from any action which might reflect on their position as international officials responsible only to the Organization.

2. Each Member of the United Nations undertakes to respect the exclusively international character of the responsibilities of the Secretary-General and the staff and not to seek to influence them in the discharge of their responsibilities.

Article 101

1. The staff shall be appointed by the Secretary-General under regulations established by the General Assembly.

2. Appropriate staffs shall be permanently assigned to the Economic and Social Council, the Trusteeship Council, and, as required, to other organs of the United Nations. These staffs shall form a part of the Secretariat.

3. The paramount consideration in the employment of the staff and in the determination of the conditions of service shall be the necessity of securing the highest standards of efficiency, competence, and integrity. Due regard shall be paid to the importance of recruiting the staff on as wide a geographical basis as possible.

CHAPTER XVI

MISCELLANEOUS PROVISIONS

Article 102

1. Every treaty and every international agreement entered into by any Member of the United Nations after the present Charter comes into force shall as soon as possible be registered with the Secretariat and published by it.

2. No party to any such treaty or international agreement which has not been registered in accordance with the provisions of paragraph 1 of this Article may invoke that treaty or agreement before any organ of the United Nations.

Article 103

In the event of a conflict between the obligations of the Members of the United Nations under the present Charter and their obligations under any other international agreement, their obligations under the present Charter shall prevail.

Article 104

The Organization shall enjoy in the territory of each of its Members such legal capacity as may be necessary for the exercise of its functions and the fulfillment of its purposes.

Article 105

1. The Organization shall enjoy in the territory of each of its Members such privileges and immunities as are necessary for the fulfilment of its purposes.

2. Representatives of the Members of the United Nations and officials of the Organization shall similarly enjoy such privileges and immunities as are necessary for the independent exercise of their functions in connection with the Organization.

3. The General Assembly may make recommendations with a view to determining the details of the application of paragraphs 1 and 2 of this Article or may propose conventions to the Members of the United Nations for this purpose.

CHAPTER XVII

TRANSITIONAL SECURITY ARRANGEMENTS

Article 106

Pending the coming into force of such special agreements referred to in Article 43 as in the opinion of the Security Council enable it to begin the exercise of its responsibilities under Article 42, the parties to the Four-Nation Declaration, signed at Moscow, October 30, 1943, and France, shall, in accordance with the provisions of paragraph 5 of that Declaration, consult with one another and as occasion requires with other Members of the United Nations with a view to such joint action on behalf of the Organization as may be necessary for the purpose of maintaining international peace and security.

Article 107

Nothing in the present Charter shall invalidate or preclude action, in relation to any state which during the Second World War has been an enemy of any signatory to the present Charter, taken or authorized as a result of that war by the Governments having responsibility for such action.

CHAPTER XVIII

AMENDMENTS

Article 108

Amendments to the present Charter shall come into force for all Members of the United Nations when they have been adopted by a vote of two-thirds of the Members of the General Assembly and ratified in accordance with their respective constitutional processes by two-thirds of the Members of the United Nations, including all the permanent members of the Security Council.

Article 109

1. A General Conference of the Members of the United Nations for the purpose of review-

ing the present Charter may be held at a date and place to be fixed by a two-thirds vote of the Members of the General Assembly and by a vote of any seven members of the Security Council. Each Member of the United Nations shall have one vote in the conference.

2. Any alteration of the present Charter recommended by a two-thirds vote of the conference shall take effect when ratified in accordance with their respective constitutional processes by two-thirds of the Members of the United Nations including all the permanent members of the Security Council.

3. If such a conference has not been held before the tenth annual session of the General Assembly following the coming into force of the present Charter, the proposal to call such a conference shall be placed on the agenda of that session of the General Assembly, and the conference shall be held if so decided by a majority vote of the Members of the General Assembly and by a vote of any seven members of the Security Council.

CHAPTER XIX

RATIFICATION AND SIGNATURE

Article 110

1. The present Charter shall be ratified by the signatory states in accordance with their respective constitutional processes.

2. The ratifications shall be deposited with the Government of the United States of America, which shall notify all the signatory states of each deposit as well as the Secretary-General of the Organization when he has been appointed.

3. The present Charter shall come into force upon the deposit of ratifications by the Republic of China, France, the Union of Soviet Socialist Republics, the United Kingdom of Great Britain and Northern Ireland, and the United States of America, and by a majority of the other signatory states. A protocol of the ratifications deposited shall thereupon be drawn up by the Government of the United States of America which shall communicate copies thereof to all the signatory states.

4. The states signatory to the present Charter which ratify it after it has come into force will become original Members of the United Nations on the date of the deposit of their respective ratifications.

Article 111

The present Charter, of which the Chinese, French, Russian, English and Spanish texts are equally authentic, shall remain deposited in the archives of the Government of the United States of America. Duly certified copies thereof shall be transmitted by that Government to the Governments of the other signatory states.

IN FAITH WHEREOF the representatives of the Governments of the United Nations have signed the present Charter.

DONE at the city of San Francisco the twenty-sixth day of June, one thousand nine hundred and forty-five.

STATUTE OF THE INTERNATIONAL COURT OF JUSTICE

Article 1

THE INTERNATIONAL COURT OF JUSTICE established by the Charter of the United Nations as the principal judicial organ of the United Nations shall be constituted and shall function in accordance with the provisions of the present Statute.

CHAPTER I

ORGANIZATION OF THE COURT

Article 2

The Court shall be composed of a body of independent judges, elected regardless of their nationality from among persons of high moral character, who possess the qualifications required in their respective countries for appointment to the highest judicial offices, or are jurisconsults of recognized competence in international law.

Article 3

1. The Court shall consist of fifteen members, no two of whom may be nationals of the same state.

2. A person who for the purposes of membership in the Court could be regarded as a national of more than one state shall be deemed to be a national of the one in which he ordinarily exercises civil and political rights.

Article 4

1. The members of the Court shall be elected by the General Assembly and by the Security Council from a list of persons nominated by the national groups in the Permanent Court of Arbitration, in accordance with the following provisions.

2. In the case of Members of the United Nations not represented in the Permanent Court of Arbitration, candidates shall be nominated

by national groups appointed for this purpose by their governments under the same conditions as those prescribed for members of the Permanent Court of Arbitration by Article 44 of the Convention of The Hague of 1907 for the pacific settlement of international disputes.

3. The conditions under which a state which is a party to the present Statute but is not a Member of the United Nations may participate in electing the members of the Court shall, in the absence of a special agreement, be laid down by the General Assembly upon recommendation of the Security Council.

Article 5

1. At least three months before the date of the election, the Secretary-General of the United Nations shall address a written request to the members of the Permanent Court of Arbitration belonging to the states which are parties to the present Statute, and to the members of the national groups appointed under Article 4, paragraph 2, inviting them to undertake, within a given time, by national groups, the nomination of persons in a position to accept the duties of a member of the Court.

2. No group may nominate more than four persons, not more than two of whom shall be of their own nationality. In no case may the number of candidates nominated by a group be more than double the number of seats to be filled.

Article 6

Before making these nominations, each national group is recommended to consult its highest court of justice, its legal faculties and schools of law, and its national academies and national sections of international academies devoted to the study of law.

Article 7

1. The Secretary-General shall prepare a list in alphabetical order of all the persons thus nominated. Save as provided in Article 12, paragraph 2, these shall be the only persons eligible.

2. The Secretary-General shall submit this list to the General Assembly and to the Security Council.

Article 8

The General Assembly and the Security Council shall proceed independently of one another to elect the members of the Court.

Article 9

At every election, the electors shall bear in mind not only that the persons to be elected should individually possess the qualifications required, but also that in the body as a whole the representation of the main forms of civilization and of the principal legal systems of the world should be assured.

Article 10

1. Those candidates who obtain an absolute majority of votes in the General Assembly and in the Security Council shall be considered as elected.

2. Any vote of the Security Council, whether for the election of judges or for the appointment of members of the conference envisaged in Article 12, shall be taken without any distinction between permanent and non-permanent members of the Security Council.

3. In the event of more than one national of the same state obtaining an absolute majority of the votes both of the General Assembly and of the Security Council, the eldest of these only shall be considered as elected.

Article 11

If, after the first meeting held for the purpose of the election, one or more seats remain to be filled, a second and, if necessary, a third meeting shall take place.

Article 12

1. If, after the third meeting, one or more seats still remain unfilled, a joint conference consisting of six members, three appointed by the General Assembly and three by the Security Council, may be formed at any time at the request of either the General Assembly or the Security Council, for the purpose of choosing by the vote of an absolute majority one name for each seat still vacant, to submit to the General Assembly and the Security Council for their respective acceptance.

2. If the joint conference is unanimously agreed upon any person who fulfils the required conditions, he may be included in its list, even though he was not included in the list of nominations referred to in Article 7.

3. If the joint conference is satisfied that it will not be successful in procuring an election, those members of the Court who have already been elected shall, within a period to be fixed by the Security Council, proceed to fill the vacant seats by selection from among those candidates who have obtained votes either in the General Assembly or in the Security Council.

4. In the event of an equality of votes among the judges, the eldest judge shall have a casting vote.

Article 13

1. The members of the Court shall be elected for nine years and may be re-elected; provided, however, that of the judges elected at the first election, the terms of five judges shall expire at the end of three years and the terms of five more judges shall expire at the end of six years.

2. The judges whose terms are to expire at the end of the above-mentioned initial periods of three and six years shall be chosen by lot to be drawn by the Secretary-General immediately after the first election has been completed.

3. The members of the Court shall continue to discharge their duties until their places have been filled. Though replaced, they shall finish any cases which they may have begun.

4. In the case of the resignation of a member of the Court, the resignation shall be addressed to the President of the Court for transmission to the Secretary-General. This last notification makes the place vacant.

Article 14

Vacancies shall be filled by the same method as that laid down for the first election, subject to the following provision: the Secretary-General shall, within one month of the occurrence of the vacancy, proceed to issue the invitations provided for in Article 5, and the date of the election shall be fixed by the Security Council.

Article 15

A member of the Court elected to replace a member whose term of office has not expired shall hold office for the remainder of his predecessor's term.

Article 16

1. No member of the Court may exercise any political or administrative function, or engage in any other occupation of a professional nature.

2. Any doubt on this point shall be settled by the decision of the Court.

Article 17

1. No member of the Court may act as agent, counsel, or advocate in any case.

2. No member may participate in the decision of any case in which he has previously taken part as agent, counsel, or advocate for one of the parties, or as a member of a national or international court, or of a commission of enquiry, or in any other capacity.

3. Any doubt on this point shall be settled by the decision of the Court.

Article 18

1. No member of the Court can be dismissed unless, in the unanimous opinion of the other members, he has ceased to fulfil the required conditions.

2. Formal notification thereof shall be made to the Secretary-General by the Registrar.

3. This notification makes the place vacant.

Article 19

The members of the Court, when engaged on the business of the Court, shall enjoy diplomatic privileges and immunities.

Article 20

Every member of the Court shall, before taking up his duties, make a solemn declaration in open court that he will exercise his powers impartially and conscientiously.

Article 21

1. The Court shall elect its President and Vice-President for three years; they may be re-elected.

2. The Court shall appoint its Registrar and may provide for the appointment of such other officers as may be necessary.

Article 22

1. The seat of the Court shall be established at The Hague. This, however, shall not prevent the Court from sitting and exercising its functions elsewhere whenever the Court considers it desirable.

2. The President and the Registrar shall reside at the seat of the Court.

Article 23

1. The Court shall remain permanently in session, except during the judicial vacations, the dates and duration of which shall be fixed by the Court.

2. Members of the Court are entitled to periodic leave, the dates and duration of which shall be fixed by the Court, having in mind the distance between The Hague and the home of each judge.

3. Members of the Court shall be bound, unless they are on leave or prevented from attending by illness or other serious reasons duly explained to the President, to hold themselves permanently at the disposal of the Court.

Article 24

1. If, for some special reason, a member of the Court considers that he should not take part in the decision of a particular case, he shall so inform the President.

2. If the President considers that for some special reason one of the members of the Court should not sit in a particular case, he shall give him notice accordingly.

3. If in any such case the member of the Court and the President disagree, the matter shall be settled by the decision of the Court.

Article 25

1. The full Court shall sit except when it is expressly provided otherwise in the present Statute.

2. Subject to the condition that the number of judges available to constitute the Court is not thereby reduced below eleven, the Rules of the Court may provide for allowing one or more judges, according to circumstances and in rotation, to be dispensed from sitting.

3. A quorum of nine judges shall suffice to constitute the Court.

Article 26

1. The Court may from time to time form one or more chambers, composed of three or more judges as the Court may determine, for dealing with particular categories of cases; for example, labor cases and cases relating to transit and communications.

2. The Court may at any time form a chamber for dealing with a particular case. The number of judges to constitute such a chamber shall be determined by the Court with the approval of the parties.

3. Cases shall be heard and determined by the chambers provided for in this Article if the parties so request.

Article 27

A judgment given by any of the chambers provided for in Articles 26 and 29 shall be considered as rendered by the Court.

Article 28

The chambers provided for in Articles 26 and 29 may, with the consent of the parties, sit and exercise their functions elsewhere than at The Hague.

Article 29

With a view to the speedy despatch of business, the Court shall form annually a chamber composed of five judges which, at the request of the parties, may hear and determine cases by summary procedure. In addition, two judges shall be selected for the purpose of replacing judges who find it impossible to sit.

Article 30

1. The Court shall frame rules for carrying out its functions. In particular, it shall lay down rules of procedure.

2. The rules of the Court may provide for assessors to sit with the Court or with any of its chambers, without the right to vote.

Article 31

1. Judges of the nationality of each of the parties shall retain their right to sit in the case before the Court.

2. If the Court includes upon the Bench a judge of the nationality of one of the parties, any other party may choose a person to sit as judge. Such person shall be chosen preferably from among those persons who have been nominated as candidates as provided in Articles 4 and 5.

3. If the Court includes upon the Bench no judge of the nationality of the parties, each of these parties may proceed to choose a judge as provided in paragraph 2 of this Article.

4. The provisions of this Article shall apply to the case of Articles 26 and 29. In such cases, the President shall request one or, if necessary, two of the members of the Court forming the chamber to give place to the members of the Court of the nationality of the parties concerned, and, failing such, or if they are unable to be present, to the judges specially chosen by the parties.

5. Should there be several parties in the same interest, they shall, for the purpose of the preceding provisions, be reckoned as one party only. Any doubt upon this point shall be settled by the decision of the Court.

6. Judges chosen as laid down in paragraphs 2, 3, and 4 of this Article shall fulfil the conditions required by Articles 2, 17 (paragraph 2), 20 and 24 of the present Statute. They shall take part in the decision on terms of complete equality with their colleagues.

Article 32

1. Each member of the Court shall receive an annual salary.

2. The President shall receive a special annual allowance.

3. The Vice-President shall receive a special allowance for every day on which he acts as President.

4. The judges chosen under Article 31, other than members of the Court, shall receive compensation for each day on which they exercise their functions.

5. These salaries, allowances, and compensation shall be fixed by the General Assembly. They may not be decreased during the term of office.

6. The salary of the Registrar shall be fixed by the General Assembly on the proposal of the Court.

7. Regulations made by the General Assembly shall fix the conditions under which retirement pensions may be given to members of the Court and to the Registrar, and the conditions under which members of the Court and the Registrar shall have their travelling expenses refunded.

8. The above salaries, allowances, and compensation shall be free of all taxation.

Article 33

The expenses of the Court shall be borne by the United Nations in such a manner as shall be decided by the General Assembly.

CHAPTER II

COMPETENCE OF THE COURT

Article 34

1. Only states may be parties in cases before the Court.

2. The Court, subject to and in conformity with its Rules, may request of public international organizations information relevant to cases before it, and shall receive such informa-

tion presented by such organizations on their own initiative.

3. Whenever the construction of the constituent instrument of a public international organization or of an international convention adopted thereunder is in question in a case before the Court, the Registrar shall so notify the public international organization concerned and shall communicate to it copies of all the written proceedings.

Article 35

1. The Court shall be open to the states parties to the present Statute.

2. The conditions under which the Court shall be open to other states shall, subject to the special provisions contained in treaties in force, be laid down by the Security Council, but in no case shall such conditions place the parties in a position of inequality before the Court.

3. When a state which is not a Member of the United Nations is a party to a case, the Court shall fix the amount which that party is to contribute towards the expenses of the Court. This provision shall not apply if such state is bearing a share of the expenses of the Court.

Article 36

1. The jurisdiction of the Court comprises all cases which the parties refer to it and all matters specially provided for in the Charter of the United Nations or in treaties and conventions in force.

2. The states parties to the present Statute may at any time declare that they recognize as compulsory *ipso facto* and without special agreement, in relation to any other state accepting the same obligation, the jurisdiction of the Court in all legal disputes concerning:

a. the interpretation of a treaty;

b. any question of international law;

c. the existence of any fact which, if established, would constitute a breach of an international obligation;

d. the nature or extent of the reparation to be made for the breach of an international obligation.

3. The declarations referred to above may be made unconditionally or on condition of reciprocity on the part of several or certain states, or for a certain time.

4. Such declarations shall be deposited with the Secretary-General of the United Nations, who shall transmit copies thereof to the parties to the Statute and to the Registrar of the Court.

5. Declarations made under Article 36 of the Statute of the Permanent Court of International Justice and which are still in force shall be deemed, as between the parties to the present Statute, to be acceptances of the compulsory jurisdiction of the International Court of Justice for the period which they still have to run and in accordance with their terms.

6. In the event of a dispute as to whether the Court has jurisdiction, the matter shall be settled by the decision of the Court.

Article 37

Whenever a treaty or convention in force provides for reference of a matter to a tribunal to have been instituted by the League of Nations, or to the Permanent Court of International Justice, the matter shall, as between the parties to the present Statute, be referred to the International Court of Justice.

Article 38

1. The Court, whose function is to decide in accordance with international law such disputes as are submitted to it, shall apply:

a. international conventions, whether general or particular, establishing rules expressly recognized by the contesting states;

b. international custom, as evidence of a general practice accepted as law;

c. the general principles of law recognized by civilized nations;

d. subject to the provisions of Article 59, judicial decisions and the teachings of the most highly qualified publicists of the various nations, as subsidiary means for the determination of rules of law.

2. This provision shall not prejudice the power of the Court to decide a case *ex æquo et bono*, if the parties agree thereto.

CHAPTER III

PROCEDURE

Article 39

1. The official languages of the Court shall be French and English. If the parties agree that the case shall be conducted in French, the judgment shall be delivered in French. If the parties agree that the case shall be conducted in English, the judgment shall be delivered in English.

2. In the absence of an agreement as to which language shall be employed, each party may, in the pleadings, use the language which it prefers; the decision of the Court shall be given in French and English. In this case the Court shall at the same time determine which of the two texts shall be considered as authoritative.

3. The Court shall, at the request of any party, authorize a language other than French or English to be used by that party.

Article 40

1. Cases are brought before the Court, as the case may be, either by the notification of the special agreement or by a written application addressed to the Registrar. In either case the subject of the dispute and the parties shall be indicated.

2. The Registrar shall forthwith communicate the application to all concerned.

3. He shall also notify the Members of the United Nations through the Secretary-General, and also any other states entitled to appear before the Court.

Article 41

1. The Court shall have the power to indicate, if it considers that circumstances so require, any provisional measures which ought to be taken to preserve the respective rights of either party.

2. Pending the final decision, notice of the measures suggested shall forwith be given to the parties and to the Security Council.

Article 42

1. The parties shall be represented by agents.

2. They may have the assistance of counsel or advocates before the Court.

3. The agents, counsel, and advocates of parties before the Court shall enjoy the privileges and immunities necessary to the independent exercise of their duties.

Article 43

1. The procedure shall consist of two parts: written and oral.

2. The written proceedings shall consist of the communication to the Court and to the parties of memorials, counter-memorials and, if necessary, replies; also all papers and documents in support.

3. These communications shall be made through the Registrar, in the order and within the time fixed by the Court.

4. A certified copy of every document produced by one party shall be communicated to the other party.

5. The oral proceedings shall consist of the hearing by the Court of witnesses, experts, agents, counsel, and advocates.

Article 44

1. For the service of all notices upon persons other than the agents, counsel, and advocates, the Court shall apply direct to the government of the state upon whose territory the notice has to be served.

2. The same provision shall apply whenever steps are to be taken to procure evidence on the spot.

Article 45

The hearing shall be under the control of the President or, if he is unable to preside, of the Vice-President; if neither is able to preside, the senior judge present shall preside.

Article 46

The hearing in Court shall be public, unless the Court shall decide otherwise, or unless the parties demand that the public be not admitted.

Article 47

1. Minutes shall be made at each hearing and signed by the Registrar and the President.

2. These minutes alone shall be authentic.

Article 48

The Court shall make orders for the conduct of the case, shall decide the form and time in which each party must conclude its arguments, and make all arrangements connected with the taking of evidence.

Article 49

The Court may, even before the hearing begins, call upon the agents to produce any document or to supply any explanations. Formal note shall be taken of any refusal.

Article 50

The Court may, at any time, entrust any individual, body, bureau, commission, or other organization that it may select, with the task of carrying out an enquiry or giving an expert opinion.

Article 51

During the hearing any relevant questions are to be put to the witnesses and experts under the conditions laid down by the Court in the rules of procedure referred to in Article 30.

Article 52

After the Court has received the proofs and evidence within the time specified for the purpose, it may refuse to accept any further oral or written evidence that one party may desire to present unless the other side consents.

Article 53

1. Whenever one of the parties does not appear before the Court, or fails to defend its case, the other party may call upon the Court to decide in favor of its claim.

2. The Court must, before doing so, satisfy itself, not only that it has jurisdiction in accordance with Articles 36 and 37, but also that the claim is well founded in fact and law.

Article 54

1. When, subject to the control of the Court, the agents, counsel, and advocates have completed their presentation of the case, the President shall declare the hearing closed.

2. The Court shall withdraw to consider the judgment.

3. The deliberations of the Court shall take place in private and remain secret.

Article 55

1. All questions shall be decided by a majority of the judges present.

2. In the event of an equality of votes, the President or the judge who acts in his place shall have a casting vote.

Article 56

1. The judgment shall state the reasons on which it is based.

2. It shall contain the names of the judges who have taken part in the decision.

Article 57

If the judgment does not represent in whole or in part the unanimous opinion of the judges, any judge shall be entitled to deliver a separate opinion.

Article 58

The judgment shall be signed by the President and by the Registrar. It shall be read in open court, due notice having been given to the agents.

Article 59

The decision of the Court has no binding force except between the parties and in respect of that particular case.

Article 60

The judgment is final and without appeal. In the event of dispute as to the meaning or scope of the judgment, the Court shall construe it upon the request of any party.

Article 61

1. An application for revision of a judgment may be made only when it is based upon the discovery of some fact of such a nature as to be a decisive factor, which fact was, when the judgment was given, unknown to the Court and also to the party claiming revision, always provided that such ignorance was not due to negligence.

2. The proceedings for revision shall be opened by a judgment of the Court expressly recording the existence of the new fact, recognizing that it has such a character as to lay the case open to revision, and declaring the application admissible on this ground.

3. The Court may require previous compliance with the terms of the judgment before it admits proceedings in revision.

4. The application for revision must be made at latest within six months of the discovery of the new fact.

5. No application for revision may be made after the lapse of ten years from the date of the judgment.

Article 62

1. Should a state consider that it has an interest of a legal nature which may be affected by the decision in the case, it may submit a request to the Court to be permitted to intervene.

2. It shall be for the Court to decide upon this request.

Article 63

1. Whenever the construction of a convention to which states other than those concerned in the case are parties is in question, the Registrar shall notify all such states forthwith.

2. Every state so notified has the right to intervene in the proceedings; but if it uses this right, the construction given by the judgment will be equally binding upon it.

Article 64

Unless otherwise decided by the Court, each party shall bear its own costs.

CHAPTER IV

ADVISORY OPINIONS

Article 65

1. The Court may give an advisory opinion on any legal question at the request of whatever body may be authorized by or in accordance with the Charter of the United Nations to make such a request.

2. Questions upon which the advisory opinion of the Court is asked shall be laid before the Court by means of a written request containing an exact statement of the question upon which an opinion is required, and accompanied by all documents likely to throw light upon the question.

Article 66

1. The Registrar shall forthwith give notice of the request for an advisory opinion to all states entitled to appear before the Court.

2. The Registrar shall also, by means of a special and direct communication, notify any state entitled to appear before the Court or international organization considered by the Court, or, should it not be sitting, by the President, as likely to be able to furnish information on the question, that the Court will be prepared to receive, within a time limit to be fixed by the President, written statements, or to hear, at a public sitting to be held for the purpose, oral statements relating to the question.

3. Should any such state entitled to appear before the Court have failed to receive the special communication referred to in paragraph 2 of this Article, such state may express a desire to submit a written statement or to be heard; and the Court will decide.

4. States and organizations having presented written or oral statements or both shall be permitted to comment on the statements made by other states or organizations in the form, to the extent, and within the time limits which

the Court, or, should it not be sitting, the President, shall decide in each particular case. Accordingly, the Registrar shall in due time communicate any such written statements to states and organizations having submitted similar statements.

Article 67

The Court shall deliver its advisory opinions in open court, notice having been given to the Secretary-General and to the representatives of Members of the United Nations, of other states and of international organizations immediately concerned.

Article 68

In the exercise of its advisory functions the Court shall further be guided by the provisions of the present Statute which apply in contentious cases to the extent to which it recognizes them to be applicable.

CHAPTER V

AMENDMENTS

Article 69

Amendments to the present Statute shall be effected by the same procedure as is provided by the Charter of the United Nations for amendments to that Charter, subject however to any provisions which the General Assembly upon recommendation of the Security Council may adopt concerning the participation of states which are parties to the present Statute but are not Members of the United Nations.

Article 70

The Court shall have power to propose such amendments to the present Statute as it may deem necessary, through written communications to the Secretary-General, for consideration in conformity with the provisions of Article 69.

II. Index to the Charter of the United Nations and the Statute of the International Court of Justice

The following abbreviations are used in this index:

ESC — Economic and Social Council
GA — General Assembly
ICJ — International Court of Justice
PCA — Permanent Court of Arbitration
SC — Security Council
TC — Trusteeship Council
UN — United Nations

The numbers given in the text are the numbers of the Articles of the Charter, followed, in parentheses, by paragraphs; those preceded by S refer to the Articles of the Statute of the International Court of Justice.

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Roster of the United Nations

(As of July 1, 1947)

Country	*Capital*	*Total Area (square miles)*	*Latest Population Estimate* *Date*	*Total Population*	*Date of Admission to U.N.*
Afghanistan	Kabul	250,000	Midyear 1946	12,000,000	11/19/46
Argentina	Buenos Aires	1,078,769	May 12, 1947	16,107,936†	9/24/45
Australia	Canberra	2,974,581	Midyear 1946	7,448,601[1]	11/1/45
Belgium	Brussels	11,775	Dec. 31, 1946	8,388,526[2]	12/27/45
Bolivia	La Paz	416,040	Midyear 1946	3,787,800	11/14/45
Brazil	Rio de Janeiro	3,286,170	Midyear 1946	46,725,988	9/21/45
Byelorussian S.S.R.[3]	Minsk	88,146	1940	10,400,000*	10/24/45
Canada	Ottawa	3,690,410	Midyear 1946	12,307,000	11/9/45
Chile	Santiago	286,396	Dec. 31, 1946	5,479,202	10/11/45
China[4]	Nanking	4,314,097	1946	455,592,000	9/28/45
Colombia	Bogota	439,830	Midyear 1947	10,545,000	11/5/45
Costa Rica	San Jose	19,238	Dec. 31, 1946	771,503	11/2/45
Cuba	Havana	44,218	Dec. 31, 1946	5,051,850	10/15/45
Czechoslovakia	Prague	49,358	Midyear 1946	13,047,000	10/19/45
Denmark[5]	Copenhagen	16,575	Midyear 1946	4,102,000	10/9/45
Dominican Republic	Ciudad Trujillo	19,129	Midyear 1947	2,151,000	9/4/45
Ecuador	Quito	115,830	Midyear 1946	3,340,000	12/21/45
Egypt	Cairo	386,000	June 1947	19,090,048†[6]	10/22/45
El Salvador	San Salvador	13,176	Midyear 1946	1,997,169	9/26/45
Ethiopia	Addis Ababa	350,000	Midyear 1947	15,000,000	11/13/45
France	Paris	212,659	Mar. 10, 1946	40,517,923†[7]	8/31/45
Greece	Athens	50,257	Dec. 31, 1946	7,450,000	10/25/45
Guatemala	Guatemala City	42,042	Midyear 1946	3,575,000	11/21/45
Haiti	Port-au-Prince	10,714	Midyear 1946	3,500,000	9/27/45
Honduras	Tegucigalpa	59,161	Midyear 1946	1,220,000	12/17/45
Iceland	Reykjavik	39,709	Midyear 1946	132,000	11/19/46
India	New Delhi	1,581,410	Midyear 1946	411,500,000*	10/30/45
Iran	Teheran	628,000	Midyear 1946	17,000,000	10/16/45
Iraq	Bagdad	175,000	Midyear 1946	4,803,430	12/21/45
Lebanon	Beirut	3,475	Midyear 1946	1,160,000	10/15/45
Liberia	Monrovia	43,000	Midyear 1946	1,600,000	11/2/45
Luxembourg	Luxembourg	999	Midyear 1946	285,000	10/17/45
Mexico	Mexico City	763,944	Midyear 1946	22,776,041	11/7/45

* Unofficial estimate.

† Enumerated census figure.

[1] Excluding full-blooded aboriginals numbering about 48,000.

[2] Excluding 40,000 prisoners of war.

[3] 1940 boundaries.

[4] Includes Formosa, Manchuria, Jehol, Sinkiang and Tibet.

[5] Excluding Faroe Islands and 200,000 displaced persons.

[6] Includes an estimate of 50,000 for Nomads.

[7] Habitually resident population excluding 317,000 Frenchmen outside country. Present-in-area population for 1946 estimated as 40,000,000 excluding 663,000 prisoners of war.

Country	*Capital*	*Total Area (square miles)*	*Latest Population Estimate* *Date*	*Total Population*	*Date of Admission to U.N.*
Netherlands	Amsterdam	15,764	Midyear 1947	9,630,000	12/10/45
New Zealand	Wellington	103,415	Midyear 1946	1,761,000	9/19/45
Nicaragua	Managua	57,145	Midyear 1946	1,108,800	9/6/45
Norway	Oslo	124,556	Midyear 1946	3,105,000	11/27/45
Panama	Panama City	28,575	Midyear 1946	632,000[8]	11/13/45
Paraguay	Ascuncion	150,515	Midyear 1946	1,200,000	10/12/45
Peru	Lima	482,258	Dec. 31, 1946	7,038,809[9]	10/31/45
Philippine Republic	Manila	114,400	Midyear 1946	19,066,800	10/11/45
Poland	Warsaw	120,818	Feb. 14, 1946	23,930,000†[10]	10/24/45
Saudi Arabia	Mecca	—	Midyear 1946	6,000,000	10/18/45
Siam	Bangkok	200,148	Midyear 1946	18,147,000	12/16/46
Sweden	Stockholm	173,347	Midyear 1946	6,718,717	11/19/46
Syria	Damascus	73,587	Midyear 1946	3,006,028[11]	10/19/45
Turkey	Ankara	294,416	Midyear 1946	19,009,790	9/28/45
Ukrainian S.S.R.[3]	Kiev	215,600	1940	40,200,000*	10/24/45
Union of South Africa	Pretoria	472,550	May 7, 1946	11,368,000†	11/7/45
U.S.S.R.[3]	Moscow	8,350,650	1940	193,000,000*	10/24/45
United Kingdom	London	94,279	Midyear 1946	47,175,000[12]	10/20/45
United States	Washington	3,022,387	Midyear 1946	141,228,693	8/8/45
Uruguay	Montevideo	72,172	Midyear 1946	2,281,000	12/18/45
Venezuela	Caracas	352,150	Midyear 1946	4,299,638[13]	11/15/45
Yugoslavia	Belgrade	95,558	Midyear 1946	14,800,000	10/19/45

* Unofficial estimate.

† Enumerated census figure.

[8] 1940 boundaries.

[8] Excluding tribal Indians estimated at 56,000 in 1940 census.

[9] Excluding inhabitants of jungle area, estimated at 350,000 in 1940 census. Figures not corrected for census under enumeration estimated at 465,144 in 1940.

[10] Within boundaries established at Potsdam and according to treaty with Soviet Union August 17, 1945.

[11] Excluding Hatay and Bedouins estimated at 655,625.

[12] Excluding armed forces and certain classes of seamen. Total population excluding merchant seamen and 400,000 prisoners of war is estimated to be approximately 49,200,000.

[13] Excluding tribal Indians estimated at 100,600 in 1941 census.

IV. Membership of the United Nations and the Specialized Agencies

(From information available as of July 1, 1947)

Countries	United Nations	ILO ①	UNESCO ①	FAO ①	ICAO ① ①	Fund ①	Bank ①	Interim Commission WHO	Preparatory Commission IRO
Afghanistan	X	X			X				
Albania		X						①	
Argentina	X	X			X				X
Australia	X	X	X	X	X			X	X ②
Belgium	X	X	X	X	X	X	X		X
Bolivia	X	X	X	X	X	X	X		X
Brazil	X	X	X	X	X	X	X	X	X
Bulgaria		X							
Byelorussian S.S.R.	X								
Canada	X	X	X	X	X	X	X	X ①	X
Chile	X	X		X	X	X	X		
China	X	X	X	X	X	X	X	X ①	X ②
Colombia	X	X		X		X	X		
Costa Rica	X	X				X	X		
Cuba	X	X		X		X	X		
Czechoslovakia	X	X	X	X	X	X	X		
Denmark	X	X	X	X	X	X	X		
Dominican Rep.	X	X	X	X	X	X	X		X
Ecuador	X	X	X	X		X	X		
Egypt	X	X	X	X	X	X	X	X	
El Salvador	X				X	X	X		
Ethiopia	X	X			X	X	X	①	
Finland		X							
France	X	X	X	X	X	X	X	X	X
Greece	X	X	X	X	X	X	X		
Guatemala	X	X		X	X	X	X		X ②
Haiti	X	X	X	X					
Honduras	X			X		X	X		X
Hungary		X		X					
Iceland	X	X		X	X	X	X		X ②
India	X	X	X	X	X	X	X	X	
Iran	X	X				X	X	①	
Iraq	X	X		X	X	X	X		

X Indicates that the country is a member of the organization (or commission, in the case of WHO and IRO).

① The index number ① indicates countries which have become parties to the Constitution of the World Health Organization and therefore may be considered fully qualified as WHO members; Albania, Ethiopia, Iran, Italy, New Zealand, Saudi Arabia, Switzerland, Syria and Transjordan are not, however, members of the WHO Interim Commission. The organization will come into being when 26 Members of the United Nations have become parties to the Constitution.

② All the countries in this column have signed the Constitution of the International Refugee Organization (IRO) and the Agreement on Interim Measures, thereby becoming members of the Preparatory Commission. Australia, China, Guatemala, Iceland, New Zealand, the United Kingdom and the United States are the only countries, however, whose signatures do not require subsequent ratification by their Governments, and who therefore may be considered fully qualified as IRO members. The IRO will come into being when at least fifteen states, which have unconditionally subscribed at least 75 per cent of the operational budget, have ratified the Constitution.

IV. Membership of the United Nations and the Specialized Agencies (Contd.)

(From information available as of July 1, 1947)

Countries	United Nations	ILO ④	UNESCO ④	FAO ④	ICAO ③④	Fund ④	Bank ④	Interim Commission WHO	Preparatory Commission IRO
Ireland		X		X	X				
Italy		X		X		X	X	①	
Lebanon	X		X	X		X	X		
Liberia	X	X	X	X	X			X ①	X
Luxembourg	X	X		X		X	X		
Mexico	X	X	X	X	X	X	X	X	
Netherlands	X	X	X	X	X	X	X	X ①	X
New Zealand	X	X	X	X	X			①	X ②
Nicaragua	X			X	X	X	X		
Norway	X	X	X	X	X	X	X	X	X
Panama	X	X		X		X	X		X
Paraguay	X			X	X	X	X		
Peru	X	X	X	X	X	X	X	X	
Philippines	X		X	X	X	X	X		
Poland	X	X	X	X	X	X	X		
Portugal		X		X	X				
Saudi Arabia	X		X					①	
Siam	X	X			X				
Sweden	X	X			X				
Switzerland		X		X	X			①	
Syria	X		X	X		X	X	①	
Transjordan					X			①	
Turkey	X	X	X		X	X	X		
Ukrainian S.S.R.	X							X	
U. of South Africa	X	X	X	X	X	X	X		
U. S. S. R.	X							X	
United Kingdom	X	X	X	X	X	X	X	X ①	X ②
United States	X	X	X	X	X	X	X	X	X ②
Uruguay	X	X		X		X	X		
Venezuela	X	X	X	X	X	X	X	X	
Yugoslavia	X	X		X		X	X	X	
Total of Members	55	52	31	47	43	44	44	18	19

③ In order to comply with a resolution of the General Assembly of the United Nations debarring the Franco Government from membership in international agencies brought into relationship with the United Nations, the ICAO Assembly voted, by an amendment to the ICAO Convention, to expel Franco Spain from membership in the Organization. This amendment will come into effect when it has been ratified by two thirds of ICAO's member States.

④ ILO: The International Labour Organisation.
UNESCO: The United Nations Educational, Scientific and Cultural Organization.
FAO: The Food and Agriculture Organization of the United Nations.
ICAO: International Civil Aviation Organization.
Fund: International Monetary Fund.
Bank: International Bank for Reconstruction and Development.

V. Chronology of the United Nations

APPENDIX V

1941

August 14: DECLARATION OF PRINCIPLES KNOWN AS THE ATLANTIC CHARTER issued by President Franklin D. Roosevelt and Prime Minister Winston S. Churchill.

1942

January 1: DECLARATION BY UNITED NATIONS signed in Washington, D. C., by representatives of 26 Allied nations.

June 5: Mexico notifies adherence to Declaration by United Nations.

June 10: Philippine Commonwealth notifies adherence to Declaration by United Nations.

July 28: Ethiopia notifies adherence to Declaration by United Nations.

November 16: First formal meeting of Conference of Allied Ministers of Education, held in London. Conference met every two months until July 1945.

1943

January 16: Iraq notifies adherence to Declaration by United Nations.

February 8: Brazil notifies adherence to Declaration by United Nations.

April 6: Proposals for a Stabilization Fund of the United and Associated Nations ("White Plan") published by United States Treasury.

April 7: Proposals for an International Clearing Union ("Keynes Plan") published by the Government of United Kingdom.

April 27: Bolivia notifies adherence to Declaration by United Nations.

May 18-June 3: UNITED NATIONS CONFERENCE ON FOOD AND AGRICULTURE held at Hot Springs, Virginia, U.S.A., attended by representatives of 44 countries. Final Act includes Draft Agreement for the Establishment of an Interim Commission to carry out recommendations of the Conference. June 21: Interim Commission formally established.

August 4: Executive Committee of Intergovernmental Committee on Refugees adopts recommendations of Anglo-American Conference at Bermuda for reorganizing the Intergovernmental Committee and enlarging its mandate.

1943 (contd.)

September 10: Iran notifies adherence to Declaration by United Nations.

October 19-30: Moscow Conference of Foreign Ministers of U.S.S.R., United Kingdom and United States.

October 30: DECLARATION OF FOUR NATIONS ON GENERAL SECURITY ("MOSCOW DECLARATION") issued by Foreign Ministers of U.S.S.R., United Kingdom and United States and the Chinese Ambassador to U.S.S.R.

November 9: AGREEMENT CREATING UNITED NATIONS RELIEF AND REHABILITATION ADMINISTRATION (UNRRA) signed in Washington, D. C., by representatives of 44 nations.

November 10-December 1: FIRST SESSION OF COUNCIL OF UNRRA held at Atlantic City, U.S.A. Herbert H. Lehman appointed Director-General.

December 22: Colombia notifies adherence to Declaration by United Nations.

1944

February 26: Liberia notifies adherence to Declaration by United Nations.

March 14: First meeting of Committee of the Council of UNRRA for Europe, in London.

April 19: Draft constitution for a permanent Education Organization accepted by Conference of Allied Ministers of Education and a United States Education Delegation for submission to governments.

April 20-May 12: Twenty-sixth session of International Labour Conference, held at Philadelphia. May 10: "PHILADELPHIA CHARTER" adopted by the Conference.

April 21: Joint Statement by Experts on the Establishment of an International Monetary Fund of the United and Associated Nations issued.

April 22-May 4: Ninety-second session of Governing Body of ILO, held in Philadelphia.

May 13-14: Ninety-third session of Governing Body of ILO, held in Philadelphia.

July 1-22: UNITED NATIONS MONETARY AND FINANCIAL CONFERENCE held at Bretton Woods, New Hampshire, U.S.A., attended by representatives of 44 nations. Final Act of

1944 (contd.)

Conference contains Articles of Agreement of the International Monetary Fund and Articles of Agreement of the International Bank for Reconstruction and Development.

August 15-17: Fourth plenary session of the Intergovernmental Committee on Refugees, held in London.

August 21-October 7: DUMBARTON OAKS CONVERSATIONS ON WORLD ORGANIZATION, held in Washington.
August 21-September 28: First phase of the Conversations, attended by representatives of U.S.S.R., United Kingdom and United States;
September 29-October 7: Second phase, attended by representatives of China, United Kingdom and United States.
October 9: Dumbarton Oaks Proposals for the Establishment of a General International Organization published.

August 22: Draft Constitution of Food and Agriculture Organization of the United Nations published.

September 15-27: Second session of the Council of UNRRA held in Montreal.

November 1 - December 7: INTERNATIONAL CIVIL AVIATION CONFERENCE held in Chicago, attended by representatives of 54 nations. Final Act of the Conference includes: (1) Interim Agreement on International Civil Aviation; (2) Convention on International Civil Aviation; (3) International Air Services Transit Agreement; (4) International Air Transport Agreement.

December 26: France notifies adherence to Declaration by United Nations.[1]

1945

January 25-31: Ninety-fourth session of Governing Body of ILO, held in London.

February 4-11: CRIMEA (YALTA) CONFERENCE between President Roosevelt, Prime Minister Churchill and Marshal Stalin. Time and place fixed for holding Conference of United Nations to prepare charter along lines suggested at Dumbarton Oaks. Voting formula on the Security Council proposed.

February 7: Ecuador notifies adherence to Declaration by United Nations.

February 11: Peru notifies adherence to Declaration by United Nations.

February 12: Chile and Paraguay notify adherences to Declaration by United Nations.

February 15-20: First meeting of Far Eastern Committee of Council of UNRRA at Lapstone, Australia.

February 16: Venezuela notifies adherence to Declaration by United Nations.

1945 (contd.)

February 21-March 8: Inter-American Conference on Problems of War and Peace held at Mexico City, attended by representatives of all American Republics except Argentina. Resolution adopted on "Establishment of a General International Organization." March 6: Act of Chapultepec adopted by the Conference; adhered to by Argentina on March 27.

February 23: Uruguay notifies adherence to Declaration by United Nations.

February 24: Turkey notifies adherence to Declaration by United Nations.

February 27: Egypt notifies adherence to Declaration by United Nations.

March 1: Lebanon, Saudi Arabia and Syria notify adherences to Declaration by United Nations.

March 5: Invitations to United Nations Conference on International Organization at San Francisco issued by China, U.S.S.R., United Kingdom and United States. Text of invitations and voting formula proposed for the Security Council made public.

April 9-20: United Nations Committee of Jurists meets in Washington to prepare draft Statute for an International Court of Justice.

April 25-June 26: UNITED NATIONS CONFERENCE ON INTERNATIONAL ORGANIZATION held at San Francisco, attended by representatives of 50 nations.

May 3: France invited to attend all private meetings of the four Sponsoring Powers of San Francisco Conference.

June 6: Interim Agreement on International Civil Aviation providing for establishment of Provisional International Civil Aviation Organization comes into force, following its formal acceptance by 26 nations.

June 7: Statement issued at San Francisco Conference by delegations of the four Sponsoring Powers on voting procedure in the Security Council.

June 21-27: Ninety-fifth session of the Governing Body of ILO held in Montreal.

June 22: Canadian Preparatory Committee for PICAO established.

June 26: CHARTER OF THE UNITED NATIONS and Interim Arrangements Agreement establishing the Preparatory Commission of the United Nations signed by representatives of 50 countries at the United Nations Conference on International Organization at San Francisco.

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[1] See footnote 2, p. 1.

1945 (contd.)

June 27: First meeting of Preparatory Commission of the United Nations, at San Francisco.

First meeting of Canadian Preparatory Committee of PICAO at Montreal.

July 17-August 2: Berlin Conference between heads of Governments of U.S.S.R., United Kingdom and United States. Potsdam Declaration issued at the close of Conference.

July 31: Draft proposals for an Educational and Cultural Organization of the United Nations published.

August 7-24: Third session of Council of UNRRA, held in London.

August 8: United States deposits instrument of ratification of United Nations Charter with U.S. Department of State.

Agreement signed by representatives of France, U.S.S.R., United Kingdom and United States establishing an International Military Tribunal for trial of major war criminals of European Axis. Agreement is supplemented by a Charter setting out the constitution of the Tribunal and the principles governing its operation.

August 15-30: First session of the Interim Council of PICAO held in Montreal.

August 16-November 24: Meeting of Executive Committee of Preparatory Commission of the United Nations, in London.

August 31: France deposits instrument of ratification of United Nations Charter with U.S. Department of State.

September 4: Dominican Republic deposits instrument of ratification of United Nations Charter with U.S. Department of State.

September 6: Nicaragua deposits instrument of ratification of United Nations Charter with U.S. Department of State.

September 19: New Zealand deposits instrument of ratification of United Nations Charter with U.S. Department of State.

September 21: Brazil deposits instrument of ratification of United Nations Charter with U.S. Department of State.

September 24: Argentina deposits instrument of ratification of United Nations Charter with U.S. Department of State.

September 25-October 8: World Trade Union Conference held in Paris. October 3: World Federation of Trade Unions (WFTU) proclaimed.

September 26: El Salvador deposits instrument of ratification of United Nations Charter with U.S. Department of State.

September 27: Haiti deposits instrument of ratification of United Nations Charter with U.S. Department of State.

1945 (contd.)

September 28: China and Turkey deposit instruments of ratification of United Nations Charter with U.S. Department of State.

October 9: Denmark deposits instrument of ratification of United Nations Charter with U.S. Department of State.

October 11: Philippine Commonwealth and Chile deposit instruments of ratification of United Nations Charter with U.S. Department of State.

October 11-12: Ninety-sixth session of the Governing Body of ILO, held in Paris.

October 12: Paraguay deposits instrument of ratification of United Nations Charter with U.S. Department of State.

October 15: Cuba and Lebanon deposit instruments of ratification of United Nations Charter with U.S. Department of State. Poland signs United Nations Charter.[1]

October 15-November 5: Twenty-seventh session of International Labour Conference held in Paris.

October 15-November 30: Second session of the Interim Council of PICAO.

October 16: Iran deposits instrument of ratification of United Nations Charter with U.S. Department of State.

October 16-November 1: FIRST SESSION OF THE CONFERENCE OF FAO held in Quebec. The Organization comes formally into being on October 16 with the signature of its Constitution by delegates of 29 countries.

October 17: Luxembourg deposits instrument of ratification of United Nations Charter with U.S. Department of State.

October 18: Saudi Arabia deposits instrument of ratification of United Nations Charter with U.S. Department of State.

October 19: Czechoslovakia, Syria and Yugoslavia deposit instruments of ratification of United Nations Charter with U. S. Department of State.

October 20: United Kingdom deposits instrument of ratification of United Nations Charter with U.S. Department of State.

October 22: Egypt deposits instrument of ratification of United Nations Charter with U.S. Department of State.

[1] A space was left among original Members of the United Nations for Poland, which had been one of original signatories of Declaration by United Nations since its Provisional Government of National Unity, the formation of which was agreed upon at Yalta, was formed too late for it to attend the Conference or sign the Charter. (see p. 12).

1945 (contd.)

October 24: Byelorussian S.S.R., Poland, U.S.S.R. and Ukrainian S.S.R. deposit instruments of ratification of United Nations Charter with U.S. Department of State. U.S. Secretary of State signs the Protocol which, in accordance with Article 110 of Charter of the United Nations, attests entry into force of the Charter. Twenty-nine countries, including China, France, U.S.S.R., United Kingdom and United States, had deposited their instruments of ratification.

October 25: Greece deposits instrument of ratification of United Nations Charter with U.S. Department of State.

October 30: India deposits instrument of ratification of United Nations Charter with U.S. Department of State.

October 31: Peru deposits instrument of ratification of United Nations Charter with U.S. Department of State.

November 1: Australia deposits instrument of ratification of United Nations Charter with U.S. Department of State.

November 1-16: CONFERENCE FOR THE ESTABLISHMENT OF AN EDUCATIONAL, SCIENTIFIC AND CULTURAL ORGANIZATION OF THE UNITED NATIONS held in London, attended by representatives of 44 nations. Final Act includes: (1) Constitution of the United Nations Educational, Scientific and Cultural Organization (UNESCO), and (2) Instrument Establishing a Preparatory Educational, Scientific and Cultural Commission.

November 2: Liberia and Costa Rica deposit instruments of ratification of United Nations Charter with U.S. Department of State.

November 5: Colombia deposits instrument of ratification of United Nations Charter with U.S. Department of State.

November 6: Ninety-seventh session of the Governing Body of ILO, held in Paris.

November 7: Union of South Africa and Mexico deposit instruments of ratification of United Nations Charter with U.S. Department of State.

November 9: Canada deposits instrument of ratification of United Nations Charter with U.S. Department of State.

November 13: Ethiopia and Panama deposit instruments of ratification of United Nations Charter with U.S. Department of State.

November 14: Bolivia deposits instrument of ratification of United Nations Charter with U.S. Department of State.

1945 (contd.)

November 15: Venezuela deposits instrument of ratification of United Nations Charter with U.S. Department of State.

Statement on atomic energy issued at conclusion of talks held in Washington between President Harry S. Truman, Prime Minister Clement Attlee, and Prime Minister of Canada, W. L. Mackenzie King.

November 15-December 1: Maritime Preparatory Technical Conference in Copenhagen called by ILO.

November 16: First session of Preparatory Commission of United Nations Educational, Scientific and Cultural Organization, held in London.

November 19: Second session of Preparatory Commission of United Nations Educational, Scientific and Cultural Organization, held in London.

November 20: Opening of trial of major war criminals of European Axis at Nürnberg.

November 20-22: Fifth plenary session of Intergovernmental Committee on Refugees, held in Paris.

November 21: Guatemala deposits instrument of ratification of United Nations Charter with U.S. Department of State.

November 24 - December 22: PREPARATORY COMMISSION OF UNITED NATIONS meets in London.

November 27: Norway deposits instrument of ratification of United Nations Charter with U.S. Department of State.

December 6: Proposals for Consideration by an International Conference on Trade and Employment made public by U.S. Secretary of State.

December 10: Netherlands deposits instrument of ratification of United Nations Charter with U.S. Department of State.

December 13: Agreement signed between the United Kingdom and France regarding joint withdrawal of their troops from Lebanon and Syria.

December 16-26: Meeting of Foreign Ministers of the U.S.S.R., United Kingdom and United States held in Moscow. Decisions of the meeting include an agreement for setting up a commission on atomic energy.

December 17: Honduras deposits instrument of ratification of United Nations Charter with U.S. Department of State.

December 18: Uruguay deposits instrument of ratification of United Nations Charter with U.S. Department of State.

1945 (contd.)

December 21: Ecuador and Iraq deposit instruments of ratification of United Nations Charter with U.S. Department of State.

December 27: Belgium deposits instrument of ratification of United Nations Charter with U.S. Department of State.

Articles of Agreement of International Bank for Reconstruction and Development and Articles of Agreement of International Monetary Fund come into force, being signed on behalf of 28 governments representing about 80 per cent of total shares of the Bank and 29 governments representing about 80 per cent of total quotas of the Fund.

1946

January 10-February 14: FIRST PART OF FIRST SESSION OF GENERAL ASSEMBLY OF UNITED NATIONS, held in London. January 10: Paul-Henri Spaak (Belgium) elected President.

January 12: First election of non-permanent members of Security Council by General Assembly of United Nations.

January 12-14: First election of members of Economic and Social Council by the General Assembly.

January 17-February 16: FIRST TO 23rd MEETING OF SECURITY COUNCIL of United Nations held in London.

January 18: Third session of Preparatory Commission of UNESCO held in London.

January 19: Iran brings to attention of Security Council a situation arising from the alleged interference of U.S.S.R. in internal affairs of Iran.

January 19-30: Security Council considers Iranian question.

January 21: U.S.S.R. brings to attention of Security Council the situation in Greece arising from presence of British troops.

Ukrainian S.S.R. brings to attention of Security Council the situation in Indonesia.

January 21-February 25: Third session of Interim Council of PICAO in Montreal.

January 23-February 18: FIRST SESSION OF ECONOMIC AND SOCIAL COUNCIL OF UNITED NATIONS, held in London.

January 24: Establishment of Atomic Energy Commission by resolution of General Assembly of United Nations.

January 25: Albania applies for United Nations membership.

February 1: Trygve Lie elected Secretary-General of United Nations by General Assembly on recommendation of Security Council.

1946 (contd.)

February 1-6: Security Council considers the Greek question.

February 3-14: Military Staff Committee of United Nations meets in London.

February 4: Syria and Lebanon bring to attention of the Security Council the question of presence of French and British troops in Syria and Lebanon.

February 6: Judges of International Court of Justice elected by General Assembly and by Security Council, voting independently.

February 7-13: Security Council considers the Indonesian question.

February 11-13: Fourth session of Preparatory Commission of UNESCO held in London.

February 12: General Assembly approves "common plan" for transfer to United Nations of League of Nations assets.

February 14: General Assembly approves New York as interim United Nations headquarters.

General Assembly urges that all governments take action to alleviate world shortage of cereals.

February 14-16: Security Council considers the Lebanese and Syrian question.

February 15: Economic and Social Council establishes a Technical Preparatory Committee for the International Health Conference.

February 16-18: Economic and Social Council establishes Special Committee on Refugees and Displaced Persons, Preparatory Committee of the International Conference on Trade and Employment, Committee on Negotiations with Specialized Agencies, Committee on Arrangements for Consultation with Non-Governmental Organizations, Commission on Narcotic Drugs, and the following commissions to function initially in nuclear form: Human Rights with a Sub-Commission on the Status of Women, Economic and Employment, Temporary Social, Statistical, Temporary Transport and Communications.

March 4-27: North Atlantic Regional Air Navigation Meeting of PICAO held in Dublin.

March 8-18: Inaugural meeting of Boards of Governors of International Monetary Fund and of International Bank for Reconstruction and Development, held at Savannah, Georgia, U.S.A.

March 15-29: Fourth session of the Council of UNRRA, held in Atlantic City, U.S.A. March 29: Fiorello H. LaGuardia appointed

1946 (contd.)

Director-General of UNRRA, succeeding Herbert H. Lehman.

March 18: Iran brings to attention of the Security Council a dispute between Iran and U.S.S.R.

March 18-April 5: Meeting of Technical Preparatory Committee for International Health Conference held in Paris.

March 21: United Nations moves into its temporary headquarters at Hunter College, The Bronx, New York.

March 25: Security Council reconvenes at its 24th meeting in New York.

Military Staff Committee resumes its sessions in New York at Henry Hudson Hotel.

March 26-May 22: Security Council considers the Iranian question.

March 28: U.S. Government's proposal for international control of atomic energy through an Atomic Energy Authority made public by U.S. Department of State.

April 1-16: Third Conference of American States, Members of ILO, held in Mexico City.

April 2-June 5: Fourth session of the Interim Council of PICAO, held at Montreal.

April 3: International Court of Justice holds first meeting at The Hague. (See April 18)

April 8-9: Poland brings to attention of Security Council the situation in Spain.

April 8-18: Twenty-first and final session of League of Nations Assembly held in Geneva. Formal dissolution of League and of Permanent Court of International Justice. Common plan for transfer of League assets to United Nations is approved.

April 8-June 1: Committee of Economic and Social Council on Refugees and Displaced persons meets in London.

April 17-June 26: Security Council considers Spanish question.

April 18: INAUGURAL SITTING OF INTERNATIONAL COURT OF JUSTICE, at The Hague.

April 24-May 15: European-Mediterranean Regional Air Navigation Meeting of PICAO held in Paris.

April 29-May 25: Meetings in New York of nuclear commissions: Human Rights, Economic and Employment, Temporary Social, Statistical, Temporary Transport and Communications, and the Sub-Commission on the Status of Women.

May 3: Members of Chamber for Summary Procedure of the International Court of Justice elected.

1946 (contd.)

FAO Mission for Greece receives directive to make on-the-spot study of major Greek agricultural and industrial rehabilitation problems.

May 6: First meeting of Executive Directors of the International Monetary Fund, held in Washington, D. C.

May 7: First meeting of Executive Directors of the International Bank for Reconstruction and Development, held in Washington, D. C.

May 20-27: Conference on Urgent Food Problems of FAO, held in Washington, D. C. Establishment of International Emergency Food Council recommended.

May 21-June 7: First session of Interim Assembly of PICAO, held in Montreal.

May 23-27: Ninety-eighth session of the Governing Body of ILO, held in Montreal.

May 25-June 21: Second session of Economic and Social Council held in New York.

June 6-29: Twenty-eighth (Maritime) session of International Labour Conference, held in Seattle.

June 14: First meeting of Atomic Energy Commission held in New York.

June 17: Fifth session of the Interim Council of PICAO, held in Montreal.

June 19-July 22: International Health Conference held in New York. Final Act includes: (1) Constitution of the World Health Organization; (2) Arrangement for the Establishment of an Interim Commission of the World Health Organization; (3) Protocol concerning the *Office international d'hygiène publique.*

June 20: Meeting of International Emergency Food Council, in Washington, D. C.

June 21: Economic and Social Council adopts a draft constitution for an International Refugee Organization (IRO) for submission to Members of United Nations, and establishes Committee on Finances of IRO. Draft Agreements with ILO, UNESCO and FAO recommended by Economic and Social Council for approval by General Assembly. Economic and Social Council decides on terms of reference and membership of following commissions on basis of reports submitted by nuclear commissions: Economic and Employment, Human Rights, Social, Statistical, Transport and Communications, and Status of Women. Council also establishes Temporary Sub-Commission on the Economic Reconstruction of Devastated Areas.

June 24: Mongolian People's Republic applies for United Nations membership.

1946 (contd.)

July 2: Afghanistan applies for United Nations membership.

July 5: World Food Survey completed by FAO.

July 5-12: Fifth session of Preparatory Commission of UNESCO, held in London.

July 6-20: Meeting of Committee on Finances of IRO, held in London.

July 8: Transjordan applies for United Nations membership.

July 19-23: First session of Interim Commission of WHO, held in New York City.

July 29-October 15: Peace Conference to draw up recommendations on draft peace treaties with Bulgaria, Finland, Hungary, Italy and Roumania held in Paris, attended by representatives of 21 nations.

July 29-September 13: Meeting of Temporary Sub-Commission of the Economic and Social Council on Reconstruction of Devastated Areas, held in London. Three field teams of the Sub-Commission visited respectively Belgium, France, Luxembourg and the Netherlands; Czechoslovakia and Poland; and Greece and Yugoslavia.

July 31-August 20: Meetings of Committee of Security Council on Admission of New Members.

August 1: Transfer of League of Nations properties and assets to the United Nations.

First report of Secretary-General of United Nations to General Assembly made public.

August 2: Iceland, Ireland and Portugal apply for United Nations membership.

August 5: Siam applies for United Nations membership.

August 5-16: Fifth session of the Council of UNRRA, held in Geneva.

August 9: Sweden applies for United Nations membership.

Working Group for Asia and the Far East of the Temporary Sub-Commission on Economic Reconstruction of Devastated Areas holds first meeting in London.

August 16-19: United Nations moves to Lake Success, Nassau County, New York.

August 19: Meeting of Executive Committee of Preparatory Commission of UNESCO, held in London.

August 24: Ukrainian S.S.R. brings to attention of Security Council the situation in the Balkans resulting from policy of Greek Government, which, it is alleged, constitutes a threat to the peace.

1946 (contd.)

August 26-September 13: Caribbean Regional Air Navigation meeting of PICAO, held in Washington, D. C.

August 28: Siam requests adjournment of consideration of its application for membership in United Nations until settlement of its territorial dispute with France.

August 28-29: Security Council considers report of its Committee on Admission of New Members. Applications for membership in the United Nations of Afghanistan, Iceland and Sweden recommended for approval of General Assembly.

August 28-September 24: Security Council considers the Ukrainian complaint against Greece.

September 2: Working Group for Asia and the Far East of the Temporary Sub-Commission on Economic Reconstruction of Devastated Areas holds second meeting in London.

September 2-13: Second session of the FAO Conference held in Copenhagen. Preparatory Commission set up to recommend program for preventing shortages and surpluses of food and other agricultural products.

September 4-November 18: Sixth session of the Interim Council of PICAO, held in Montreal.

September 11-October 3: Third session of Economic and Social Council held at Lake Success.

September 16-17 and 27: Ninety-ninth session of Governing Body of ILO, held in Montreal.

September 19-October 10: Twenty-ninth session of International Labour Conference, held in Montreal.

September 20: Text of Suggested Charter for an International Trade Organization of the United Nations as a basis for discussion by the Preparatory Committee for the International Conference on Trade and Employment published by U.S. Department of State.

September 26: Scientific and Technical Committee of the Atomic Energy Commission submits report to the Commission.

September 27-October 3: First Annual Meeting of Boards of Governors of International Monetary Fund and of International Bank for Reconstruction and Development, held in Washington, D. C.

September 30: Economic and Social Council recommends that General Assembly arrange for creation of an International Children's Emergency Fund.

1946 (contd.)

October 1: International Military Tribunal at Nürnberg finds nineteen of 22 Nazi defendants in war-crimes trial guilty and sentences twelve to death by hanging, seven to prison; acquits three.

Economic and Social Council establishes a Fiscal Commission.

October 1-18: Middle East Regional Air Navigation meeting of PICAO held in Cairo.

October 3: Economic and Social Council establishes a Population Commission.

October 7-8: Hundredth session of Governing Body of ILO, held in Montreal.

October 15-November 26: Preparatory Committee of International Conference on Trade and Employment meets in London to prepare agenda for the conference and draft convention for an International Trade Organization.

October 16: Health functions of League of Nations Health Organization transferred to Interim Commission of WHO.

October 23-December 16: GENERAL ASSEMBLY OF UNITED NATIONS HOLDS SECOND PART OF FIRST SESSION AT FLUSHING, NEW YORK.

October 26: Switzerland requests that it become a party to the Statute of International Court of Justice.

October 28, 1946-January 24, 1947: Preparatory Commission on World Food Proposals of FAO meets in Washington, D. C.

November 4: Security Council resolves to take Spanish question off list of matters of which it is seized and to place all records and documents at the disposal of General Assembly.

UNESCO officially comes into being with the deposit of instruments of acceptance by twenty of the signatories of its Constitution with Government of the United Kingdom.

November 4-13: Interim Commission of WHO holds second session in Geneva.

November 9: Afghanistan, Iceland and Sweden admitted to membership in the United Nations by General Assembly. (These governments presented instruments of adherence to the United Nations Charter on November 19 and officially took their seats in the Assembly on that day.)

November 15: Security Council recommends to General Assembly that Switzerland become a party to International Court of Justice.

November 19: Belgium, Colombia and Syria elected by General Assembly to replace Egypt, Mexico and Netherlands, retiring non-permanent members of Security Council.

Lebanon, New Zealand, United States and Venezuela elected by General Assembly for regular three-year term to replace six retiring members of Economic and Social Council. (Two remaining elected on December 7 and 12.)

General Assembly recommends to Security Council re-examination of applications for membership in United Nations submitted by Albania, Mongolian People's Republic, Transjordan, Ireland and Portugal.

General Assembly approves Protocol amending Agreements, Conventions and Protocols on Narcotic Drugs.

November 19-December 10: General Conference of UNESCO holds first session in Paris.

November 27-December 13: Commission on Narcotic Drugs of Economic and Social Council holds first session at Lake Success.

November 29: Siam requests that consideration of its application for membership in United Nations be proceeded with in due course.

December 1: Transfer to Interim Commission of WHO of duties and functions entrusted to UNRRA under International Sanitary Conventions of 1944.

December 3: Greek delegation requests that Security Council give early consideration to situation leading to friction between Greece and its neighbors, alleging their support of guerrilla warfare against public order and territorial integrity of Greece.

December 7: General Assembly approves agreements made for transferring League of Nations assets to United Nations.

Byelorussian S.S.R. elected by General Assembly for regular three-year term on Economic and Social Council.

December 8: General Assembly declares that treatment of Indians in South Africa should be in conformity with the Charter and with international obligations under agreements concluded between the two Governments.

December 10-13: UNRRA Council holds sixth session in Washington, D. C.

December 10-18: Committee of Governmental Postal Experts meets at Lake Success to prepare draft agreement defining relations of Universal Postal Union with United Nations.

December 11: General Assembly affirms principles of international law recognized by Charter of Nürnberg Tribunal and judgment of the Tribunal.

1946 (contd.)

International Children's Emergency Fund established by General Assembly.

General Assembly resolves that Switzerland shall become party to Statute of International Court of Justice on date of deposit of necessary instrument with Secretary-General of United Nations.

General Assembly urges governments and international agencies to continue measures designed to overcome the deficit of cereals and other foodstuffs in 1947.

General Assembly approves agreement between the United Nations and Carnegie Foundation concerning use of premises of Peace Palace at The Hague (seat of International Court of Justice).

General Assembly recommends establishment by Economic and Social Council of an Economic Commission for Europe and an Economic Commission for Asia and the Far East.

General Assembly urges Members, who have not yet done so, to complete their contributions to UNRRA so that full amount recommended by UNRRA Council shall be available for completion of UNRRA's task.

General Assembly establishes Special Technical Committee on relief needs after termination of UNRRA.

December 12: Turkey elected by General Assembly to regular three-year term on Economic and Social Council and the Netherlands elected to fill vacancy caused by resignation of Belgium from the Council.

General Assembly recommends that Franco government of Spain be debarred from membership in specialized agencies and that all Members of United Nations immediately recall from Madrid their Ambassadors and Ministers plenipotentiary accredited there.

December 13: General Assembly approves Trusteeship Agreements for: New Guinea, submitted by Australia; Ruanda-Urundi, submitted by Belgium; the Cameroons under French mandate, submitted by France; Togoland under French mandate, submitted by France; Western Samoa, submitted by New Zealand; Tanganyika, submitted by United Kingdom; the Cameroons under British mandate, submitted by United Kingdom; Togoland under British mandate, submitted by United Kingdom.

December 14: General Assembly accepts offer made by John D. Rockefeller, Jr. to present to United Nations the sum of $8,500,000, on certain terms and conditions for acquisition of tract of land in New York City by United Nations for its permanent headquarters.

1946 (contd.)

Transfer of certain advisory social welfare functions of UNRRA to United Nations authorized by General Assembly.

General Assembly instructs Economic and Social Council to call International Conference on Freedom of Information before end of 1947.

General Assembly recommends that all Members of United Nations accept Constitution of World Health Organization at earliest possible date, and approves financial provisions relating to WHO and its Interim Commission for 1946 and 1947.

General Assembly constitutes Trusteeship Council as a principal organ of The United Nations—the last such organ to become operative.

General Assembly recommends that South West Africa be placed under International Trusteeship System.

General Assembly adopts budgets of $19,390,000 for the financial year 1946 and $27,740,000 for the financial year 1947, and a working capital fund to be maintained at $20,000,000 for the financial year 1947. It also adopts scale of contributions to budget for 1946 and to budget for 1947 and working capital fund.

General Assembly authorizes and requests Secretary-General to assume and continue non-political functions and activities of League of Nations Secretariat; and the Economic and Social Council to assume and continue certain functions of the League committees and commissions.

General Assembly approves agreements with following specialized agencies: International Labour Organisation; United Nations Educational, Scientific and Cultural Organization; Food and Agriculture Organization of the United Nations; and International Civil Aviation Organization.

General Assembly adopts resolution on principles governing general regulation and reduction of armaments.

Assembly also calls on Security Council to determine as soon as possible information on armed forces that should be supplied by Members of United Nations to give effect to above-mentioned resolution.

December 15: General Assembly recommends that Economic and Social Council give World Federation of Trade Unions right to submit items for inclusion on Council's agenda. Also recommends that other organizations in same category should have equal rights.

General Assembly approves, with modifications of draft submitted by Economic and Social Council, Constitution of Interna-

1946 (contd.)

tional Refugee Organization, which includes budget for its first year of operation and Arrangements for a Preparatory Commission.

Siam admitted to membership in United Nations by General Assembly on the last day of second part of first session. (Officially took seat in Assembly at Special Session on Palestine convened April 28, 1947.)

December 16: Siam presents instrument of adherence to United Nations Charter.

December 16-20: Intergovernmental Committee on Refugees holds sixth session in London.

December 19: Security Council establishes commission of investigation (Balkan Commission) to ascertain facts relating to alleged border violations along frontier between Greece on the one hand, and Albania, Bulgaria and Yugoslavia on the other.

December 31: Atomic Energy Commission submits its first report to Security Council.

Preparatory Commission of International Refugee Organization comes into being.

1947

January 1: UNRRA transfers program of field operations dealing with assistance to public health administration to Interim Commission of WHO.

January 7-April 2: Seventh session of Interim Council of PICAO held in Montreal.

January 9: Security Council opens debate on implementation of General Assembly's resolution governing general regulation and reduction of armaments.

January 10: Security Council approves Annexes of the proposed Peace Treaty with Italy relating to Trieste and accepts responsibilities falling upon it under these Annexes.

United Kingdom brings to attention of Security Council a dispute between United Kingdom and Albania regarding Corfu Channel incidents.

January 20-February 4: Social Commission holds first session, at Lake Success.

January 20-February 5: Economic and Employment Commission holds first session, at Lake Success.

January 20-February 25: Drafting Committee of Preparatory Commission of International Conference on Trade and Employment meets at Lake Success.

January 27-February 7: Statistical Commission holds first session, at Lake Success.

January 27-February 10: Commission on Human Rights holds first session, at Lake Success.

1947 (contd.)

January 30-February 18: Commission of Investigation (Balkan Commission) holds 32 meetings in Athens.

February 4-18: Temporary Social Welfare Committee of Social Commission holds first session, at Lake Success.

February 4-22: South Pacific Regional Air Navigation Meeting of PICAO held in Melbourne, Australia.

February 6-18: Transport and Communications Commission holds first session, at Lake Success.

February 6-19: Population Commission holds first session, at Lake Success.

February 10-24: Commission on the Status of Women holds first session, at Lake Success.

February 11-21: Preparatory Commission of International Refugee Organization meets at Geneva for first part of first session.

February 13: Security Council establishes Commission for Conventional Armaments.

February 13-17: World Conference of Voluntary Relief Organizations, under auspices of UNESCO, meets in Paris.

February 14-March 7: Working Group for Asia and the Far East of the Temporary Sub-Commission on Economic Reconstruction of Devastated Areas holds second session at Lake Success.

February 17: United States submits text of draft Trusteeship Agreement for former Japanese Mandated Islands, and requests that matter be placed on agenda of Security Council.

February 22-March 22: Commission of investigation (Balkan Commission) holds 28 meetings in Salonika, Greece.

February 28-March 29: Economic and Social Council holds fourth session, at Lake Success.

March 5-8: Hundred-and-first session of Governing Body of ILO, held in Geneva.

March 10: Security Council transmits record of its consideration of first report of Atomic Energy Commission to the Commission, urging it to continue its inquiry into problem of international control of atomic energy and to submit a second report to the Council before next session of General Assembly.

March 14: Final report of FAO Mission for Greece published.

March 19: Atomic Energy Commission requests its Working Committee and Committee 2 to consider questions relating to

1947 (contd.)

establishment of international control of atomic energy on which agreement has not yet been reached.

March 24: Commission for Conventional Armaments holds first meeting, at Lake Success.

March 25: Secretary-General formally accepts for United Nations, title to permanent headquarters site and gift of $8,500,000 made by John D. Rockefeller, Jr., for purchase of property.

March 26-28: Commission of investigation (Balkan Commission) holds six meetings in Sofia, Bulgaria.

March 26-April 28: TRUSTEESHIP COUNCIL HOLDS FIRST SESSION at Lake Success.

March 28: Economic and Social Council authorizes its Committee on Negotiations with Specialized Agencies to enter into negotiations at the appropriate time with the International Telecommunications Union and with the Universal Postal Union for the purpose of bringing them into relationship with the United Nations.

March 30-April 2: Commission of investigation (Balkan Commission) holds seven meetings in Belgrade, Yugoslavia.

March 31-April 12: Third session of Interim Commission of WHO held in Geneva.

April 1: UNRRA transfers public health and training program in China to Interim Commission of WHO.

April 2: Security Council approves trusteeship agreement for former Japanese Mandated Islands, United States being the Administering Authority.

United Kingdom requests that question of Palestine be placed on agenda of next regular session of General Assembly, and also requests that a special session of the Assembly be called as soon as possible for the purpose of constituting and instructing a special committee to prepare for consideration of the question.

April 4: ICAO officially comes into being, 30 days after the Convention on International Civil Aviation has been ratified by 26 governments, as required by the Convention.

April 9: Security Council recommends that United Kingdom and Albanian Governments immediately refer Corfu Channel dispute to International Court of Justice in accordance with provisions of Statute of Court.

Commission for Conventional Armaments appoints sub-committee to prepare draft of plan of work which Commission will submit for approval of Council.

1947 (contd.)

April 10: Preparatory Committee of International Conference on Trade and Employment convenes second session at Geneva to discuss the Charter of the proposed International Trade Organization and forthcoming tariff negotiations.

April 13: Property of City of New York within permanent headquarters site along East River in Manhattan formally conveyed to United Nations by Mayor O'Dwyer at ceremony held on site area.

April 14-25: Meeting of Experts on Passports and Frontier Formalities held in Geneva.

April 16-24: Temporary Social Welfare Committee of Social Commission holds second session at Lake Success.

April 22: Hungary applies for membership in United Nations.

April 24: Trusteeship Council establishes special mission to visit Western Samoa during summer of 1947 for purpose of investigating petition from that territory requesting self-government.

April 28: Trusteeship Council recommends to General Assembly that regular provision be made in the budget of United Nations for periodic visits to Trust Territories.

April 28-May 10: International Timber Conference (FAO) held in Marianske-Lazne, near Prague.

April 28-May 15: FIRST SPECIAL SESSION OF GENERAL ASSEMBLY held at Flushing Meadow to discuss question of Palestine.

April 30: Commission of Investigation (Balkan Commission) establishes a Subsidiary Group with headquarters at Salonika, Greece.

Military Staff Committee submits to Security Council its report on "General Principles governing the Organization of the Armed Forces made available to the Security Council by Member Nations of the United Nations."

May 1-21: Preparatory Commission of IRO meets in Geneva for second part of first session.

May 2-14: Economic Commission for Europe holds first session, in Geneva.

May 7: Italy applies for membership in the United Nations.

May 15: Special Session of General Assembly establishes Special Committee consisting of Australia, Canada, Czechoslovakia, Guatemala, India, Iran, the Netherlands, Peru, Sweden, Uruguay and Yugoslavia to investigate all questions relevant to the problem of Palestine and to report to the next regular session of the General Assembly.

1947 (contd.)

May 19-29: Fiscal Commission holds first session, at Lake Success.

May 19-June 4: Sub-Commission on Freedom of Information and of the Press holds first session, at Lake Success.

May 23: United Kingdom files its application against Albanian People's Republic in the Corfu Channel case with International Court of Justice.

May 26: Special Committee on Palestine holds first meeting, at Lake Success.

May 28: Twelfth Congress of Universal Postal Union, meeting in Paris, passes resolution approving relationship with United Nations.

June 2-17: Economic and Employment Commission holds second session, at Lake Success.

June 3-16: General discussion by Security Council of report of Military Staff Committee. June 18: Security Council begins detailed discussion of report, article by article.

June 9-25: Drafting Committee of Commission on Human Rights holds first session at Lake Success to prepare draft International Bill of Human Rights.

1947 (contd.)

June 10: First group of members of Special Committee on Palestine leave for that country.

June 13-17: Hundred-and-second session of Governing Body of ILO, held in Geneva.

June 16-25: Economic Commission for Asia and the Far East holds first session in Shanghai.

June 17-July 7: South American Regional Air Navigation Meeting of PICAO held at Lima, Peru.

June 18: Commission for Conventional Armaments adopts plan of work and submits it to Security Council for approval.

June 19: Thirtieth session of International Labour Conference convenes in Geneva.

June 20: Security Council places question of appointment of a Governor of the Free Territory of Trieste on its agenda.

June 25: Report of Commission of Investigation (Balkan Commission) of Security Council made public.

June 27: Security Council begins discussion of report of Commission of Investigation (Balkan Commission).

June 30: Temporary Social Welfare Committee of Social Commission convenes third session, at Lake Success.

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[1] This bibliography covers principal documents and publications issued up to July 1, 1947.

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Trusteeship and Non-Self-Governing Territories

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SPECIALIZED AGENCIES

International Labour Organisation[1]

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[1] No attempt is made here to give a complete list of ILO publications. These may be found in the periodic catalogue of that Organization. Only titles having a definite bearing on the United Nations have been included here.

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VII. Who's Who in the United Nations

This section contains brief biographical data concerning the principal representatives who attended the conferences leading to the establishment of the United Nations or who have subsequently been accredited to the organization. Leading officials of the United Nations organs and of most of the specialized agencies are also included.

The following abbreviations are used:

acad.—academy; academic
A.D.C.—Aide de camp
adm.—administration, administrator, Admiral
AEC—Atomic Energy Commission
agric. or agr.—agriculture, agricultural
agt.—agreement
a.i.—ad interim
alt.—alternate
Amb.—Ambassador
Amer.—American
A.P.—Associated Press
app.—appointed
asmb.—assembly
assn.—association
assoc.—associate
asst.—assistant
atty.—attorney

b.—born
bd.—board
Belg.—Belgium, Belgian
Br.—British
Brig. Gen.—Brigadier General
bu.—bureau

Cal.—California
Can.—Canada, Canadian
Capt.—Captain
C.B.—Companion of the (Order of the) Bath
C.B.E.—Commander of (the Order of) the British Empire
CCA—Commission for Conventional Armaments
cen.—central
cert.—certificate
C.H.—Companion of Honour
chem.—chemical, chemistry
chm.—chairman
C.I.E.—Companion of the Order of the Indian Empire
C-in-C—Commander in Chief
C.M.G.—Companion of (the Order of) St. Michael and St. George
CNRRA—Chinese National Relief and Rehabilitation Administration
co.—county
cod.—codification
C. of S.—Chief of Staff
Col.—Colonel
coll.—college
com.—committee
comn.—commission
Comdr.—Commander
compar. or comp.—comparative
comr.—commissioner
conf.—conference
cong.—congress
const.—constitution, constitutional
corp.—corporation
corr.—correspondent
ct.—court
C.V.O.—Commander of (the Royal) Victorian Order
Czech.—Czechoslovakia

d.—died
D.C.L.—Doctor of Civil Law
dec.—declaration
del.—delegate, delegation
dem.—democrat
Den.—Denmark
dept. or dep.—department
devel.—development
D.F.C.—Distinguished Flying Cross
dipl.—diplomatic, diplomacy
dir.—director
dir.-gen.—director-general.
dist.—district
div.—division
Dr.—Doctor
D.Sc.—Doctor of Science
D.S.O.—Distinguished Service Order

e.—east
econ.—economic, economics
Ecua.—Ecuador
ed.—education, editor, editorial
elec.—electrical
emp.—emperor
Ency. Brit.—Encyclopaedia Britannica
eng.—engineering, engineer
ESC—Economic and Social Council
Eth.—Ethiopia, Ethiopian
ex.—executive
ext.—external

fac.—faculty
FAO—Food and Agriculture Organization
fed.—federal
F.F.I.—*Front Français de l'Indépendance;* French Independence Front (French Underground Movement)
fin.—finance, financial
fmr.—former
F.R.S.—Fellow of the Royal Society.
F.R.S.C.—Fellow of the Royal Society of Canada

GA—General Assembly
G.C.B.—Knight Grand Cross of (the Order of) the Bath
G.C.I.E.—Knight Grand Commander of the Indian Empire
G.C.M.G.—Knight Grand Cross of St. Michael and St. George
G.C.S.I.—Knight Grand Commander of the Star of India
gen.—general
geog.—geography, geographical
geol.—geology
Ger.—Germany
gov.—governor, governmental
grad.—graduate
Gr. Brit.—Great Britain

HC—Headquarters Commission
hdqrs.—headquarters
hist.—history
H.M.—His Majesty
H.M.S.—His Majesty's Ship
Hon.—Honorable
hon.—honorary
hosp.—hospital

ICAO—International Civil Aviation Organization
ICEF—International Children's Emergency Fund
ICJ—International Court of Justice
ILO—International Labour Organisation
imp.—imperial
ind.—independent, independence
Ind.—Indiana
inf.—information
inst.—institute
int.—international
intergov.—inter-governmental
Ire.—Ireland
ITO—International Trade Organization

J.D.—Doctor of Jurisprudence
jr.—junior
jus.—justice

K.B.E.—Knight Commander of (the Order of) the British Empire
K.C.—King's Counsel
K.C.B.—Knight Commander of (the Order of) the Bath
K.C.M.G.—Knight Commander of (the Order of) St. Michael and St. George
K.C.S.I.—Knight Commander of the Star of India
K.G.—Knight of the Order of the Garter

L. or Lea.—League
leg. or legis.—legislature, legislative
Lieut.—Lieutenant
Litt.D.—Doctor of Letters
LL.D.—Doctor of Laws
LN—League of Nations
Lieut.-Col.—Lieutenant-Colonel
ltd.—limited

Maj.—Major
Mass.—Massachusetts
math.—mathematics
M.C.—Military Cross, Master of Ceremonies
M.D.—Doctor of Medicine
med.—medicine, medical
mem.—member
met.—metropolitan
Mex.—Mexico, Mexican
mgr.—manager
Mich.—Michigan
mil.—military
min.—minister, ministry
mon.—monetary
M.P.—Member of Parliament
MSC—Military Staff Committee
mun.—municipal

n.—north
nat.—natural
natl.—national
Neth.—Netherlands
Nicar.—Nicaragua, Nicaraguan
no.—number
Nor.—Norway
N.S.—Nova Scotia
N.Y.—New York
N.Y.C.—New York City

O.B.E.—Officer of (the Order of) the British Empire
Ox.—Oxford

pac.—pacific
Para.—Paraguay
parl.—parliament
P.C.—Privy Councillor
Penn.—Pennsylvania
perm.—permanent
phar.—pharmaceutical
Ph.D.—Doctor of Philosophy
Phila.—Philadelphia
philos.—philosophy
phys.—physical
PICAO—Provisional International Civil Aviation Organization
P.M.—Postmaster
P.O.—Post Office
pol.—political
Prep. Comn.—Preparatory Commission
pres.—president
prin.—principal
prob.—problem

prov.—province, provincial
psych.—psychological
pub.—public
publ.—publisher

Q.M.—Quartermaster

R.A.F.—Royal Air Force
Rapp.—Rapporteur
recon.—reconstruction
rep.—representative, republic
Rt. Hon.—Right Honorable
ry.—railway

s.—South
Sask.—Saskatchewan
SC—Security Council
sci.—scientific
SCOP—Special Committee on Palestine
sec.—secretary; secretariat
sec.-gen.—secretary-general
sect.—section
sen.—senator, senate
sesn.—session
soc.—society
spec.—special
stat.—statistics, statistical, statistician
sub.—substitute
sup.—supreme
supt.—superintendent
Swit.—Switzerland

TC—Trusteeship Council
tech.—technical
tel.—telegraph, telephone
temp.—temporary
Tenn.—Tennessee
theol.—theology
trans.—transportation
treas.—treasury

u.—united
U.K.—United Kingdom
Ukr.—Ukraine, Ukrainian
UN—United Nations
UNCIO—United Nations Conference on International Organization (San Francisco, 1945)
UNESCO—United Nations Educational, Scientific and Cultural Organization
univ.—university
U. of S. Afr.—Union of South Africa
Uru.—Uruguay
U.S.A.—United States of America
U.S.S.R.—Union of Soviet Socialist Republics

Venez.—Venezuela

w.—west
Wash.—Washington
WHO—World Health Organization

Abte-Wold, Aklilou (Eth.); b. 12, Eth.; ed. French Lycée, Alexandria, and Univ. of Paris; chargé d'affaires, Eth. Legation Paris 35-40; Vice Min. of Pen (Imp. Secretariat) 42-43; Vice Min. of For. Affairs 43-; rep. UNCIO 45; Chm. Eth. del. GA London 46.

Acikalin, Cevat (Turkey); b. 90; dipl. service in Moscow, Kabul, Prague, Belgrade and Teheran; Amb. to Moscow 42; Perm. Under-Sec. Min. of For. Affairs; Amb. to U.K.; rep. Prep. Comn. 45, GA London 46.

Acosta, César R. (Paraguay); b. 11, Paraguay; ed. Argentina, Paraguay; LL.D. (Univ. of Asunción, Paraguay) 40; fmr. Sec. in Commercial Branch of Dept. of Justice, in Fiscal Dept. of Commercial Branch; fmr. Judge in Commercial Branch; Embassy Counselor of Paraguay, Wash. 45-; mem. Governing Bd. of Pan Amer. Union; rep. to ILO Conf. in Philadelphia 44; Adviser to del. to UNCIO 45; rep. to FAO Conf. in Copenhagen; Chm. Para. del. GA N.Y. 46, first spec. sesn. GA 47.

Acosta, Julio (Costa Rica); b. 72; fmr. Gov. of Alajuela; Min. to El Salvador 14; Sec. of For. Affairs, Welfare, Cult. and Jus. 15-17; Pres. of Costa Rica 20-24; Rep. Cong. 32-36, during which time elected Vice-Pres. of Republic; Rep. Cong. 38-42; app. Pres. Costa Rican Social Security Adm. 43; Sec. of For. Affairs, Welfare, Cult. and Jus. 44-; Chm. Costa Rican del UNCIO 45.

Adarkar, B. N. (India); b. 10, Vengurla; ed. Bombay Univ. and Cambridge Univ.; branch mgr. of Bank of India, Ltd., 34-38; Research Officer of Commerce Dept. 38-40, Chief Research Officer 40-41; Under-sec. of Commerce Dept. 41-43; Sec. of Postwar Recon. Coms. and Consultative Com. of Economists 43-44; Deputy Econ. Adviser 44-; Vice-chm. of Drafting Com. of Prep. Com. of ITO 47.

Adle, Mostafa (Iran); b. 82, Tabriz; ed. Tabriz, Egypt and Univ. of Paris; frm. prof. Univ. of Teheran; fmr. dir. Dept. of Cod. of Laws in Min. of Jus., and Under-Sec. to Min. of Jus.; app. Min. to Berne and del. LN 35; Under-Sec. and later Acting-Min. of For. Affairs 32-38; Min. to Rome 38-41; subsequently Min. of Ed. and Min. of Jus.; Chm. Iranian del. UNCIO 45; rep. GA London 46.

Afifi Pasha, Hafez (Egypt); M.D.; fmr. mem. Liberal Const. Party and Pol. Front in Egypt; fmr. Amb. to London; negotiated treaty of alliance with England 36; Pres. Bank of Egypt; fmr. Min. of For. Affairs; rep. SC 46, AEC 46.

Aghnides, Thanassis (Greece); b. 89, Nigde, Asia Minor; ed. Superior Natl. Greek Coll. Phanar, Istanbul, Anatolia Coll. Asia Minor, and Univs. of Istanbul and Paris; dir. Press Bu. Greek Legation in London 18-19; mem. Minorities Sect. LN Secretariat 19-20, Disarmament Sect. 21-23, Pol. Sect. 23-30, dir. Disarmament Sect. 30-39, Under Sec.-Gen. LN 39-42; Amb. to U.K. 42-; rep. Prep. Comn. 45, GA 46.

Aguilera, Andrés (Para.); b. 01, Asuncion; ed. mil. school; Second Lieut. (Artillery) 24, First Lieut. 27, Capt. 30, Major 33, Lieut.-Col. 36, Col. 41, Brig.-Gen. 44; Min. to London; rep. Prep. Comn. 45, GA London 46.

al-Antaki, Naim (Syria); b. 03, Aleppo; ed. Amer. Univ. of Beirut and Univ. of Sorbonne; fmr. Pres. of the Bar; Dir.-Gen. of For. Affairs 37-38 (resigned); Min. of For. Affairs, of Pub. Works and of Posts and Tel. 43; elected Deputy of Damascus 43; Min. of Fin.; rep. UNCIO 45, first spec. sesn. GA 47.

al-Armanazi, Najeeb (Syria); ed. in Arabic culture, studied law in Paris; Dr. in Int. Law; Sec.-Gen. of Presidency of Syrian Republic; Min. in London; rep. Prep. Comn. 45, GA London 46.

Alberto da Motta e Silva, Alvaro (Brazil); b. 89, Rio de Janeiro; ed. Brazilian Naval Acad.; app. instructor at Naval Acad. 16, present Head of Dept. of Phys. Sciences; perm. tech. and sci. adviser to Navy Min.; mem. Brazilian Com. of Econ. Planning; fmr. Pres. Brazilian Acad. of Sciences and Brazilian Soc. of Chem.; rep. AEC 46-.

Albornoz, Humberto (Ecua.); b. 96, Ambato; LL.D.; fmr. prof. of econ. Quito Univ.; fmr. Min. of Fin.; fmr. Sen.; Mayor of Quito 44-45; Gen. Mgr. Banco de Préstamos, Ecua.; Pres. Advisory Bd. Min. for For. Affairs; Pres. Sup. Bd. of Liberal-Radical Party; del. to Lima, Buenos Aires and Rio de Janeiro Confs.; Chm. Ecua. del. GA London 46.

Alcalde Cruchaga, Enrique (Chile); b. Santiago; ed. Catholic Univ. and Univ. of Chile; mem. Chamber of Deputies since 32; mem. Housing Com.; prof. Catholic Univ.; adviser *Ministerio de Fomento* (Promotion of Production) and Natl. Agric. Soc. of Chile; rep. UNCIO 45.

Alfaro, Ricardo J. (Panama); b. 82, Panama City; ed. Natl. Faculty of Law of Panama; Sec.-Gen. Amer. Inst. of Int. Law 38-; app. Asst.-Sec. for For. Affairs 05; Premier 18-22; Min. to U.S.A. 22-30, 33-36; Vice-Pres. of Panama 28-30, Pres. 31-32; fmr. mem. Perm. Ct. of Arbitration of The Hague; Min. of For. Affairs 45-; rep. UNCIO 45; rep. GA N.Y. 46.

Ali, M. Asaf (India); b. 88, Delhi; ed. St. Stephen's Coll. in Delhi and England; fmr. mem. of Working Com. of Indian Natl. Cong.; mem. Legis. Asmb. 34-46; fmr. Mem. for Transport in Pandit Nehru's cabinet; first Amb. to U.S.A.; rep. first spec. sesn. GA 47.

al-Koudsi, Nazen (Syria); b. 06, Aleppo; ed. Syrian Univ. and Univ. of Geneva; LL.D. (Univ. of Geneva); M.P. 36 and 43, Rapporteur of For. Relations and Budget Coms.; first Syrian Min. to U.S.A.; rep. UNCIO 45, GA London 46.

al-Omari, Sayid Arshad (Iraq); b. 88; ed. in Constantinople as civil eng.; fmr. head eng. Islands of Constantinople and Mosul, Iraq; fmr. Dir.-Gen. of Post and Tel. and of Irrigation; fmr. Lord Mayor of Baghdad, and twice Min. of For. Affairs; Chm. Iraqi del. Arab Lea. Cong. Cairo 45, UNCIO 45.

Als, Alphonse (Luxembourg); ed. Antwerp; vice-consul in India 30-40; chief of cabinet to Min. of For. Affairs since 43; rep. GA London 46.

Altmeyer, Arthur J. (U.S.A.); b. 91, Wisconsin; ed. Univ. of Wisconsin; Sec. of Wisconsin Industrial Comn. 22-33; Chm. of Social Security Bd. 37-46; mem. of War Manpower Comn. 42-45; Chm. U.S. del. Pan-Amer. Regional Conf. of ILO in Havana 39, First Inter-Amer. Conf. on Social Security in Santiago de Chile 42; Comr. for Social Security Adm. of U.S. 45-; Ex. Sec. of Prep. Comn. of IRO; Chm. Temp. Social Welfare Com. 47.

Alvarez, Alejandro (Chile); LL.D.; del. to various Int. Confs., LN Assemblies and Pan Amer. Congs.; mem. and fmr. Pres. Inst. of Int. Law; Vice-Pres. Int. Dipl. Acad. and Int. Law Assn.; founder and dir. *Inst. des Hautes Etudes Int.*, Paris Univ.; founder Amer. Inst. of Int. Law; mem. Perm. Ct. of Arbitration The Hague 07-20; mem. Hungarian-Czech. Mixed Arbitral Tribunal; Judge ICJ 46-.

Amado, Gilberto (Brazil); b. 87, Sergipe; ed. Univ. of Recife; LL.D. (Univ. of Recife, Brazil); Legal Adviser of For. Office 34; Amb. to Chile 36; fmr. Deputy; Sen.; rep. GA N.Y. 46.

Ameghino, César (Argentina); b. 71, Buenos Aires; Deputy Legis. of prov. of Buenos Aires 06-12; Vice-Pres. Chamber of Deputies 08; head of Min. of Fin. 13; dir. of Revenues 14-16; Pres. Sup. Ct. of Jus. of Buenos Aires 34, 39-41; Min. of Fin. during three intervals from 35-43; fmr. Min. of For. Affairs and Worship; Chm. Argentine del. UNCIO 45.

Amr Pasha, Fattah Bey (Egypt); b. 09; ed. Khedive Coll., Cairo and London; hon. legal attaché to Royal Egyptian Embassy 39-42; Vice-Pres. Anglo-Egyptian Chamber of Commerce 40-42; Amb. to England; rep. GA London 46, SC 46.

Andrade, Víctor (Bolivia); b. 05; ed. Amer. Inst. in La Paz and Univ. of La Paz; fmr. prof. of math. Amer. Inst.; app. Under-Sec. of Pub. Ed. 30; mgr. Office of Workers' Insurance and Savings 37-43; Min. of Labor 43-44; fmr. Min. of For. Affairs; Amb. to U.S.A.; rep. UNCIO 45.

Andrews, Harry Thomson (U. of S. Afr.); ed. Observatory High School and Pretoria Univ.; rep. on Imp. Shipping Com. 32-35;

del. LN Asmb. 34-39; mem. LN Com. 35-36; rep. LN 35-40; Min. in Wash.; rep. UNCIO 45, GA 46, first spec. sesn. GA 47.

Anthony, Frank (India); b. Jubbulpore (Central Provinces); ed. Nagpor Univ.; called to Bar (Inner Temple) 32; specialist in criminal law practice in Jubbulpore; Pres. of Jubbulpore branch of Anglo-Indian and Domiciled European Assn. 34-42; app. mem. of Legis. Asmb. (Central) 42; rep. GA N.Y. 46.

Aramburu, Gonzalo N. de (Peru); b. 99, Lima; ed. Spain and Lima; second sec. to Legation in Berlin 22, Rome 24; first sec. Madrid 29, Rio de Janeiro 33; counselor London 36; dir. of protocol, Min. of For. Affairs 40; Min. Counselor Rio de Janeiro 43; Min. in Paris 44-; rep. GA London 46.

Aranha, Oswaldo (Brazil); b. 94, Alegrete, State of Rio Grande do Sul; hon. degrees of LL.D. (Columbia and Yale); fmr. Mayor of Alegrete; Min. of Jus. and Interior 30, of Fin. 31, majority leader of Constituent Asmb. 34; mem. of Comn. which prepared draft Const.; Amb. to U.S.A. 34-37; Min. for Ext. Relations 38-44 (resigned); Chm. of Brazilian del. to 3rd meeting of Mins. of For. Affairs of Amer. Reps., Rio de Janeiro 42; rep. SC 47, CCA 47; Pres. first spec. sesn. GA 47.

Arca Parró, Alberto (Peru); b. 01, Ayacucho; ed. Univ. of San Marcos in Lima and Univ. of Indiana in U.S.A.; LL.D.; teacher 25-30; mem. of Chamber of Deputies 31-36; Dir. of Natl. Bu. of Statistics 42; Chm. of Inter-Amer. Statistical Institute's Com. on Demographic Statistics 42; mem. of Sen.; rep. GA 46, ESC 46-; Vice-Pres. ESC 47; Chm. of Population Comn. 47.

Arce, José (Argentina); b. 81, Loberia; M.D. 03; fmr. Dean of Med. Sciences, Rector of Univ. of Buenos Aires; Deputy 03-13; Pres. of Chamber of Deputies 12-13; Deputy Natl. Legis. 24-29; Vice-Pres. Natl. Chamber of Deputies 26-27; mem. Const. Convention of Province of Buenos Aires 34; Amb. to China 45-46; app. perm. rep. UN 46; Chm. Argentina del. GA N.Y. 46, first spec. sesn. GA 47.

Argüello-Vargas, Mariano (Nicar.); b. 90, Granada, Nicar.; ed. *Universidad de Oriente y Mediodía* in Granada; prof. Univs. of Oriente and of Managua 17-34; atty. Natl. Bank and Banco Hipotecario of Nicar. 28-30; mem. Com. which drafted present Const.; fmr. Sen.; Min. of For. Affairs 40-46; Chm. Nicar. del. UNCIO 45, GA N.Y. 46.

Argyropoulos, Alexandre J. (Greece); b. 94, Athens; ed. Swit.; served in various posts abroad for Greek Min. of For. Affairs 19-32; app. head of Econ. and Commercial Div. of Min. of For. Affairs in Athens 32; rep. UNCIO 45, Temp. Social Com. 46, ESC 46.

Arikan, Saffet (Turkey); b. 88, Erzincan; ed. Mil. School, Harbiye and Staff Coll.; served in Yemen as an officer; elected Deputy 24; Sec.-Gen. of Ed. 35-38; Min. of Natl. Defence 40-42; Amb. in Berlin 42-44; Deputy for Kenya and Pres. of For. Affairs Com. of Grand Natl. Asmb.; rep. GA London 46.

Arroyo Lameda, Eduardo (Venez.); b. 97, Caracas, Venez.; ed. Cen. Univ. of Venez.; fmr. dir. of Commercial Policy, Min. of For. Affairs; fmr. counselor of Legation in Lima, Bogota and London; rep. Emergency Advisory Com. for Pol. Defence of the Americas; rep. GA 46.

Arze-Quiroga, Eduardo (Bolivia); b. 08; app. prof. of econ. Univ. of Cochabamba 37; private sec. to Pres. Quintanilla 40; chargé d'affaires to the Vatican 42; app. dir. Pol. and Econ. Dept. in Min. of For. Affairs 43, Sub.-Sec. 43; mem. House of Rep.; rep. UNCIO 45.

Attlee, Clement Richard (U.K.); b. 83; ed. Ox. Univ.; Mayor of Stepney 19-20; Labour M.P. for Limehouse 22-; Under-Sec. of State for War 23-24; leader of Parl. Labour Party 35-; Lord Privy Seal and Deputy-Leader, House of Commons 40-42; Deputy-Prime Min. 42-45; Sec. of State for Dominions 42-43; Prime Min. 45-; Chm. U.K. del. GA London 46.

Auriol, Vincent (France); b. 84; ed. Paris Univ.; LL.D.; Deputy for Haute-Garonne 14-; gen. sec. of Socialist group in Chamber 19-36; Min. of Fin. 36-37, of Jus. 37; Pres. of France; rep. GA London 46, SC 46.

Austin, Warren R. (U.S.A.); b. 77, Vermont; studied law; admitted to Vermont Bar 02 and to practice before Sup. Ct. of U.S.A. 14; elected Sen. from Vermont in 31, re-elected in 34 and 40; adviser to U.S.A. del. to Inter-Amer. Conf. on Probs. of War and Peace, Mexico City 45; Chm. of U.S.A. del. GA N.Y. 46, first spec. sesn. GA 47; rep. SC 47, AEC 47, CCA 47.

Azevedo, José Philadelpho de Barros (Brazil); b. 94; Vice-Rector Univ. of Brazil; Pres. Inst. of Lawyers of Brazil 38; del. Eighth Amer. Sci. Cong. Wash. 40; app. Min. of Sup. Ct. of Brazil 42; Judge ICJ 46-.

Aziz, Abdol Hosayn Khan (Afghan.); b. 96, Teheran, Iran; ed. Habibiya Coll. in Kabul, Afghan.; First Sec. then Counselor in Teheran 19-22; Dir. in Min. of For. Affairs 22; Consul-Gen. in India 23-29; Min. in Rome, 29-32; Chm. Afghan. del. at Disarmament Conf. in Geneva 32; Amb. in Moscow 32-28; Min. of Public Works 38-40; Min. of Posts and Tel. 40-43; Min. to U.S.A. 43-; Int. Civil Aviation Conf. in Chicago 44, PICAO Asemb. in Montreal 46, GA N.Y. 46, first spec. sesn. GA 47.

Badawi Pasha, Abdel Hamid (Egypt); b. 87, Mansourah; LL.D.; legal adviser to Govt. 22-26, Chief Legal Adviser 26-40; attended Montreux Conf. 37; Min. for For. Affairs 45-46; Chm. Egyptian del. UNCIO 45; rep. Prep. Comn. 45, GA London 46, SC 46; Judge ICJ 46-.

Baidakov, Georgy Ipatovich (Byelorussian S.S.R.); b. 06; ed. Kharkov Aviation Inst.; fmr. tech. eng. in airplane factory, and later dir.; dir. Inst. of "Gyproavioprom" (Prin. Governmental Bd. of Aviation Industry); rep. UNCIO 45.

Bailey, Kenneth H. (Australia); b. 99, Canterbury, Victoria; ed. Queen's Coll. of Melbourne Univ. and Corpus Christi Coll. of Ox.; Head of Queen's Coll. 24-27; prof. of jurisprudence at Melbourne Univ. 28-30, prof. of public law 31-46; adviser Australian del. to Imp. Conf. in London and LN 37, UNCIO 45; present Solicitor-Gen. and Sec. of Atty.-Gen's Dept.; rep. GA N.Y. 46, Rapp. Sixth Com. (Legal).

Bajan, Milola (Ukr. S.S.R.); b. 04, Kamenets, Ukr.; ed. Kamenets Gymnasium, Co-operative Inst. and Inst. of Ext. Relationship, Kiev; wrote and adapted scenarios for films; revised front newspapers during World War II; Deputy-Chm., Council of People's Commissars of Ukr.; rep. GA London 46.

Bajpai, Girja Shankar (India); b. 91; ed. Merton Coll., Ox.; K.C.S.I., K.B.E., C.I.E.; Under-Sec. Ed., Health and Lands Dept. 23, Joint Sec. 27-29 and Sec. 32-; adviser Indian del. LN Asmb. and Dominion Legislation Conf. 29; mem. Gov.-Gen.'s Ex. Council 35, 36 and 40-41; Agent-Gen. for India in U.S.A. 41-; alt. rep. ESC 46.

Bakr, Abdullah Ibrahim (Iraq); b. 07, Mosul; ed. Amer. Univ. of Beirut; Private Sec. to Prime Min. 31; app. Consul to Kermanshah, Iran 41; fmr. Dir.-Gen. of Agric. and Industrial Bank; app. Consul-Gen. in Bombay 43; present Consul-Gen. in N.Y.; acting-chm. Iraqui del. GA N.Y. 46; rep. Ex. Bd. of ICEF.

Baranovsky, Anatoli Maksimovich (Ukr. S.S.R.); b. 07, Kiev; ed. Inst. of Econ. Planning, Kharkov; fmr. Vice-Prés. and Pres. Ukr. State Planning Com.; prof. Econ. Insts. of Kharkov and Kiev; Vice-Pres. of Soviet of Ministers of Ukr.; rep. UNRRA, ESC 46, GA N.Y. 46.

Bard, Ralph A. (U.S.A.); b. 84, Cleveland, Ohio; ed. Princeton Univ.; mem. Hitchcock, Bard & Co. 19-25; fmr. Pres. Ralph A. Bard Co., later Bard & Co.; Pres. Chicago Investors' Corp. 28-32, later Vice-Pres. and Dir.; Pres. Ralph A. Bard & Co. of Chicago 34-41; app. Asst.-Sect. of Navy 41; Under-Sec. 41; deputy-rep. CCA 47.

Baruch, Bernard M. (U.S.A.); b. 70, S. Carolina; ed. Coll. of City of N.Y.; mem. Advisory Com. of Council of Natl. Defense 16; fmr. Chm. Com. on Raw Materials, Minerals and Metals; Chm. War Industries Bd. 18-19; fmr. mem. Sup. Econ. Council; econ. adviser for Amer. Peace Com.; rendered Rubber Report 42, and Report on Postwar Conversion 43 to Pres. Roosevelt; rep. AEC 46.

Basdevant, Jules (France); b. 87; ed. Univ. of Paris; LL.D.; prof. of law at Rennes and Grenoble 03-18, later at Univ. of Paris; attended Peace Conf. 19; del. LN Asmb. and Disarmament Conf.; mem. Perm. Ct. of Int. Jus. since 23; rep. UNCIO 45; Vice-Pres. ICJ 46-.

Bassi, Juan Carlos (Argentina); b. 89, Buenos Aires; attended Mil. Coll. 07-09; prof. Mil. Coll. and War School; mem. Armaments Purchasing Comn. in U.S.A. 26-29, in Europe 29-31; chief of Secretariat, Min. of War 35-39; fmr. Comdr. First and Third Divs. of Army and of Sixth Mil. Zone, Q.M.-Gen. of Interior and Dir.-Gen. of Army Instruction; rep. UNCIO 45.

Bautista Ayala, Juan (Para.); b. 91, Pilar; ed. in Pilar and Asuncion; app. Second Lieut. 12; fmr. Chief of Gen. Staff; fmr. instructor Mil. Coll. of Asuncion; app. Min. of War and Marine 38; Min. to Brazil 41-42, and first Amb. to Brazil 42-; rep. UNCIO 45.

Bautista de Lavalle, Juan (Peru); ed. Univ. of San Marcos in Lima; First Sec. and chargé d'affaires to Legation in Bolivia 16-18; fmr. First Sec. to Paris Legation; Sec. of Peruvian del. Peace Conf. in Paris 19; elected to Bd. of Dir. of Inter-Amer. Bar Assoc. 41, 43; elected by Cong. to Supreme Ct. of Jus. 45; rep. GA N.Y. 46, first spec. sesn. GA 47.

Baydur, Huseyin Ragip (Turkey); b. 91, Island of Rhodes; ed. Univ. of Istanbul; prof. 11-16; Inspector of Turkish students in Europe 16-19; fmr. ed. *Ifham*, Istanbul, and ed.-in-chief *Hakimiyetti Milliye* (since 29 called *Ulus*), Ankara; later dir. Anatolian Agency (Govt. news agency), and Dir.-Gen. Turkish Press; Amb. in Bucharest 24-29; Amb. in Moscow 29-35 and 43-45; Amb. in Rome 35-43, to U.S.A. 45-; rep. UNCIO 45; Chm. Turkish del. GA N.Y. 46, first spec. sesn. GA 47.

Bayle, Luis Manuel de (Nicar.); b. 95, Leon; ed. *Universidad de Occidente* in Leon and Univs. of Mich. and Penn.; M.D.; asst. dean School of Med., *Universidad de Occidente* 24-26; app. Dir.-Gen. of Pub. Health 25; Consul-Gen. in Baltimore 30, and later chargé d'affaires in Wash.; app. Min. of For. Affairs in 36 and special Amb. to Mex. and El Salvador; rep. UNCIO 45.

Beasley, John Albert (Australia); b. 95, Werribee; ed. Werribee; Pres. Elec. Trades

Union 23-28; Pres. N. S. Wales Labour Council 22-28; mem. Fed. Parl. for W. Sydney 28-; Asst.-Min. for Industry and Ext. Affairs 29-31; del. ILO 26; app. Min. for Supply and Devel. 41; Resident-Min. in UK.; rep. GA London 46.

Bech, Joseph (Luxembourg); b. 87, Diekirch; ed. Paris; mem. Chamber of Deputies 14-21; Min. of Jus. and Home Affairs 21-25; del. LN Asmb. 26-40; Prime Min. and Min. of For. Affairs 26-37; Min. of For. Affairs 37-; Chm. Luxembourg del. UNCIO 45; rep. Prep. Comn. 45; Chm. Luxembourg del. GA 46.

Begtrup, Bodil (Den.); b. 03, Nyborg; ed. Univ. of Copenhagen; Vice-Pres. Danish Natl. Council of Women 31-41, elected Pres. of Council in 46; rep. Asmb. LN 38; mem. Danish Council for Maternal Health 39; Chief Film Censor 39; Chm. Comn. on Status of Women 47.

Belaunde, Victor Andres (Peru); b. Arequipa; ed. San Marcos Univ.; sec. Bolivian-Peruvian Border Com. 08-10; Min. to Uru. 18; prof. San Marcos Univ. until 23, at Univ. of Miami 24-30; Min. to Colombia 34; del. LN 36; Dean, Fac. of Law, Catholic Univ. of Peru; rep. UNCIO 45.

Belehrádek, Jan (Czech.); b. 96; M.D.; conducted sci. research in London 25-26; prof. of med. and Vice-Chancellor of Charles Univ., Prague; mem. Provisional Natl. Asmb.; rep. GA London 46.

Belt y Ramirez, Guillermo (Cuba); b. 05, Havana; ed. Univ. of Havana; app. Sec. of Public Ed. 33; Sec. of Council of State 34; Mayor of Havana 35; Amb. to U.S.A. 44-; mem. Governing Bd. of Pan Amer. Union; del. Inter-Amer. Conf. on Probs. of War and Peace, Mex. 45; Chm. Cuban del. UNCIO 45; rep. Prep. Comn. 45; Chm. Cuban del. GA 46; rep. ESC 46-, first spec. sesn. GA 47.

Benediktsson, Bjarni (Iceland); b. 08, Reykjavik; ed. Univ. of Iceland and in Den. and Ger.; app. prof. of law at Univ. of Iceland 32; app. mem. of Reykjavik Town Council 34; app. mem. of Cen. Com. of Independence Party 36; Mayor of Reykjavik 40-47; Althing mem. for Reykjavik 42-; Min. for For. Affairs and Min. of Jus. 47-; rep. GA N.Y. 46.

Ben-Gurion, David; b. 86, Poland; ed. Univ. of Constantinople; organized Hechalutz (Pioneer Movement) in U.S.A. 16; helped to organize and served in Amer. Jewish Legion in Palestine, World War I; founded Gen. Federation of Jewish Labor in Palestine 20; rep. of Jewish Agency for Palestine at First Com. meetings of first spec. sesn. GA 47.

Berendsen, Sir Carl August (N. Zealand); b. 90, Sydney, Australia; ed. Victoria Univ. Coll. and Univ. of N. Zealand; Sec. of Ext. Affairs 28-32; perm. head of Prime Min's Dept. 32-43; High Comr. in Australia 43-44; Min. to U.S.A. 44-; fmr. mem. Perm. Mandates Comn.; rep. UNCIO 45, GA N.Y. 46; Vice-Pres. TC 47; rep. first spec. sesn. GA 47; mem. of Council of UNRRA and of Far Eastern Comn.

Bernardino, Minerva (Dominican Rep.); b. 07, Seybo; fmr. Chief of Statistics of Dept. of Ed.; fmr. Supervisor of Vocational Schools of Dist. of San Domingo; del. Seventh Int. Conf. of Amer. States, Montevideo 33 and Eighth Int. Conf., Lima 38; served on Inter-Amer. Comn. of Women since 35, becoming Vice-Pres. 39 and Pres. 44; rep. Inter-Amer. Conf. on Probs. of War and Peace, Mex. 45, UNICO 45, GA 46; Vice-Chm. of Sub-Comn. on Status of Women 46.

Bevin, Ernest (U.K.); b. 81; mem. Gen. Council of Trades Union Cong., Chm. 37; fmr. Deputy-Chm. of *Daily Herald Ltd.* and Chm. *Clarion* Co.; Min. of Labour and Natl. Service 40-45; Sec. of State for For. Affairs 45-; mem. Council of For. Mins.; rep. GA London 46; rep. SC 46; Chm. U.K. del. GA N.Y. 46.

Bezroukov, Nikon Y. (U.S.S.R.); b. 02, Kronstadt; ed. Marine School in Leningrad; app. Dir. of Northern Steamship Co. 38; head of U.S.S.R. marine fleet 39-40; app. head of Baltic Steamship Co. in Leningrad 40; attained rank of Comdr. U.S.S.R. Navy, World War II; Chief of Trans. Dept. of Amtorg Trading Corp. of N.Y. 46; Vice-chm. Trans. and Communications Comn. 47.

Bianchi Gundián, Manuel (Chile); b. 95; ed. Natl. Inst. and Univ. of Chile; sec. of Legation, Ger. 22-25; counselor of Embassy, Brazil 25-27; Gen. Mgr. *La Nación,* Santiago 26-27; Min. to Pan., Venez. and Cuba 27-28, to Bolivia 29-33; Amb. to Mex. 33-39; Acting-Amb. to U.S.A. 39-40; Min. of For. Affairs 40-41; Amb. to Gr. Brit. 41-; rep. Ex. Com. of Prep. Comn. 45, Prep. Comn. 45; Chm. Chilean del. GA London 46.

Bidault, Georges (France); b. 99, Moulins; fmr. prof. of hist. in a Paris *lycée;* fmr. for. ed. Catholic daily *L'Aube;* leader of Popular Dem. Party; elected Pres. of Natl. Resistance Council 43; twice elected Min. of For. Affairs since 44 and once Premier-Pres.; mem. Council of For. Mins.; Chm. French del. UNCIO 45, GA London 46; rep. SC 46.

Biddle, Eric Harbeson (U.S.A.); b. 98, Phila.; ed. Ox. Univ. and Univ. of Penn.; Lieut. R.A.F. World War I; Relief Adm. for State of Penn. 32-35; Ex.-Dir. Community Fund of Phila. 35-40; dir. U. S. A. Com. for Care of European Children 40;

head of spec. mission of Bu. of Budget 42-; Chm. Advisory Group of Experts.

Billote, Gen. Pierre (France); b. 06, Paris; ed. St. Cyr. Mil. School and *Ecole Supérieure de Guerre;* fmr. C.-of-S. of Gen. de Gaulle in London and in Algiers; fmr. mil. attaché to Belgian Govt.; fmr. Sec. of Natl. Defence; natl. mil. del. to resistance forces of interior and Comdr. F. F. I. Div., Paris; Asst.-C.-of-S. for Natl. Defence; rep. MSC 46-.

Billoux, Francois (France); b. 03, Saint Romain Lamotte; joined Communist Party 20; mem. Cen. Com. of Communist Party, regional sec. 34; elected Communist Deputy from Marseilles 36; imprisoned during World War II and freed by Gen. Giraud; app. Min. of Pub. Health 44; Min. for Recon.; rep. GA London 46.

Blanco, Juan C. (Uru.); b. 79; ed. Faculty of Law of Univ. of Montevideo; Deputy 07-12; fmr. Min. of Pub. Works; app. Min. to France 15; rep. Versailles Peace Conf. 19, LN 20; Min of For. Affairs 24-25, reapp. 31; fmr. Acting-Min. of Interior; Amb. to Argentina 27-31; fmr. Amb. to Brazil; app. Amb. to U. S. A. 41; rep. GA N. Y. 46.

Blom, Nicolaas S. (Neth.); b. 99 Deventer; ed. in law; fmr. judge in Neth. E. Indies; app. head of Neth. E. Indies Dept. of Jus. 37; mem. temp. Neth. E. Indies Gov. in Australia, World War II; fmr. acting Lieut. Gov.-Gen. of Neth. E. Indies; alt. rep. GA N.Y. 46; rep. SCOP 47.

Bloom, Sol (U.S.A.); b. 70, Illinois, Congressman from N. Y. continuously since 23; fmr. Chm. For. Affairs Com. U. S. House of Rep.; del. Int. Copyright Conf. Rome 28; rep. Evian and London Confrs. to discuss aid to refugees 38; rep. Bermuda meeting where War Refugee Bd. was organized 43; rep. UNCIO 45, GA N. Y. 46.

Boetzelaer Van Oosterhout, Baron Van, Carel G. W. H. (Neth.); b. 92, Amersfoort; ed. Municipal Univ. of Amsterdam; fmr. Sec. to Legation in Wash., Mex. City, Brussels; Counselor to Legation in Berlin 35-40; fmr. mem. Dept. of For. Affairs of Gov.-in-Exile; app. Min. to U.S.A. 40; fmr. head of Sect. of Pol. Affairs in Min. of For. Affairs; app. For. Min. 46; rep. GA N. Y. 46.

Bogdenko, Vice-Adm. Vassili L. (U.S.S.R.); grad. of Naval Acad.; was on service in fleet on Baltic Sea, Black Sea and in Far East; fmr. C.-of-S. of Pac. Fleet and asst. of head of Allied Control Com. in Rumania; rep. MSC 46-.

Bonnet, Henri (France); b. 88; ed. *Ecole Normale Supérieure;* mem. LN Secretariat, first in Div. of Press and Inf., later as ex.-sec. of Asst. Sec.-Gen. of LN 20-31; app. Dir. of Int. Inst. of Intellectual Co-operation, Paris 31; Amb. to U. S. A. 44-; rep. UNCIO 45, SC 46.

Borberg, William (Denmark); b. 85, Copenhagen; ed. in econ.; Sec. to Merchants' Guild, Copenhagen 15; Chief of For. Trade Office 16-19; Sec. of Treaty Com. 19; Chief of pol. trade policy dept. of For. Office 21-26; Sec of Legation in London 26-28; perm. del. to LN 28-40; app. Min. 34; alt. rep. GA N.Y. 46; rep. first spec. sesn. GA 47.

Boza, Hector (Peru); b. 88, Lima; ed. U. S. A.; Amb. of special mission to Colombia 38; Min. of Pub. Works 34-39; Pres. Peruvian Com. for Inter-Amer. Co-operation 44; fmr. Min. to Paris; Sen. 45-; mem. of For. Relations Com. of Sen.; rep. GA 46.

Bracken, John (Canada); b. 83, Ontario; ed. Univ. of Illinois; prof. of field husbandry at Univ. of Saskatchewan 10-20; app. Pres. of Manitoba Agric. Coll. 20; app. Premier of Manitoba 22; Leader of Opposition in House of Commons; rep. GA N. Y. 46.

Brilej, Joza (Yugoslavia); b. 10, Celije; ed. Univ. of Ljubljana; Col. in Yugoslav Army, World War II; Dir. of Pol. Dept. of Min. of For. Affairs 45-; fmr. mem. Slovene Natl. Liberation Com.; elected to First Parl. of Slovene Rep. 46; rep. first spec. sesn. GA 47; mem. SCOP 47.

Brunet, Alberto D. (Argentina); b. 92, Buenos Aires; ed. naval school; in charge of Com. of "Isla de los Estados" 33-34; Comdr. minesweeper "Tucuman" 34; Prof. School of Naval Warfare; Chief of Gen. Staff of River Fleet 37, of Navy 38; Comdr. school-ship cruiser "La Argentina" 39; naval attaché in U. S. A. 40-; rep. UNCIO 45.

Brunn, Alice (Den.); b. 02, Copenhagen; ed. Univ. of Copenhagen; Dir. of Maternity Aid Inst. 28-30; fmr. mem. Child Welfare Sect. and Care of Handicapped Persons Sect. (Min. of Social Welfare); Sec. Child Welfare Conf. of Northern Countries 36; mem. natl. insurance system 41-45, chief of system 45; Chief of Public Assistance of Min. for Social Affairs 45-; rapp. Temp. Social Welfare Com. 47.

Burger, Jacob W. (Neth.); b. 04, Willemstad, N. Brabant; ed. Univ. of Utrecht, Univ. of Amsterdam; fmr. atty. in Dordrecht; mem. Socialist Dem. Labor Party 29-; fmr. Sec. "Inst. for Ed. of Labourers," Dir. of Regional Office of Dutch Soc. for Agric.; mem. Municipal and Police Cts. of Arbitration of Dordrecht, Min. of Internal Affairs; rep. GA N. Y. 46.

Byrnes, James F. (U. S. A.); b. 79, Charleston, S. Carolina; Solicitor 09-11; Rep. 10-25; Sen. 30-41; Assoc.-Jus. U. S. A. Sup. Ct.

41-42; Dir. of Econ. Stabilization 42-43; fmr. Dir. of War Mobilization; Sec. of State 45-47; Chm. U. S. A. del. GA London 46; rep. SC 46.

Cáceres, Julián R. (Honduras); b. 92, Comayagua; ed. Univs. of San Salvador and Tegucigalpa; private sec. to pres. Bertrand 16; app. chief clerk in Min. of For. Relations 17; Gov. Dept. of Cortes 26-27; app. Gov. Dept. of Atlantida 28; sec. of Legation, Wash. 33-36, chargé d'affaires 36-39, Min. 39-43, Amb. 43-; mem. Governing Bd. of Pan Amer. Union; Chm. Honduran del. UNCIO 45.

Caclamanos, Demetrius (Greece); b. 72, Nauplia; ed. Athens Univ.; ed. *Asty* 92-01, *Neon Asty* 01-07; first sec. Paris 10-12; chargé d'affaires Rome 12-14; Min. in Petrograd 15-18, in London 18-35; first Greek del. LN Asmb. 26; rep. GA London 46.

Cadogan, Sir Alexander George Montagu (U. K.); b. 84; ed. Eton and Ox.; G. C. M. G., K. C. B.; attaché Constantinople 09; Min. to China 33, Amb. 35-36; Perm. Under-Sec. of State for For. Affairs 38-46; Chm. U. K. del. first phase Dumbarton Oaks Conf. 44; mem. U. K. del UNCIO 45; rep. GA N.Y. 46, SC 46-, AEC 46-, first spec. sesn. GA 47; rep. CCA 47-.

Camillo De Oliveira, Antonio (Brazil); b. 92, State of Minas Gerais; ed. Law School, Belo Horizonte; attaché to Min. of For. Affairs 16; first sec., Paris 34-38; Min. in La Paz 38, later to Costa Rica; head of Pol. and Dipl. Div. of For. Office 39-41; Acting Sec.-Gen., Min. for Ext. Relations; rep. Com. of Jurists Wash. 45, UNCIO 45, GA N. Y. 46.

Campbell, Richard Mitchelson (N. Zealand); b. 97; ed. Victoria Univ. Coll. and London School of Econ.; Ph. D.; private sec. to Prime Min. 26; sec.-economist to Min. of Fin. 31-35; econ. adviser Embassy, London 35-40, official sec. 40-; rep. Prep. Comn. 45, GA London 46.

Cárcano, Miguel Angel (Argentina); b. 89, Buenos Aires; ed. Univ. of Buenos Aires; Min. Plenipotentiary on mission to London to negotiate Anglo-Argentine Commercial Treaty 33; Min. of Agric., Industry and Commerce under Pres. Gen. Justo; Deputy and Pres. of Com. on Agrarian Legislation, Chamber of Deputies 34; Amb. to U. K.; rep. UNCIO 45.

Carías, Jr., Tiburcio (Honduras); b. 08, Tegucigalpa; ed. Univ. of Mex., Ox. and Liverpool Univs.; fmr. Inspector-Gen. of Honduran Consulate in Liverpool, Consul-Gen. 38-46; Min. to U. K. 46-; Chm. Honduran del. Intergov. Com. on Pol. Refugees in Evian and London 38, Prep. Comn. 45, GA 46, first spec. sesn. GA 47.

Cassell, C. Abayomi (Liberia); b. 06, Monrovia; ed. in liberal arts and law; clerk of Circuit Ct. of First Judicial Circuit of Montserrado Co. 28-30 (resigned); practiced law 30-39; revenue solicitor for Dept. of Jus. and atty. for Montserrado Co. 39-44; app. Atty.-Gen. 44; rep. GA N. Y. 46.

Castro, Héctor David (El Salvador); b. 94, San Salvador; ed. Natl. Univ. of El Salvador; LL. D.; dist.-atty. and later judge, San Salvador 17-19; Under-Sec. of Fin. 19; Sec. of Legation in Wash. 20-23, chargé d'affaires 23-27; Under-Sec. of For. Affairs 27-28; Min. of For. Affairs 31; Min. in Wash. 34-43; Amb. to U. S. A. 43-44 and 45-; mem. Governing Bd. of Pan Amer. Union; rep. Com. of Jurists, Wash. 45; Chm. El Salvador del. UNCIO 45; rep. GA N. Y. 46, first spec. sesn. GA 47.

Castro, Rodolfo Barón (El Salvador); b. San Salvador; ed. Natl. Inst. of El Salvador and studied law at Univ. of Madrid; sec. to Legation, Madrid 43-; rep. GA London 46.

Cattan, Henry; b. 06, Jerusalem, Palestine; ed. Paris and London Univs.; lawyer in Jerusalem 32-; rep. of Arab Higher Com. for Palestine at First Com. meetings of first spec. sesn. GA 47.

Chacón, Gustavo (Bolivia); b. 13; app. chief officer, Min. of Econ. 33; Min. of Econ. 43-44; fmr. Min. of For. Affairs; rep. Tin Com., London 41; del. Inter-Amer. Conf. on Probs. of War and Peace, Mex. 45; Chm. Bolivian del. UNCIO 45.

Chagla, Mohammed Ali Currim (India); b. 00, Bombay; ed. St. Xavier's School and Coll. in Bombay and Lincoln's Coll., Ox.; practiced at High Ct. Bar 22-41; Judge of High Ct. 41-; fmr. organizer and Vice-Pres. of Nationalist Party in Bombay; rep. GA N. Y. 46.

Chamoun, Camille (Lebanon); b. 00, Lebanon; ed. *Coll. des Frères* and law school in Beirut; LL. D.; Min. of Fin. 38-43; Min. of Interior 43-44; Min. in London 44-; rep. Prep. Comn. 45, GA London 46; Chm. Lebanese del. GA N. Y. 46.

Chang, Chun-Mai Carson (China); b. 86, Kiangsu; ed. Waseda Univ. Tokyo, Berlin Univ. and in England; became ed.-in-chief *Peking-Tientsin Shih Pao*, Tientsin 11, fmr. ed. *Young Nation* and assoc. ed. *Justice;* fmr. gen. mgr. *China Times*, Shanghai; mem. Council's Presidium 40-42; mem. People's Pol. Council since 38; rep. UNCIO 45.

Chang, P. C. (China); b. 92, Tientsin; ed. Nankai Middle School, China, and Clark and Columbia Univs., U. S. A.; Ph. D (Columbia), acting-principal of Nankai 16 19; dean of Tsing Hua Coll. 23-26; mem People's Pol. Council of China 38-40; Min

to Turkey 40-42, to Chile 42-45; rep GA 46, ESC 46-; Vice-Chm. Comn. on Human Rights 47-; Chm. Working Group for Asia and Far East 47.

Charles, Joseph (Haiti); b. 07, Limbo; ed. *Notre Dame du Perpétuel Secours* and Free Law School; LL. D. (Free Law School); fmr. atty. and teacher of Natl. School; fmr. prof. at *Notre Dame Coll.;* fmr. Ct. Registrar, Judge, State-Sec. for Pub. Ed., M. P. and Chm. of Com. of For. Relations; Amb. to U. S. A.; mem. of Governing Bd. of Pan Amer. Union; Chm. of Haitian del. GA N. Y. 46.

Chernyshev, Pavel M. (U. S. S. R.); b. 09, co. of Tver; ed. For. Trade Inst., Moscow Fin. and Econ. Inst.; Dir. of Export Dept., later head of For. Dept. of Gov. Bank of U.S.S.R. 37-46; Adm. chm. of For. Trade Bank 39-44; Econ. adviser to U. S. S. R. del. to UN 46-; Vice-chm. Fiscal Comn., acting-chm. first sesn. of Fiscal Comn. 47.

Chieh, Liu (China); b. 06; ed. Ox. and Columbia Univs.; began pol. career as sec. in Leg. Yuan; adviser to Chinese del. to LN 32-39; first sec. and counsellor, Embassy in London 33-40; counsellor and Min., Embassy in Washington 40-45; Vice-Min. for For. Affairs 46-; mem. Chinese del. to Sugar Conf. 37, to Dumbarton Oaks Conf. 44, to UNCIO 45; rep. GA N. Y. 46, TC 47.

Chisholm, Brock (Can.); b. 96, Oakville, Ontario; M. D. (Univ. of Toronto) 24; Commandant of Northern Area, Med. Div. 42-44; Chm. of Can. Med. Procurement and Assignment Bd. 42-44; Chm. Health Com. 43-44; fmr. Dir.-Gen. and Maj.-Gen. of Med. Service; fmr. Deputy-Min. of Health in Dept. of Natl. Health and Welfare; Ex.-Sec. WHO Interim Comn. 46-.

Chow, Capt. Ying-Tsung (China); b. 01, Foochow, Fukien, China; ed. Chinese Naval Coll. in Chifoo and Nanking Naval Coll.; service and training with British Navy 29-33; senior officer in charge of naval offices outside China 39-41; naval attaché to U. K. 41-45; dir. of Naval Ordnance 45; rep. MSC 46-.

Churchill, Winston Spencer (U. K.); b. 74; ed. Harrow and Sandhurst; LL. D. (Harvard); C. H., M. P., F. R. S.; served in S. Afr. War and in World War I; Home Sec. 10-11; First Lord of Admiralty 11-15, 39-40; Prime Min. and Min. of Natl. Defence 40-45; Leader of Opposition 45-; co-author of Atlantic Charter 41; signer of Dec. by UN 42; attended Cairo and Teheran Confs. 43, Crimea Conf. 45.

Cisneros, Luis Fernán (Peru); b. 82, Paris; ed. San Marcos Univ.; mem. of staff, *La Nación,* Buenos Aires; dir. *La Prensa,* of Lima; Min. to Uru. 34-39; fmr. Amb. to Mex.; Amb. to Brazil; rep. UNCIO 45.

Claxton, Brooke (Can.); b. 98, Montreal; ed. Lower Canada Coll. and McGill Univ., Montreal; admitted to bar 21; app. a King's Counsel 39; elected to House of Commons, Montreal 40, and served as parl. asst. to Prime Min. W. L. Mackenzie King; Min. of Natl. Health and Welfare 44-; rep. ESC 46.

Clementis, Vladimír (Czech.); b. 02, Tisovec; ed. Charles Univ. in Prague; fmr. M. P.; Chief of Slovak Broadcast B. B. C. in London, World War II; Sec. of State in Min. of For. Affairs 45-; rep. GA N. Y. 46.

Cohen, Benjamín (Chile); b. 96, Concepción, Chile; ed. English School of Lota, Univ. of Chile and Georgetown Univ., Wash.; Ph. D. (Univ. of Chile); sec. Embassy, Wash. 23-27; prof. Georgetown Univ. 27-34; Amb. to Bolivia 39-45, to Venez. 45; chief of Inf. Planning Sect. GA London 46; Asst. Sec.-Gen. in charge of Pub. Inf. 46-.

Colban, Eric (Nor.); b. 76, Oslo; mem. of Min. of For. Affairs 16-18; Dir. of Minority Sect. of LN 19-27, of Disarmament Sect. 28-30; app. Min. to France 30, to Belg. and Luxembourg 31; rep. to Council, Asemb., and Disarmament Conf. of LN 30-32; Min. and later Amb. to U. K. 34-46; rep. to Prep. Comn. of UN, GA London 46; Chm. of Drafting Com. of Prep. Com. of ITO 47.

Colbjornsen, Ole (Nor.); b. 97, Vegaardshei; ed. Univ. of Oslo; fmr, fin. ed. *Arbeiderbladet* in Oslo; M. P. 37-40; app. Fin. Counsellor of Embassy in Wash. 40; rep. Int. Labour Conf. in Geneva 34, Conf. of Int. Monetary Stabilization in Wash. 43, Bretton Woods Conf. 44; present Alt.-Gov. Int. Monetary Fund and Int. Bank; rep. Int. Emergency Food Council; alt.-rep. GA N. Y. 46; rep. ESC 46, alt. 47.

Coldwell, J. (Canada); b. 88, Seaton, England; ed. Exeter Univ. Coll.; fmr. teacher in Canada; alderman of Regina, Saskatchewan 22-32; Chm. of Council of Inquiry into pub. service of Saskatchewan 23-30; elected to House of Commons 35; Parl. Leader of Co-operative Commonwealth Federation Party; rep. GA N. Y. 46.

Connally, Tom (U. S. A.); b. 77, McLennan Co., Texas; ed. Baylor Univ. and Univ. of Texas; LL. D.; elected to Texas State Legis. 01; fmr. prosecuting atty. McLennan Co.; Rep. 17-29; Sen. 29-; fmr. Chm. Sen. Com. on For. Relations; del. Inter-Parl. Union Confs. Geneva 24, Wash. 25, London 30 and Istanbul 34; rep. UNCIO 45, GA 46.

Contreras Labarca, Carlos (Chile); b. 99; ed. Univ. of Chile; Deputy 25; del. Seventh World Cong. of Communist Int. 35; fmr. Sec.-Gen. Communist Party of Chile; Sen.; rep. UNCIO 45.

Cordier, Andrew Wellington (U. S. A.); b. 01, Canton, Ohio; ed. Manchester Coll. in Indiana and Univ. of Chicago; chm. of dept. of hist. and pol. science Manchester Coll. 27-44; lecturer in social sciences Indiana Univ. 29-44; expert on int. security, Dept. of State 44-46; tech. expert U. S. A. del. UNCIO 45; chief of sect. Prep. Comn. 45; adviser to Ex.-Sec. of Prep. Comn. 45; to Pres. of GA London 46; Ex.-Asst. to Sec.-Gen. 46-.

Córdova, Roberto (Mex.); lawyer; fmr. Chm. Mex. group in Mex.-Amer. Claims Com.; fmr. legal counsellor Embassy, Wash.; fmr. head of legal dept. of For. Office; fmr. Amb. to Costa Rica; rep. GA 46, SC 46.

Costa Du Rels, Adolfo (Bolivia); b. 91, Sucre; ed. Corsica and Univ. of Paris; app. Second Sec. to Legation in Chile 18; Counsellor to Legation in Paris 21-32; app. Min. to Swit. 33, rep. LN; rep. Bolivian del. Chaco Peace Conf. 36; elected Chm. LN Council 39; Amb. to Argentina 41-44; mem. LN Liquidation Bd. 46; app. perm. rep. UN 46; rep. GA N. Y. 46.

Cranborne, The Right Honorable Viscount; Gascoyne-Cecil, Robert Arthur James (U. K.); b. 93; ed. Eton and Christ Church, Ox.; P. C.; Conservative M. P. for S. Dorset 29-41; Under-Sec. of State for For. Affairs 35-38 (resigned); Sec. of State for Dominion Affairs 40-42; Sec. of State for Colonies 42; Lord Privy Seal 42-43; Leader of House of Lords since 42; Sec. of State for Dominion Affairs since 43; rep. UNCIO 45.

Cruz-Coke, Eduardo (Chile); b. 99, Valparaíso; ed. in med.; rep. Conf. on Sexology in Europe 26; app. Min. of Health 37; fmr. adviser to Office of Worker's Insurance, Pres. Natl. Food Council; present Sen. of Chilean Cong., mem. of Conservative Party; mem. TC Visiting Mission to W. Samoa 47.

Cuenco, Mariano (Philippines); b. 88, Cebu; Rep. of 5th Dist. of Cebu 31-34; Gov. of Cebu 34-37; app. Sec. of Pub. Works 37; Sen. 41-; rep. GA N. Y. 46.

Darwin, Sir Charles Galton (U. K.); b. 87; ed. Marlborough Coll., Cambridge Univ.; O. B. E., M. C., M. A., Sc.D., F. R. S.; prof. of nat. philos., Edinburgh Univ. 23-36; Master of Christ's Coll., Cambridge 36-38; Dir. of Material Phys. Laboratory 38-; alt. rep. AEC 47-.

David, Wilmot A. (Liberia); formerly in For. Office, Monrovia, Liberia; present consul-gen. in Gr. Brit. and Northern Ire.; rep. GA London 46.

Davidson, George F. (Canada); b. 09, Bass River, Nova Scotia; ed. Univ. of Br. Columbia and Harvard Univ.; Ph.D. (Harvard); app. Supt. of Welfare and Neglected Children of Prov. of Br. Columbia 34; Ex. Dir. of Vancouver Welfare Fed. and Council of Social Agencies 35; Dir. of Social Welfare for Br. Columbia and later Ex.-Dir. of Can. Welfare Council; Deputy-Min. of Welfare 44-; rep. ESC 47-, Social Comn. 47-.

Dávila, Carlos (Chile); b. 87, Los Angeles, Chile; ed. Univ. of Santiago; founder and dir. *La Nación* and *Los Tiempos*, Santiago newspapers, and magazine *Hoy;* awarded Cabot Prize for distinguished service in inter-Amer. relations in field of journalism; Amb. to U. S. A. 27-31; provisional Pres. of Chile 32; author of "Davila Plan" creating Inter-Amer. Devel. Comn.; rep. ESC 46.

De Diego, Mario (Panama); b. 08, Panama City; ed. Natl. Inst. and at Alabama; mem. of consular service 28-32; fmr. Chief of Protocol in For. Office; mem. First Consultative Meeting of Amer. Mins. of For. Affairs 41; app. Second Asst.-Sec. of For. Affairs 45; adviser of Panamanian del. UNCIO 45; Under-Sec. of For. Affairs 46-; rep. first spec. sesn. GA 47.

Dehousse, F. (Belg.); b. 06, Liege; ed. Univ. of Liege; LL.D. (Univ. of Liege); fmr. prin. asst. to Belg. Min. of Labour; co-author of socialist plan for reorganization of Belg. on fed. basis; ed. *Le Monde du Travail;* prof. Acad. of Int. Law, The Hague; prof. of int. law Univ. of Liege; rep. UNCIO 45, ESC 46, Comn. on Human Rights 46-.

Delgado, Francisco A. (Philippines); b. 86, Bulacan, Bulacan; ed. in Manila and Indiana State Univ., Univ. of Chicago, and Yale; LL.B. (Indiana State Univ.); practiced law in Indianapolis and Manila; fmr. Resident Comr. of Philippines to U. S. A.; dir. Philippine Bar Assn., and Int. Bar Assn.; judge Ct. of Appeals; mem. House of Rep.; rep. UNCIO 45.

Dendramis, Vassili (Greece); b. 83, Athens; ed. Univ. of Athens; LL.D. (Univ. of Athens); sec. of Legation in Bucharest 14-19; per. rep. of Greece to LN 23-27; Min. in Sofia 28-32, in Cairo 33-36, to Argentina, Brazil, Chile and Uru. 36-45; Amb. to U.S.A. 47-; rep. ESC 46, GA N. Y. 46, first spec. sesn. GA 47.

Dennis, Gabriel L. (Liberia); LL.D. (Emporia Coll. Kansas); Belg. Consul in Liberia 22-44; Sec. of Treas. 32-40; del. LN 43; Sec. of State 44-; rep. UNCIO 45; Chm. Liberian del. GA London 46.

Dihigo y López Trigo, Ernesto (Cuba); b. 96, Havana; ed. Univ. of Havana; prof. of Roman Law Havana Univ. since 17; dean of Law School 39-42; mem. Superior Electoral Tribunal 33-38; mem. organizing com. for Inter-Amer. Acad. of Compar. and Int. Law, mem. of its Curatorium and dir. of Acad.; rep. UNCIO 45, GA 46.

Djordjevic, Krista (Yugoslavia); b. 92, Zagreb; organized transfer of children from famine-stricken areas to fertile lands, World War I; Pres. Initiative Com. of Red Cross of occupied and liberated Yugoslavia, World War II; rep. Yugoslav Red Cross with Mil. Mission in London 44; Chief of Dept. of Invalids of Min. of Social Affairs of Serbia 45-; Vice-chm. Temp. Social Welfare Com. 47.

Drakeford, Arthur S. (Australia); b. 87; elected to Parl. of State of Victoria (Labour mem.) 27; app. Pres. of Victorian branch of Labour Party 29; elected rep. to House of Fed. Parl. 34; rep. Int. Civil Aviation Conf. in Chicago 44; Second Vice-Pres. of PICAO, Montreal 46; Min. for Air and for Civil Aviation 41-; Pres. of first Asmb. of ICAO.

Duchácek, Ivo (Czech.); fmr. war corr. Prague daily *Lidove Noving* in Paris; chief of cabinet of Min. of State in Min. of For. Affairs in London during World War II; mem. Provisional Natl. Asmb., Chm. of For. Affairs Com.; rep. GA London 46.

Eaton, Charles A. (U. S. A.); b. 69; ed. Newton Theol. Inst., Mass.; first pastorate was First Baptist Church, Natick Mass.; later served as pastor in Toronto, Canada, in Cleveland and in N . Y.; app. head of natl. service sect. of U. S. A. Shipping Bd. Emergency Fleet Corp. 17; Rep. since 24, Chm. of For. Affairs Com. of House of Rep.; rep. UNCIO 45.

Echandía, Darío (Colombia); b. 97; Chaparral, Tolima; ed. *Colegio Mayor de Nuestra Señora del Rosario,* Bogota; mgr. Agric. Mortgage Bank 27-31; Sen. 31-33; Deputy 34; head of Min. of For. Affairs 34-35; Min. of Natl. Ed. 35-36; fmr. Amb. to Holy See; Amb. to U. K.; rep. GA London 46.

Eden, (Robert) Anthony (U. K.); b. 97; ed. Eton and Christ Church, Ox.; LL.D.; P.C., M. P., M. C.; Under-Sec. of State for For. Affairs 31-33; Sec. of State for For. Affairs 35-38 (resigned); Sec. of State for War 40, for For. Affairs 40-45; M. P. 45-; attended Moscow Conf. 43; Chm. U. K. del. UNCIO 45.

Egeland, Leif (U. of S. Afr.); b. 03; ed. Natal Univ. Coll., and Trinity Coll., Ox.; admitted to bar 31; fmr. M. P. for Zululand and Berea, Durban; mem. S. Afr. Goodwill del. to India 36; Min. in Stockholm 44-; rep. GA London 46.

el-Khouri, Faris (Syria); b. 79, Kfeir; ed. Amer. Univ. of Beirut; Deputy of Damascus to Ottoman Parl. in Constantinople 14-18; Counsellor of State 18; Min. of Fin. 20, of Pub. Instruction 26; Deputy of Damascus and Pres. of Parl. 36-39, 43-44 and 45-; prof. Syrian Univ. of Damascus and mem. Arab Acad. since 19; Prime Min. 44-45; Chm. Syrian del. Arab L. Cong. Cairo 45, UNCIO 45, GA 46, first spec. sesn. GA 47; Chm. Fifth Com. GA 46; rep. SC 47-, AEC 47-, CCA 47.

el-Pachachi, Nedim (Iraq); b. 14, Baghdad; ed. London Univ.; Ph. D. (London Univ.); app. official of Iraq Govt. 35, head of Oil Sect. 37, head of Dept. of Mines 40, Dir. Gen. of Min. of Econ. 43-; rep. GA London 46.

el-Wadi, Shaker (Iraq); b. 99, Baghdad; ed. Instanbul, Staff Coll. in Camberley, and Senior Officers Course in Sheerness; fmr. cadet in Turkish Army; fmr. instructor to Iraq Army; chargé d'affaires Teheran 39-41; consul.-gen. Palestine 43; chargé d'affaires London 44-; rep. Prep. Comn. 45, GA London 46.

Endlakachou, Makonnen S. (Eth.); b. 93; app. controller of Franco-Eth. Ry. 18; Min. of Commerce 26; Min. to England and Eth. rep. LN 31-33; Gov. Addis Ababa 33-34; Gen. commanding Ogaden front during Italo-Eth. War; Pres. Council of Ministers 43-44; Prime Min. 44-; Chm. Eth. del. UNCIO 45.

Entezam, Nasrollah (Iran); b. 00, Teheran; ed. Univs. of Teheran and Paris; sec. Legation in Paris 26, in Warsaw 28, in London 28-29; rep. World Econ. Conf. London 33; chargé d'affaires Berne 34-38; dir. of pol. dept. Min. of For. Affairs 38-40; fmr. Min. of Pub. Health; fmr. Min. of State for For. Affairs; rep. Ex. Com. of Prep. Comn. 45, Prep. Comn. 45, GA 46, first spec. sesn. GA 47.

Eriksson, Gustaf H. (Sweden); b. 92, Upsala; ed. in law, Univ. of Stockholm; app. Under-Sec. of State in Min. of Fin. 31; app. Dir.-Gen. of Swedish Bd. of Trade 36; Min. without Portfolio 38; app. Min. of Food and Supply 39; Min. of Commerce 41; app. Min. to U. S. A. 45; rep. GA N. Y. 46; Chm. Swedish del. first spec. sesn. GA 47.

Erkin, Feridun Cemal (Turkey); b. 00; ed. Paris Fac. of Law; fmr. first sec. Embassy, London; fmr. consul.-gen. in Berlin and Beirut; fmr. dir.-gen. of Pol. Dept.; app. asst. sec.-gen. to Min. of For. Affairs 42; rep. UNCIO 45.

Escudero Guzmán, Julio (Chile); ed. School of Higher Int. Research in Paris, and Int. Acad. of La Haya; prof. of int. affairs Univ. of Chile; adviser to Min. of For. Affairs; del. Conf. on Study of Int. Relations Prague 38, Inter-Amer. Conf. on Probs. of War and Peace Mex. 45; rep. UNCIO 45.

Espil, Felipe (Argentina); b. 87; ed. Univ. of Buenos Aires; first sec. Embassy Wash. 19, counsellor 21; Min. to Neth. 28, to Den. and Nor. 29; Amb. to U. S. A. 31-43; rep. GA London 46.

Evatt, Herbert Vere (Australia); b. 94, New S. Wales; ed. Sydney Univ.; mem. Legis. Asmb., N. S. W. 25-29; Judge Fed. High Ct. of Australia 30-40 (resigned); Min. of Ext. Affairs and Atty.-Gen. 41-; rep. UNCIO 45, Ex. Com. of Prep. Comn. 45, Prep. Comn. 45, SC 46-, AEC 46-.

Exintaris, George (Greece); b. 88, Margara, Eastern Thrace; ed. Univ. of Paris; Deputy for Kavalla 26; Min. of Agric. 28; Gov.-Gen. of Salonica 32-33; Deputy for Rhodope 33-36; app. Greek rep. on Advisory Council for Italy 44; rep. GA London 46.

Fabela Alfaro, Isidro (Mex.); b. 82, State of Mex.; ed. Univ. of Mex.; LL. D.; Deputy for Dist. of Ixtlahuac, Mex. 12; fmr. Acting-Sec. of State for For. Affairs; Mex. rep. Claims Com. between Mex. and Italy 37-40; fmr. Pres. of Mex. del. to LN; Gov. State of Mex. 42-45; Judge ICJ 46-.

Fabregat, Enrique Rodríguez (Uru.); b. 98, San Jose; ed. Univ. of Montevideo; fmr. Deputy, Vice-Pres. of House of Deputies, Min. of Ed. (resigned 32); fmr. prof. Univ. of Rio de Janeiro, visiting prof. Univ. of Illinois, Mills Coll. in California; Chm. of Uru. del. first spec. sesn. GA 47.

Faisal, H. R. H. Ibn Abdul Aziz Al Saud (Saudi Arabia); b. 05, Riad; ed. Riad; headed pol. missions to Europe in 19, 26 and 32; Viceroy of Hedjaz 26-; Min. of For. Affairs 34-; Chm. of Saudi Arabian del. to Palestine Confs. in London in 39 and 46, UNCIO 45, Prep. Comn. 45, GA 46, first spec. sesn. GA 47.

Fawzi, Mahmoud Bey (Eqypt); b. 00, Cairo; ed. Univ. of Cairo, Royal Univ. of Rome, Liverpool Univ. in England and Columbia Univ.; vice-consul in N. Y. and N. Orleans 26-29; consul in Kobe, Japan 29-36; dir. of nationalities dept. Min. of For. Affairs 39-41; consul.-gen. in Jerusalem 41-44; fmr. counsellor Wash.; rep. SC 46; alt.-rep. GA N. Y. 46; rep. first spec. sesn. GA 47.

Fay, Brig. Gen. Pierre (France); b. 99, Dinan; ed. St. Cyr Mil. Coll., *Ecole Supérieure de Guerre;* mem. *"Chasseurs Alpins"* World War I; mem. French Mil. Mission, Brazil 32-35; fmr. instructor *Ecole Supérieur de Guerre aérienne;* Asst. C.-of-S. French Air Force in Far East 39-40; Comdr. of Group in Tunisia with Allied Air Forces 42-43; Dir. Mil. School in Morocco 43-44; asst. to Chief of French Mission in Far East 45; Comdr. French Air Forces in Indo-China 45; Air rep. MSC 47-.

Federspiel, Per (Den.); b. 05; ed. Harrow School, England, and Copenhagen Univ.; practising barrister in Copenhagen since 37; Min. for Special Affairs 45-; rep. GA 46.

Fenard, Vice-Adm. R. (France); b. 87; ed. French Naval School; Capt. destroyer "Vauban" 30; Dir. of Naval Sci. Research Service-Liaisons with British Admiralty 40; perm. Gen.-sec. in French Afr.; head of Naval Mission in Wash. 43; naval attaché in Wash. 45; rep. MSC 46-.

Feonov, Nikolai I. (U.S.S.R.); b. 05; ed. Acad. of For. Trade, Moscow; deputy trade rep. of U .S. S. R. in U. K. 38-44; Deputy Dir.-Gen. of UNRRA 44-46; head of U. S. S. R. del. to UNRRA's fourth session, Atlantic City 46; rep. ESC 46.

Ferguson, George Victor (Can.); b. 97, Cupar, Scotland; ed. Univ. of Alberta in Edmonton, Ox. Univ.; Can. Expeditionary Force 16-19; app. managing ed. of *Winnipeg Free Press* 34, ex. ed. 44-46; ed. *Montreal Daily Star* 46-; Rapp. Sub-comn. Freedom of Inf. and of Press 47.

Fernández y Fernández, Joaquín (Chile); b. 97, Santiago; ed. Univ. of Santiago; app. second sec. of Legation in Holland 19; Intendente of Valparaiso 30; fmr. Mayor of Santiago; Min. to Uru. 39-42, Amb. 42; Min. of For. Affairs 42-46; Amb. to France 47-; Chm. Chilean del. UNCIO 45.

Fernández y Medina, Benjamín (Uru.); b. 73, Montevideo; sec. Bu. of Health 02-05; Under-Sec., Min. of For. Affairs 11; Min. of Interior a. i. 07-10, of For. Affairs a. i. 16; Min. to Ger. and Holland 16, to Spain and Portugal 17-30, to Cuba 30-35; del. LN Asmb. 20 and 22-26; honorary counsellor of Legation in Spain; rep. GA London 46.

Fletcher, Sir Angus Somerville (U.K.); b. 83; ed. S. Afr. Coll. Cape Town; K. C. M. G., C. B. E.; Royal Field Artillery 15-19; mem. Br. War Mission to U.S.A. 18; Natl. Industrial Conf. Bd. (U.S.A.) 19-22; Dir. Br. Library of Inf. N. Y. 28-41; consul Buffalo, N. Y. 43-; Chm. HC 46.

Foo Ping-Sheung (China); b. 95; ed. Hong Kong Univ.; LL.D.; sec. Chinese del. Peace Conf. Paris 21; Vice-Min. of For. Affairs 41; Amb. to U.S.S.R. 43-; attended Moscow Conf. 43; rep. GA London 46, SC 46.

Forde, Francis Michael (Australia); b. 90, Mitchell, Queensland; ed. Christian Brothers' School in Toowoomba, Queensland; mem. Queensland Parl. 17-22; entered Federal House of Rep. 22; deputy-leader of Australian Labour Party since 32; Min. for Army; Deputy Prime Min.; rep. UNCIO 45.

Forsyth, Douglas David (U. of S. Afr.); b. 96, Pietermartizburg, Natal; ed. Transvaal Univ. Coll. in Pretoria; Magistrate 25-34; Pub. Service Inspector 34-37; Under Sec., Dept. of Social Welfare 37-39; Sec. for S.W. Africa and Chief Native Comr. 39-41; Sec. to Prim. Min. and Sec. for External Affairs 41-; rep. UNCIO 45, GA N.Y. 46.

Franco y Franco, Tulio (Dominican Rep.); b. 93, Santiago, Dominican Republic; ed. *Ecole Libre des Sciences Politiques,* Paris; attended Conf. of Signatories of Perm. Ct. of Int. Jus. 26; del. LN Asmb. 26-28; Judge Ct. of Appeals 29-31, Judge of Sup. Ct. 34-44; fmr. Min. to Haiti; rep. UNCIO 45.

Fraser, Peter (N. Zealand); b. 84, Scotland; migrated to N. Zealand in 10; fmr. Pres. Auckland Gen. Labourer's Union, sec. Social Dem. Party, and Pres. Labour Party; first elected to Parl. in 18; Mem. Ex. Council and assumed portfolios of Min. of Ed., Min. of Health, Min. of Marine, and Min. in charge of Mental Hospitals, Inspection of Machinery, and Police Dept.; Chm. N. Zealand del. UNCIO 45, GA London 46; Chm. Third Com. GA London 46.

Freitas-Valle, Cyro de (Brazil); b. 96, Sao Paulo; ed. Sao Paulo Law School; Litt.D.; app. second sec. in Buenos Aires 19; counsellor in Wash. 34-36; Min. to La Paz, Buenos Aires, Havana and Bucharest 36-38; Acting-Min. of For. Affairs 39; Amb. to Berlin 39-42; Dir. Gen. Fed. For. Trade Council 43-44; Amb. to Canada; rep. UNCIO 45, Ex. Com. of Prep. Comn. 45, Prep. Comn. 45, GA London 46, SC 46.

Frisch, Hartvig (Den.); b. 93; ed. Copenhagen Univ.; magistrate 17; asst. at Aarhuus 18 and Met. School Copenhagen 23; Pres. *Studentersamfundet* 23-25; mem. Rigsdag 26; Chm. Social-Dem. Group 35-40; prof. at Univ. of Copenhagen; M.P.; del. LN; rep. UNCIO 45, GA 46.

Frisch, Ragnar (Nor.); b. 95, Oslo; ed. Oslo Univ.; Ph.D. (Oslo Univ.) 26; visiting prof. at Yale Univ. 30; lecturer at Sorbonne 31; prof. of econ. at Oslo Univ. 31-; founder of Econometric Society in 31; chief publ. of *Econométrica* 33-; Dir. of Research of Econ. Inst. of Oslo Univ.; mem. of Nor. Gov.'s Econ. and Fin. Council; Chm. Econ. and Employment Comn. 47.

Fusco, Antonio Gustavo (Uru.); b. Montevideo, Uru.; ed. Univ. of Montevideo; Deputy 30-33; practised law and worked as journalist 33-42; Deputy 43-; rep. GA London 46.

Gallagher, Manuel C. (Peru); b. 85, Lima; ed. *Colegio de la Recoleta* and San Marcos Univ., Lima; dean of Bar Assn.; fmr. adviser to various N. Amer. firms, and counsel to Peruvian Chamber of Commerce; app. Min. of Jus. and Labor 42, Min. of For. Affairs 44; Chm. Peruvian del. UNCIO 45.

Gallais, Hugues le (Luxembourg); b. 96, Dommeldange, Luxembourg; ed. Univ. of Liege and in Zurich; rep. of Luxembourg Steel Industry in Paris, London, Tokyo and Bombay 19-39; chargé d'affaires, U.S.A. 40, Min. 40-; rep. UNCIO 45, GA N.Y. 46, first spec. sesn. GA 47.

Gallego, Manuel Viola (Philippines); b. 93, San Miguel, Bulacan; ed. Univ. of Philippines; J.D. (Northwestern Univ.) 20; Pres. of Manila Tobacco Assn., Katubusan Cigar and Cigarette Factory, United Holding and Management Co.; Mgr. of El Ahorro Insular; Assemblyman 38-46; Sec. of Pub. Instruction 46-; rep. GA London 46.

Gálvez, Virgilio Roberto (Honduras) b. 11, Santa Barbara; ed. Univ. of Leon, Nicar. and Cen. Univ., Tegucigalpa; fmr. prof. *Colegio Independencia of Santa Barbara;* ed. writer *El Crenista* 31-33; Clerk, Min. of Fin. 33-34, chief, legal sect. 34-35, chief adm. officer 35-42; Sub-Sec. of Fin., Pub. Credit and Commerce; rep. UNCIO 45.

García Godoy, Emilio (Dominican Rep.); b. 94, La Vega; fmr. journalist; chargé d'affaires Paris 29-30; first sec. and later counsellor of Legation, Wash. 34-38; Min. to Haiti 38, to Cuba 39-42; sec. to Pres. 42; Min. of Sanitation and Pub. Assistance 44; fmr. Amb. to U.S.A.; del. LN; rep. UNCIO 45; Chm. of del. to GA N.Y. 46.

García Granados, Jorge (Guatemala); b. 00, Guatemala City; ed. in France and *Univ. Nacional* of Guatemala; app. sec. of Legation in El Salvador 20, Gr. Brit. 21; mem. of Cong. 28-43; prof. at Univ. of Guatemala 29-34, Univ. of Mexico 39-43; Pres. of Const. Asmb. 44, of Cong. 45; app. Amb. to U.S.A. 45; mem. Governing Bd. of Pan Amer. Union; alt. rep. GA N.Y. 46; Chm. of Guatemala del. spec. sesn. GA 47; rep. SCOP 47.

Gardiner, James Garfield (Can.); b. 83; ed. Manitoba Coll., Winnipeg; Prin. Temberg Pub. School 11; Mayor of Lemberg, Sask. 20; Premier 26-29; Min. of Ed. 28-29; Premier and Provincial Treas. 34-35; M.P. for Melville Div., Sask. 40-; Commonwealth Min. of Natl. War Services 40-41; Min. of Agric.; rep. GA London 46.

Garreau, Roger (France); b. 91, Dôle, Jura; ed. *Ecole nationale des langues orientales vivantes,* Paris, and also Sorbonne; dipl. service successively in Bangkok, Peiping, Moscow, Indo-China, Zagreb, Cairo, Hamburg, Lausanne and Zurich 13-40; del. of Provisional Govt. of Free France to Moscow 42-45; Amb. to Poland 45-; participated in confs. concerned with settlement of Franco-Siamese question 27-31, for

Franco-Chinese Treaty 32, for settlement of Franco-Turkish dispute over Alexandretta 38; rep. TC 47.

Garrod, Air Chief Marshall, Sir Guy (U.K.); b. 91, London; ed. Ox.; K.C.B., O.B.E., M.C., D.F.C.; fmr. instructor R.A.F. Staff Coll.; deputy-dir. of organization and dir. of equipment, Air Min. 33-39; air mem. for training on Air Council 40-43; later deputy air officer C-in-C for India, then S.E. Asia; Acting Air C-in-C in S.E. Asia 44-45; rep. MSC 46-.

Gavrilović, Stoyan (Yugoslavia); b. 96, Belgrade; ed. Geneva; head of Yugoslav del. to LN Council and Asmb.; fmr. asst. pol. dir. Belgrade For. Office; first Yugoslav dipl. rep. to S. Afr.; Dir. Yugoslav Inf. Office in N. Y. 43; Under-Sec. of State for For. Affairs; rep. Prep. Comn. 45, GA London 46; Chm. Hdqrs. Planning Inspection Group 46.

Gerbrandy, Pieter Sjoerds (Neth.); b. 85, Goengamieden, Prov. of Friesland; ed. Amsterdam Free Univ.; mem. Friesland Prov. Com. 19-30; prof. Amsterdam Free Univ. 30-39; Min. of Jus. 39; fmr. Prime Min. and Min. for the Co-ordination of Warfare; rep. GA London 46.

Gerig, Benjamin (U.S.A.); b. 94, Smithville, Ohio; ed. Goshen (Ind.) Coll., Univ. of Illinois, Univ. of Geneva; prof. of pol. econ. at Univ. of Illinois 21-23; prof. of econ. at Simmons College, Boston 23-28; mem. LN Sec. Inf. and Mandates Sects. 29-39; assoc.-prof. of govt. at Haverford Coll. 40-42; app. to Dept. of State 42, chief of Div. of Dependent Area Affairs; adviser on trusteeship questions to U.S.A. del. to UNCIO 45, to GA 46; mem. of U.S.A. del. to Dumbarton Oaks Conf. 44, to Prep. Comn. 45; rep. TC 47.

Ghani, Ghassam (Iran); b. 94, Sahzevar, Iran; ed. Amer. Univ. of Beirut and in N.Y.; M.D.; rep. Int. Red Cross Lea. 24; fmr. mem. of House of Reps.; Min. of Pub. Health 43, of Ed. 44; prof. of medicine at Univ. of Teheran; rep. UNCIO 45, GA N.Y. 46.

Ghavam, Ahmad (Iran); b. 72; held various cabinet posts 10-23; Gov.-Gen. of Korasan Prov. 18; app. Premier, Min. of Interior, Min. of For. Affairs 46; Chm. Iranian del. GA N.Y. 46.

Giambruno, Cyro (Uru.); b. 98, Mercedes, Uru.; ed. Univ. of Montevideo; M.D. (Univ. of Montevideo); after graduation, practised med. in Fray Marcos, and was dir. of local newspaper at same time; elected Deputy 34, re-elected 38 and became Pres. of Chamber of Deputies; Min. of Pub. Instruction 41-43; app. Sen. 43; rep. UNCIO 45.

Gibson, Joseph Lemuel (Liberia); b. 98, Greenville, Sinoe Co.; ed. Cuttington High School in Maryland Co.; elected to House of Rep. 33, to Sen. 35; Chm. Ways and Means and Fin. Coms. of Sen. and mem. For. Affairs Com.; app. Chm. True Whig Party in Sinoe Co. 44; rep. UNCIO 45.

Gildersleeve, Virginia C. (U.S.A.); b. 77, N.Y.; ed. Brearley School (N.Y.), Barnard Coll. and Columbia Univ.; Ph.D. (Columbia); mem. of fac. of Barnard Coll. since 00; fmr. Dean of Barnard; mem. Bd. of Trustees of Inst. of Int. Ed.; first Chm. of Com. on Int. Relations of Amer. Assn. of Univ. Women; rep. UNCIO 45.

Gjoeres, Axel (Sweden); b. 89, Smedjebacken; ed. in economics at Commercial Coll. in Stockholm, Co-operative Coll. in Manchester, England; Chief of Div. of Co-operative Federation, Stockholm 26-38; app. Dir.-Gen. of Bd. of Trade 38; Min. of Supply 41-47; Min. of Commerce 47-; rep. GA N.Y. 46.

Glass, David V. (U.K.); b. 11, London; ed. Univ. of London; research sec. of Population Investigation Com. 36-; chief stat. of Br. Petroleum Comn. in Wash., chief of overseas munitions stat. in Br. Min. of Supply World War II; present mem. Med. and Biological Com.; Dir. of family census, Mem. Stat. Com. of Royal Comn. on Population; Rapp. Population Comn. 47.

Goedhart, Gerrit Jan van Heuven (Neth.); b. 01, Bussum; ed. Univ. of Leiden; chief ed. of *De Telegraaf* 30-33; app. ed.-in-chief of *Utrechtsch Neuwsblad* 33; co-ed. of underground newspaper *Het Parool* World War II, now chief ed.; Min. of Jus. 44-45 (resigned); Chm. Sub-comn. Freedom of Inf. and of Press 47.

Golunsky, S. A. (U.S.S.R.); b. 95, Moscow; ed. Univ. of Moscow; LL.D.; corr. mem. U.S.S.R. Acad. of Sci.; fmr. prof. All-Union Acad. of Law and Mil. Acad. of Law; Dean of Inst. of Law, Acad. of Science; expert consultant of People's Commissariat of For. Affairs; rep. Dumbarton Oaks Conf. 44, UNCIO 45.

Gómes, Henrique de Souza (Brazil); b. 07, Rio de Janeiro; ed. in law at Univ. of Rio de Janeiro; fmr. Sec. to Embassies at Montevideo and Rome; Asst.-Chief of Pol. and Dipl. Dept. of Min. of For. Relations 42-44; C.-of-S. to Min. of For. Relations 44-46; Sec.-Gen. of del. to UNCIO 45; alt. rep. GA N.Y. 46; alt. rep. first spec. sesn. GA 47, SC 47; rep. Com. of Experts 47.

González Videla, Gabriel (Chile); b. 98; ed. *Liceo de La Serena* and Univ. of Chile; Deputy 30, 32, 37; Pres. of Radical Party 32, 38; Min. to France, Belg. and Luxembourg 39-41; Amb. to Brazil 43-44; rep. UNCIO 45.

González Fernández, Alberto (Colombia); b. 03, Bogota; ed. Columbia Univ., Nuremberg, Ger., and Dipl. and Consular Acad., Vienna; newspaper ed. 29-30; served in Colombian Legations in Wash., Stockholm and the Vatican 34-39; app. sec.-gen. of Min. of For. Affairs in 30 and again in 39; app. Amb. to Ecua. in 44; rep. UNCIO 45.

Gonzalvo, Francisco Antonio (Dominican Rep.); b. 95, La Romana; ed. in med. at Univ. of Maryland, M.D.; Senator 45-46; rep. GA London 46.

Gousev, Feodor Tarasovich (U.S.S.R.); b. 05, Leningrad Region; ed. Leningrad Univ.; Leningrad State Office 31-36; with Commissariat for For. Affairs 37-42, chief of second European dept. 39-42; Min. to Can. 42-43; Amb. to Gr. Brit. 43-; rep. GA 46.

Grant, Moses N. (Liberia); b. 92; ed. in Sierra Leone and in prep. dept. of Liberia Coll. and grad. of a mil. training school; clerk in P.O. of Monrovia 10-12, in Interior Dept. 12-13; Paymaster 22-25; first Inspector Gen. of Troops, Liberian Frontier Force 22-24; Commanding Officer of Liberian Frontier Force; rep. UNCIO 45.

Gromyko, Andrei A. (U.S.S.R.); b. 09, Gromyki near Gomel; ed. Inst. of Econ., Moscow; counsellor Embassy, Wash. 39-43; Amb. to U.S.A. and Min. to Cuba 43-46; Deputy-Min. of For. Affairs 46-; Chm. U.S.S.R. del. Dumbarton Oaks Conf. 44; Acting-Chm. U.S.S.R. del UNICO 45; rep. Ex. Com. of Prep. Comn 45, Prep. Comn. 45, GA 46, SC 46-, AEC 46-, first spec. sesn. GA 47; rep. CCA 47.

Guerra y Sánchez, Ramiro (Cuba); b. 80, Batabano, Havana Prov.; ed. Univ. of Havana; prof. of Spanish colonial and Cuban hist., Univ. of Havana 27-30; rep. Conf. on Food and Agric., Hot Springs 44, Mon. and Fin. Conf., Bretton Woods, UNCIO 45, ESC 46.

Guerrero, J. Gustavo (El Salvador); b. 76, San Salvador; ed. San Salvador and Guatemala Univs.; LL.D.; Min. to France, Italy and Spain respectively 12-30; fmr. Min. of For. Affairs, Jus. and Pub. Ed.; Pres. 10th LN Asmb. 29; Vice-Pres. Perm. Ct. of Int. Jus. 31-36, Pres. 37-40; Pres. Int. Dipl. Acad. Paris; rep. Prep. Comn. 45, GA London 46; Pres. ICJ 46-.

Guichón, Juan F. (Uru.); b. 94, Durazno, Uru.; founded and directed for 26 years newspaper *El Heraldo*, published in Florida, Uru.; sec.-gen. of Batista Party and mem. of its natl. ex. com.; elected to Chamber of Rep. three times; Pres. Cong. of Free Journalists of Interior 33-42; rep. UNCIO 45.

Gutiérrez, Francisco de Paula (Costa Rica); b. 80, San Jose; ed. in econ. sciences, Columbia Univ.; twice elected to Cong.; V.-Pres. of Chamber of Deputies 32-34; Sec. of Treas. 37-39, 43-44; mem. Governing Bd. of Pan Amer. Union; Chm. of Costa Rican del. to Mon. Conf. at Bretton Woods; Amb. to U.S.A. 44-; Chm. of Costa Rican del. GA N.Y. 46, first spec. sesn. GA 47.

Gutt, Camille (Belg.); b. 84; ed. Brussels; LL.D.; sec.-gen. Belgian del. at Reparations Com. 19; Fin. Min. 34-35; Min. of Natl. Defence and of Communications 40-42; fmr. Min. of Fin. and Min. of Econ. Affairs; Managing-Dir. and Chm. of Ex. Bd. of Int. Mon. Fund 46-.

Hackworth, Green H. (U.S.A.); b. 83, Prestonburg, Kentucky; ed. Valparaiso, Georgetown and George Wash. Univs.; atty. State Dept. 16-18, solicitor 25-31, legal adviser 31-46; del. Conf. on Cod. of Int. Law, The Hague 30, 8th Int. Conf. of Amer. States Lima 38, 8th Amer. Sci. Cong. Wash. 40; adviser 2nd meeting of Min. of For. Affairs of Amer. Republics Havana 40; Judge ICJ 46-.

Hadi, Ibrahim Bey Abdel (Egypt); b. 98, Zarka; ed. Univ. of Cairo; fmr. prominent mem. of Students Nationalist Com.; Vice-Chm. of Saadist Party; Min. of Pub. Health; rep. UNCIO 45.

Haekal Pasha, Mohamed Hussein (Egypt); b. 88, Kafr Ghannam; ed. Univ. of Cairo and in Paris; fmr. prof. of public law at Univ. of Egypt, chief ed. of *Assyassa*, Min. of Ed.; present Pres. of Liberal Const. Party and Egyptian Senate; rep. GA N.Y. 46.

Hakim, George (Lebanon); b. Tripoli; ed. Amer. Univ. of Beirut, *Ecole Française de Droit* in Beirut; instructor in econ. at Amer. Univ. of Beirut 34-43, adjunct prof. in econ. 43-46; Counsellor of Legation in Wash. 46-; rep. GA N.Y. 46; alt. rep. ESC 46-.

Halifax, First Earl of; Irwin, First Baron; Wood, Edward Frederick Lindlay (U.K.); b. 81, near Exeter; ed. Eton and Christ Church, Ox.; K.G., P.C., G.C.S.I., G.C.I.E.; Under-Sec. Min. of Natl. Service 17-19; Viceroy and Gov.-Gen. of India 26-31; leader of House of Lords 35-38; Sec. of State for War 35; Lord Privy Seal 35-37; Sec. of State for For. Affairs 38-40; Amb. to U.S.A. 41-46; Chm. U.K. del. second phase of Dumbarton Oaks Conf. 44; rep. UNCIO 45.

Hambro, Carl Joachim (Nor.); b. 85, Bergen; ed. Univ. of Oslo; ed. Oslo daily *Morgenbladet* 13-41; mem. Storting 19-; Pres. of Odelsting of Nor. Parl. 26-; mem. Nor. del. LN Asmb. 26-46; mem. Supervisory Com.

of LN 26-46, Chm. 37-46; Pres. LN Asmb. 39; rep. GA 46.

Hambro, Edvard (Nor.); b. 11, Oslo; ed. Vestheim School in Oslo, Oslo Univ., Geneva Univ. and Yale; temp. collaborator of LN Sec. 33; Sec.-Gen. World Lea. of Norsemen; first sec. Royal Nor. Min. of For. Affairs, London and Oslo 43-45; assoc.-chief of legal sect. Prep. Comn. 45, chief 45; Registrar ICJ 46-.

Hanc, Josef (Czech.); b. 95, Libstat, Czech.; ed. Prague Univ.; entered dipl. service in 31, and has served in Prague, the Far East, London, N.Y., and Wash.; mem. of fac. Fletcher School of Law and Diplomacy, Boston 39-43; fmr. consul-gen. and dir. of Czech. Econ. Service in N.Y.; rep. UNCIO 45, ESC 46, GA N.Y. 46.

Harris, Sir Sidney (U.K.); b. 76; ed. Queen's Coll., Ox.; Sec. of Royal Comn. on Mines 06-09; rep. on Perm. Advisory Com. of LN for Social Questions 22; Asst. Under-Sec. of State, Home Office 35-47; mem. U.K. del. to ESC 46, GA N.Y. 46; rep. Social Comn. 47.

Harrison, Wallace K. (U.S.A.); b. 95, Worcester, Mass.; ed. *Ecole des Beaux-Arts* in Paris, Amer. Acad. in Rome; assoc.-architect for Bd. of Ed. of N.Y.C. 25-26; assoc. prof. in School of Architecture at Columbia Univ. 27, Yale Univ. 38-41; Dir. of Office of Inter-Amer. Affairs 41-45; app. Dir. of Planning, Perm. Hdqrs. 47.

Hasluck, Paul (Australia); b. 05, Fremantle, W. Australia; ed. Perth Modern School and Univ. of W. Australia; hon. sec. W. Australian Hist. Soc. 30-36; lecturer Univ. of W. Australia 39-41; dir. postwar sect. Dept. of Ext. Affairs 41-44, later dir. post-hostilities div.; rep. SC 46 and 47; acting rep. AEC 46 and 47.

Hassan Pasha, Mahmoud (Egypt); b. 93, Cairo; ed. Fac. of Law; fmr. M.C. to his late Majesty King Fuad I; fmr. first sec. Legation, Paris; fmr. chargé d'affaires, Brussels and Prague; first Egyptian Min. to Scandinavian countries 36-38; Min. to U.S.A. 38-; rep. UNCIO 45, SC 46, GA N.Y. 46, first spec. sesn. GA 47.

Hauck, Henri (France); b. 02, Neuilly sur Seine; ed. *Lycée Lakinal*, Paris and Univ. Coll. of Wales; asst.-dir. Pedagogical Museum in Paris 29-39; prof. at Br. Inst. of Univ. of Paris 36-39; app. labor attaché London Embassy 40; dir. of labor French Natl. Com. London 40-43; dir. of Commissariat of Social Affairs in Algiers 43-44; rep. ILO Confs. N.Y. 41, Paris 45, Montreal 46; Chm. Temp. Social Comn. 46; Rapp. of perm. Social Comn. 47.

Henries, Richard A. (Liberia); b. 08; ed. Coll. of W. Afr. and Liberia Coll.; chief clerk of Commonwealth Dist. of Monrovia 33-34; chief clerk of Treas. Dept. 34-38; Supervisor of Schools 38-43; elected to House of Rep. 43; Chm. For. Affairs Com. of House of Rep.; rep. Com. of Jurists, Wash. 45, UNCIO 45.

Henríquez Ureña, Max (Dominican Rep.); b. 85, Santo Domingo; ed. Univ. of Havana; LL.D. 12, Ph.D. 15 (Univ. of Havana); fmr. journalist, lawyer and prof.; Sec. to Pres. of Rep. 16; Supt. of Pub. Ed. 31; Sec. of State 31; perm. del. to LN 35-40; Chm. of Dominican Rep. del. to Pan-American Conf. at Lima 38; app. Amb. to Brazil 43, to Argentina 45; Chm. of Dominican Rep. del. first spec. sesn. GA 47.

Hernáez, Pedro C. (Philippines); b. 99, Talisay, Negros Occidental; ed. St. Augustine Coll., San Juan de Letran; LL.B. (*Escuela de Derecho*) 21; Pres. of Talisay Silay Sugar Planters Assn.; rep. to Const. Asmb. 34; Assemblyman 38-41; Sen. 41-; rep. GA N.Y. 46.

Herrera, Gustavo (Venez.); b. 80, Caracas; ed. Cent. Univ. of Venez.; Min. of Fin. 36; Min. to Holland 36-37, to Ger. 37-38; mem. Inter-Amer. Neutrality Com. 40; dir. of int. policy in Min. of For. Affairs 39-41; Min. of Natl. Ed. 41-43; app. Min. of Devel. 43; rep. UNCIO 45.

Hewitt, Admiral Henry Kent (U.S.A.); b. 87, Hackensack, N.J.; ed. U.S. Naval Acad.; commissioned Admiral 45; Comdr. Cruisers Atlantic Fleet 41, Amphibious Force Atlantic Fleet 42, U.S. Eighth Fleet (U.S. Naval Forces in N.W. Africa) 43, U.S. Twelfth Fleet (U.S. Naval Forces in Europe) 45-46; naval rep. MSC 47.

Hiss, Alger (U.S.A.); b. 04, Baltimore, Maryland; ed. Baltimore City Coll., Johns Hopkins, and Harvard; special atty., Dept. of Jus. 35-36; app. asst. to Asst.-Sec. of State 36, asst. to adviser on pol. relations 42, special asst. to dir., Office of Far Eastern Affairs 44; Sec.-Gen. UNCIO 45.

Hodgson, Lt.-Col. William Roy (Australia); b. 92, Kingston, Victoria; ed. School of Mines in Ballarat, Royal Mil. Coll. in Duntroon and Melbourne Univ.; O.B.E.; attached to Gen. Staff Hdqrs., Melbourne 21-34; sec. Dept. of Ext. Affairs 35-44; High Comr., Ottawa 44; app. Min. to France 45; rep. GA London 46, SC 46-, AEC 47, CCA 47, first spec. sesn. GA 47.

Hoo, Victor Chi-tsai (China); b. 94, Wash., D. C.; ed. Paris LL.D.; asst.-sec. Chinese del. Paris Peace Conf. 18-19; del. LN 19-21; chargé d'affaires in Berlin 22-24; Min. to Swit. 33-42; Vice-Min. of For. Affairs 42-45; sec.-gen. Chinese del. UNCIO 45; alt. del. GA London 46; Asst. Sec.-Gen. in charge of Dept. of Trusteeship Affairs 46-.

Hood, John D. L. (Australia); b. 04, Adelaide; ed. Univ. of Tasmania, Ox. Univ.; Asst. Ext. Affairs Officer, London 36-39; later head of Pol. Sect.; Sec. of Dept. of Ext. Affairs in Canberra 44; app. chargé d'affaires at The Hague, and Pol. Officer of Australian Mil. Mission in Berlin 45; present Senior Counsellor with Dept. of Ext. Affairs; rep. first spec. sesn. GA 47, SCOP 47.

Ho Ying-chin (China); b. 90, Hsing-I, Kweichow; ed. Wuchang Mil. Acad., Mil. Acad. in Japan; Min. of War 30-44; C. of S. 38-46; C.-in-C., Chinese Army in China Theater 44-46; Chief of Chinese Mil. Mission to U.S.A. since 46; Army rep. MSC 46-.

Hsia, C. L. (China); b. 96; ed. Anglo-Chinese Coll. Tientsin, and Glasgow and Edinburgh Univs.; Principal Medhurst Coll. 27-31; first sec. London Legation 31-32 and Wash. 33; prof. of int. relations Chiaotung Univ., Shanghai; mem. Legis. Yuan 35-; Dir. Chinese News Service 42; alt. rep. SC and AEC 46-.

Hsu Mo (China); b. 93, Soochow; ed. Peiyang and George Wash. Univs.; LL.D.; prof. of law and dean Coll. of Arts, Nankai Univ., Tientsin; judge Shanghai Provisional Ct. 27; dir. of European and Amer. Affairs in For. Office 28-31 and of Asiatic Affairs 31; Vice-Min. of For. Affairs 32-41; Min. to Australia 41-45; Amb. to Turkey 45; Judge ICJ 46-.

Hu Lin (China); b. 93; ed. Tokyo Imp. Univ.; covered Allied expedition in Siberia for *Ta Kung Pao* 18; only Chinese corr. at Paris Peace Conf.; managing dir. of China's leading ind. daily, *Ta Kung Pao;* rep. UNCIO 45.

Huang, Air Col. Pun-young (China); ed. Jagdschule, Fliegergruppe, Schleissheim bei München, Ger., Cen. Flying School Hangchow, China, and Chinese Air Force Staff School; served in Kwangtung Air Force 31-35; Commanding Officer, No. 5 Fighter Wing, Chinese Air Force 37-41; air attaché Embassy London 42-46; rep. MSC N.Y. 46-.

Hull, Cordell (U.S.A.); b. 71, Tenn.; ed. Cumberland Univ. Law School; LL.D.; mem. Tenn. House of Rep. 93-97; circuit judge, Tenn. 03-07; mem. of Cong., Tenn. Dist. 07-21 and 23-31; Sen. 31-33; Sec. of State 33-44 (resigned); attended Moscow Conf. 43; senior adviser U.S.A. del. UNCIO 45.

Husfeldt, Eric (Den.); b. 01, Sumatra; M.D.; asst. surgeon at Odense Co. and City Hosp. 35-38, and Mun. Hosp. of Copenhagen 38-39; lecturer in surgery Univ. of Copenhagen 41-43; sec. of Scandinavian Surgical Soc. since 39; rep. UNCIO 45.

Hutson, John B. (U.S.A.); b. 90, Murray, Kentucky; ed. Univs. of Kentucky, Wisconsin and Columbia; Ph.D. (Columbia); served for approximately 25 years in Dept. of Agric., of which he became Under-Sec. 45; Deputy-Dir. of Office of War Mobilization and Reconversion 44-45; Pres. of Commodity Credit Corp. 41-44 and 45-46; Asst. Sec.-Gen. in charge of Adm. and Fin. Services 46-47.

Huxley, Julian (U.K.); b. 87; ed. Eton and Balliol Coll.; fmr. lecturer of Zoology at Rice Inst., Houston, Texas, prof. of Zoology at King's Coll., London; Pres. of Natl. Union of Scientific Workers 26-29; Sec. Zoological Soc. of London and dir. of London Zoo 35-42; fmr. adviser Tennessee Valley Authority; mem. Moscow Conf. of World Scientists 45; app. Dir.-Gen. UNESCO 46.

Hvass, Franz (Den.); b. 96, Copenhagen; ed. Univ. of Copenhagen; sec. to For. Min. 25-27 and 30; chief of pol. econ. dept., For. Office 39, of dept. of adm. 40, of pol. juridical dept. 41; sec.-gen. For. Office 45; rep. Prep. Comn. 45.

Ibarra García, Oscar (Argentina); b. 99, Morón; ed. Univ. of Buenos Aires; attaché Min. of For. Affairs 26; Provisional Dir. of Pol. Affairs 33; Provisional Under-Sec. 34; Counsellor 35; mem. of Adm. Council, Perm. Ct. of Arbitration The Hague 28-30; Min. to Den. 37-43; Under-Sec. of Min. of For. Affairs 43; Amb. to U.S.A. 43-45; rep. UNCIO 45.

Jamali, Mohammad Fadhil (Iraq); b. 03, Kadhimain; ed. Baghdad, Amer. Univ. of Beirut, Univ. of Chicago, and Columbia Univ.; Ph.D.; Supervisor-Gen., Dir.-Gen., Inspector-Gen., and again Dir.-Gen. of Ed. and Pub. Instruction 32-43; app. Dir.-Gen. of For. Affairs 45; Min. of For. Affairs 46-; rep. UNCIO 45; Chm. Iraqi del. first spec. sesn. GA N.Y. 47.

Jawdat, Ali (Iraq); b. 86, Mosul, Iraq; ed. Istanbul Mil. Coll.; one of comdrs. with Emir Faisal of Arab revolt; Min. of Interior 23-24, of Finance 30-33; Prime Min. 34-35; Pres. of Chamber of Deputies 35; Min. to Gr. Brit. 35-37, to France 37-39; Min. of For. Affairs 39-41; Min. to U.S.A. 42-; fmr. dir. of Iraq Petroleum Ltd.; rep. UNCIO 45, GA 46, TC 47, first spec. sesn. GA 47.

Jiménez O'Farrill, Federico (Mex.); lawyer; career dipl.; Amb. to Gr. Brit.; rep. GA London 46.

Jiménez, Roberto (Panama); b. 94, Panama; ed. in Panama and Univs. of Cal. and S. Cal.; LL.D. (Univ. of S. Cal.); sec.-gen. of

Pres. of Panama 24; sec. of Legation in Costa Rica 28; Vice-Pres. Natl. Red Cross 31-36; mem. of Natl. Asmb. 36-44, Pres. 42-44; Pres. Canal Zone Bar Assn. 39; Min. of For. Affairs 44-45; Chm. Panamanian del. UNCIO 45; rep. Prep. Comn. 45, GA 46; Chm. Sixth Com. GA 46.

Johannesson, Olafur (Iceland); b. 13, Storholt i Fljotum, Iceland; ed. Univ. of Iceland and in Stockholm; legal adviser of Federation of Icelandic Co-op. Societies 39-44; mem. Icelandic-Amer. Valuation Bd. 42-46; mem. Icelandic Govt. Import Bd. 43-44; prof. of law, Univ. of Iceland 47-; rep. GA N.Y. 46 .

Johnson, Herschel V. (U.S.A.); b. 94, Atlanta, Georgia; ed. Univ. of N. Carolina and Harvard Law School; entered for. service 20; first sec. of Embassy, Mex. City 29-30; chief, div. of Mex. affairs, Dept. of State 30-34; first sec. of Embassy, London 34-39, counsellor 39-41, Min. 41; Min. to Sweden 41-46; alt. rep. SC 46-, first spec. sesn. GA 47.

Jonsson, Finnur (Iceland); b. 94, Hardbak, Sletta, Iceland; ed. Middle School of Akureyri; Postmaster of Isafjordur 20-32; mem. of Town Council 21-42; Althing mem. (Labour) for Isafjordur Town 33-; Mgr. Isafjordur Co-op. Society 28-44; Chm. Icelandic Herring Bd. 35-41; mem. Bd. of State Herring Factories 36-44; Chm. Fisheries' Com. of Althing 34-44; Min. of Jus. 44-46; mem. Govt. Economic Bd. 47-; rep. GA N.Y. 46.

Jung, Nawab Ali Yawar (India); b. 88; ed. Madras Univ. and Ox. Univ.; joined Govt. of Nizam's Own Lancers 06; called to Bar 15; app. Munsif (Judge of lowest ct. with Civil Jurisdiction) 15, later Dist. and Registrar of High Cts.; app. Chief Justice 43; app. Juridical Mem. in Nizam's Ex. Council 44; rep. GA N.Y. 46.

Jurdak, Angela N. M. (Lebanon); b. 15, Shwayr; ed. Amer. Univ. of Beirut, School of Advanced Int. Studies in Geneva; sec. to Registrar and Dean of Beirut Univ. 38-43; fmr. instructor in sociology and psychology at Amer. Univ. of Beirut; attaché to Legation in Wash. 45-; Sec.-Gen. Lebanon del. UNCIO 45; Rapp. Sub-Comn. on Status of Women 46.

Kaeckenbeeck, Georges (Belg.); b. 92, Brussels; ed. Univ. of Brussels; D.C.L. (Univ. of Ox.); fmr. mem. of Legal Sect. of LN Secretariat 19-; Pres. of German-Polish Arbitration Tribunal for Upper Silesia 22-37; Jurisconsult for Min. for For. Affairs in London, World War II; rep. Reparations Conf. in Paris 45, Asmb. of LN in Geneva 46, Peace Conf. in Paris 46, GA N.Y. 46.

Kaminsky, Leonid (Byelorussian S.S.R.); b. 07, Moghilev; ed. Byelorussian State Univ.; fmr. lecturer on hist.; fmr. adviser on social and cultural questions to Byelorussian Govt.; mem. dipl. service 44-; rep. UNCIO 45, FAO Conf. in Quebec 45, GA N.Y. 46; fmr. rep. UNRRA Council; rep. first spec. sesn. GA 47, ESC 47.

Kardelj, Edward (Yugoslavia); b. 10, Ljubljana; obtained teacher's cert. in Ljubljana; publicist; one of the founders of Natl. Liberation Front in Slovenia; Deputy Prime-Min.; Chm. Yugoslav del. GA London 46.

Kauffman, Henrik de (Den.); b. 88; ed. Univ. of Copenhagen; sec. N.Y. Consulate 13-15, Berlin Legation 16; chief of sect. Min. of For. Affairs 20; Min. to Italy 21-24, to China and Japan 24-32, to Siam 28-32, to Nor. 32-39, to U.S.A. 39-47; Amb. to U.S.A. 47-; Chm. Den. del. UNCIO 45, first spec. sesn. GA 47.

Kazemi, Bagher (Iran); b. 91, Teheran; ed. Univ. of Teheran and Amer. Univ., Wash.; Min. of Communications 31; Min. to Iraq 32-36; Min. of For. Affairs and head of Iranian del. to LN; subsequently Amb. to Afghanistan and Turkey; Min. to Sweden, Nor. and Den.; rep. GA London 46.

Keçici, Sevket Fuad (Turkey); b.93, Istanbul; ed. French Coll., Istanbul, and Lausanne Univ.; ind. vice-consul Rome and Budapest 24-26; consul at Geneva and rep. to LN 29; Min. in Copenhagen and Oslo 39, in Lisbon 41, in Budapest 43; rep. GA London 46.

Kenney, Gen. George C. (U.S.A.); b. 89, Yarmouth, Nova Scotia, Can.; ed. Air Corps Tech. School, Air Corps Tactical School, Command and Gen. Staff School, and Army War Coll.; asst. mil. attaché in France 40; Commanding-Gen. of Allied Air Forces, S.W. Pac. Area 42-45; Commanding Gen. of the Far E. Air Forces; app. Commanding Gen., Pac. Air Command 45; rep. MSC 46-.

Kerno, Ivan (Czech.); b. 91, Myjava; ed. Univs. of Budapest and Paris; fmr. Czech. rep. Perm. Ct. of Jus., The Hague; mem. of pol. sect. of LN 28-39; mem. of cabinet of Sec.-Gen. of LN 30-33; Min. to the Neth. 34-38; chief of pol. dept. of Min. for For. Affairs, Prague 38; rep. UNCIO 45; Asst. Sec.-Gen. in charge of Dept. of Legal Affairs 46-.

Kiernik, Wladyslaw (Poland); b. 79; ed. Jagellonian Univ., Cracow; Min. of Internal Affairs 23; Min. of Agric. 25-26; one of the organizers of underground movement of Peasant Party; app. Min. of Pub. Adm. in Govt. of Natl. Unity 45; rep. GA London 46.

King, William Lyon Mackenzie (Can.); b. 74, Kitchener, Ontario; ed. Univ. of Toronto; Ph.D.; C.M.G., P.C.; Deputy-Min. of Labor 00-08 (resigned); Min. of Labor 09-11;

leader of Liberal Party since 21, Prime Min. of Can. five times since 21; concluded with Pres. Roosevelt Ogdensburg Agt. setting up perm. Joint Bd. of Defence 40, and Hyde Park Agt. for war production 41; attended meeting of Prime Mins. of Nations of Commonwealth, England 44; Chm. Can. del. UNCIO 45.

Kiselev, Kuzma Venedictovich (Byelorussian S.S.R.); b. 03, Magivlev Oblast; ed. Voronezh State Univ.; practiced med. for many years; Deputy of Sup. Soviet of U.S.S.R. and of Byelorussia; People's Commissar for For. Affairs of Byelorussia; Chm. Byelorussian del. UNCIO 45; rep. Prep. Comn. 45; Chm. Byelorussian del. GA 46.

Klaestad, Helge (Nor.); b. 85; LL.D.; Pres. Anglo-Ger. Mixed Arbitral Tribunal 25-31; mem. Perm. Ct. of Arbitration, The Hague; Arbitrator between Gt. Brit., Ger., Austria and Hungary in certain disputes under Peace Treaties 26-31; Pres. Conciliation and Arbitration Com. between U.S.A. and Italy; fmr. Judge of Sup. Ct. of Nor.; Judge ICJ 46-.

Konderski, Waclaw (Poland); leading economist; fmr. Pres. Bank of Natl. Economy and Gen. Mgr. British and Polish Trade Bank in Danzig; dir. in Min. of Fin.; alt. rep. GA London 46; Chm. GA Second Com. 46.

Koo, V. K. Wellington (China); b. 88, Shanghai; ed. St. John's in Shanghai and Columbia Univ.; Ph.D. (Columbia); Min. of For. Affairs 22, 24 and 31; Prime Min. 27; mem. of World Ct. 27 and 33; del. to LN Asmb. and Council 32-39; Amb. to France 36-41, to Gr. Britain 41-46, to U.S.A. 46-; Chm. Chinese del. second phase of Dumbarton Oaks Conf. 44; rep. UNCIO 45, Ex. Com. of Prep. Comn. 45, Prep. Comn. 45, GA 46, SC 46.

Koresty, Vladimir M. (U.S.S.R.); b. 90, Dnepropetrovsk; ed. Moscow and Kharkov Univ.; fmr. sci. research worker and lecturer at Kharkov Univ., app. prof. 20, lectured on int. law and legal hist.; fmr. legal adviser U.S.S.R. del. to GA, Council of For. Min., Peace Conf. in Paris, and SC.; Vice-chm. Com. on Codification of Int. Law 47.

Kosanovic, Sava (Yugoslavia); b. 94; publicst; fmr. M.P. for Ind. Dem. Party, and fmr. Sec.-Gen. of Party; Min. of Supplies 41; fmr. Min. of Inf.; Amb. to U.S.A.; rep. GA 46; Chm. Yugoslav del. first spec. sesn. GA 47.

Kraft, Ole Bjorn (Den.); b. 93, Copenhagen; studied econ.; mem. Bd. of Directors of Assn. of Danish Journalists 28-32, Vice-Pres. 38-40; mem. Danish del. to LN 33-37; mem. Const. Com. 37 and 45; fmr. Min. of Defence; M.P.; rep. GA 46.

Kramers, Hendrik Anthony (Neth.); b. 94, Rotterdam; ed. Univ. of Leyden; engaged in research work on structure of atom, under Niels Bohr at Univ. of Copenhagen 19-26; fmr. prof. in theoretical physics Univ. of Utrecht; prof. of theoretical physics and mechanics Univ. of Leyden 34-; alt. rep. AEC 46.

Kraus, Frantisek (Czech.); b. 04, Trest-Moravia; ed. Charles Univ. of Prague; LL.D. (Charles Univ. of Prague); fmr. mem. of Min. of Social Welfare; rep. Council of UNRRA in London 45, Int. Labour Conf. in Paris 45, GA London 46, Nuclear Social Comn. 46; Chm. Social Comn. 47.

Kremer, Jean-Pierre (Luxembourg); b. 03; ed. Brussels and Paris; mem. Luxembourg, del. to LN; counsellor of Legation in Min. of For. Affairs 44-; rep. GA London 46.

Krishnamachari, Sir V. T. (India); b. 81; ed. Presidency and Law Coll. in Madras; app. Deputy-Collector 03; del. LN Asmb. 34 and 36; Diwan (Prime Min.), State of Baroda 27-44; Chm. Minister's Com. of Chamber of Princes since 41; rep. UNCIO 45, GA London 46.

Krylov, Sergei Borisovich (U.S.S.R.); b. 88, Leningrad; ed. Univ. of Leningrad; LL.D.; fmr. prof. of int. law Leningrad Univ.; Dean, Leningrad Inst. 30-39; legal adviser of People's Commissariat for For. Affairs of U.S.S.R. 42-46; rep. UNCIO 45; Judge ICJ 46-.

Kulikov, Aleksey F. (Byelorussian S.S.R.); b. 03, Orsha; ed. Fin. Acad., Leningrad; occupied different fin. posts in Republic; Deputy People's Commissar for Control; rep. GA London 46.

Kuznetsov, Vassili Vasilievich (U.S.S.R.); b. 01; ed. in metallurgical eng.; expert on trade unions in U.S.S.R.; fmr. Chm. of Ex. Com. of Trade Unions of Metallurgical Industries in Cen. U.S.S.R.; Chm. All-Union Council of Trade Unions of U.S.S.R.; Chm. Soviet del. World Trade Union Conf., London 45; rep. GA London 46.

Labarca Hubertson, Amanda Pinto (Chile); b. 86; ed. Univ. of Chile, Columbia Univ., and Sorbonne; school dir. 16-28; prof. of psychiatry at Univ. of Chile 22-23, prof. of philosophy 23-28; Dir. Gen. of Secondary School Ed. 31-32; app. gov. rep. on Council of Univ. of Chile 34; present Pres. of Federation of Women of Chile; rep. GA N.Y. 46.

Laleau, Leon (Haiti); ed. Port-au-Prince, Haiti; fmr. Dir. of consular services Min. for For. Affairs; fmr. consul-gen. at Genoa, chargé d'affaires at Rome; fmr. Min. to Chile; Min. for For. Affairs 33-34 and 38-40; Gen. Comr. for Haiti at Paris Conf. 37; Min. at London; rep. Prep. Comn. 45, GA London 46.

Lange, Halvard M. (Nor.); b. 02, Oslo; ed. Univs. of Oslo, Geneva and London; fmr. lecturer econ. hist., Sec. of Workers' Ed. Assn. and Warden of Cen. Labor Coll. in Oslo; app. Min. of For. Affairs 46; chief Nor. rep. to Paris Peace Conf. 46; rep. GA N.Y. 46.

Lange, Oscar (Poland); b. 04, Tomaszow Mazowiecki, Poland; ed. Univs. of Poznan and Cracow; LL.D.; lecturer Univ. of Cracow 31-36; fmr. lecturer Univs. of Michigan and Cal.; prof. of econ. Univ. of Chicago 38-45; Amb. to U.S.A. 45-47; rep. SC 46-, AEC 46-, GA N.Y. 46, first spec. sesn. GA 47, CCA 47.

Lannung, Hermod (Den.); b. 95, Vestervang, Den.; ed. Univ. of Copenhagen; mem. of Copenhagen City Council since 33 and Chm. of its radical group since 35; mem. of Upper House of Danish Parl. since 39; Barrister-at-Law; rep. GA 46.

Laugier, Henri (France); Dr. of Med. and Sci.; fmr. prof. Univs. of Paris, Sao Paulo, Lima, Mex. and Montreal; co-founder New School of Social Research, N.Y.; fmr. dir.-gen. of cultural relations in Min. of For. Affairs; fmr. Pres. "Ligue des Droits de l'homme"; Chm. French del. UNESCO. Conf. London 45; Asst. Sec.-Gen. in charge of Dept. of Social Affairs 46-.

Lavrentiev, Anatoliy I. (U.S.S.R.); b. 04; ed. Moscow; Min. Plenipotentiary to Bulgaria 39-40, to Rumania 40-41; People's Commissar for For. Affairs of the Russian S.S.R. 44-; UNCIO 45, GA London 46.

Leitão da Cunha, Vasco T. (Brazil); b. 03, Rio de Janeiro; ed. Univ. of Rio de Janeiro; joined Min. of For. Relations 27; asst. to sec.-gen. of Min. of For. Relations 39-41; Acting-Min. of Jus. and Internal Affairs 41-42; chargé d'affaires in Rome 44-45; consul-gen. at Geneva; rep. GA London 46.

Leitão de Carvalho, Estevão (Brazil); b. 81, Penedo. State of Alagoas; ed. Mil. School, Rio de Janeiro, and Gen. Staff School; mil. attaché to Chile 18-21; Dir., Gen. Staff School 32-35; Deputy-Chief of Gen. Staff of Army 37; Amb. to Chile 38; Comdr. Third Mil. Region 39-42; mil. attaché in Wash.; Chief Brazilian del. Joint Brazil-U.S. Defense Com.; rep. UNCIO 45.

Leiva, Carlos (El Salvador); b. 88, San Salvador; ed. Univ. of El Salvador, and in Paris and London; fmr. prof. Univ. of El Salvador and Chief Surgeon Hosp. Rosales, San Salvador; app. Min. to U.S.A. 32, then practised med. in N.Y. and in San Francisco since 35; rep. UNCIO 45, GA N. Y. 46.

Leontic, Ljubo (Yugoslavia); b. 87, Dalmatia; ed. in law, Zagreb and Prague, in painting, Prague and Munich; outstanding leader of Yugoslav Youth during last decade of Austro-Hungarian Empire; during first World War worked among Yugoslav emigrants in N. and S. Amer.; fmr. Vice-Pres. of Natl. Liberation Com. in Split; Amb. to U.K.; rep. Ex. Com. of Prep. Comn. 45, GA 46.

Lescot, Gerard (Haiti); b. 14, Port-de-Paix; fmr. Asst.-Sec. of Haitian-Dominican Boundary Com.; fmr. Attaché, Sec. and Consul-Gen., Haitian Legation at Santo Domingo; fmr. Asst.-Sec. of State; For. Min. 43-46; Chm. Haitian del. UNCIO 45.

Liautaud, André (Haiti); b. 06, Port-au-Prince; ed. Haitian School of Agric. and Columbia Univ.; Dir. of Farm School 25-28; Asst.-Dir. of Rural Ed. in Haiti 28-38, Dir. 41-42; Min. to U.S.A. 42-43, Amb. 43-45; rep. UNCIO 45.

Lie, Trygve Halvdan (Nor.); b. 96, Oslo; ed. Oslo Univ. Law School; Pres. Labor Party's branch in Aker, suburb of Oslo 14-19; app. legal adviser to Labor Party 22, mem. of its Natl. Council 26-40; Min. of Jus. 35-39, of Commerce 39-40, of Shipping and Supply 40, of For. Affairs 41-46; Chm. Nor. del. UNCIO 45, GA London 46; app. first Sec.-Gen. of UN Feb. 1, 46.

Li Hwang (China); b. 95, Szechwan prov.; ed. Univ. of Paris; fmr. prof. of Natl. Wuchang and Ntal. Peking Univs.; fmr. ed. of *Young China* and *Awakened Lion* (magazines); helped organize Nationalist Youth Party in 27; elected mem. of People's Pol. Council in 28 and now mem. of its Presidium; connected with Szechwan-Sikang Econ. Com. since 40; rep. UNCIO 45.

Lisicky, Karel (Czech.); b. 93, Holesov, Moravia; ed. Prague Univ. and Strasbourg Univ.; Sec. to Legation in Paris 20-26; Counsellor in Wash. 27-31; fmr. rep. Conf. of Lausanne, Rapp. Reparations Conf.; mem. LN's pol. sect. 34-37; app. chargé d'affaires in London 36; mem. of Min. of For. Affairs 41-; mem. Czech. del. Ex. Com., Prep. Comn., GA London 46; rep. SCOP 47.

Liu Shih-shun (China); b. 00, Hunan; ed. Tsing Hua, Johns Hopkins Coll., Harvard, Michigan and Columbia Univs.; prof. of int. relations at Tsing Hua Univ. 25-27; senior mem. of Treaty Comn. of Min. of For. Affairs and mem. of Legis. Yuan 27-30; app. acting-dir. of Dept. of Int. Affairs of Min. of For. Affairs 32, dir. of Dept. of European and Amer. Affairs 41; Min. to Canada 41-43, to U.S.A. 43-; rep. GA N.Y. 46.

Liu Ten-fu, Rear-Adm. (China); b 87, Menyang, Hupeh, China; ed. Navigation Coll., Naval Communication Coll., Navy Gunnery Coll., Coll. of Torpedo and Mines, and the Naval War Coll. (all in Japan); Supt. of

Chinese Naval Acad. 25-28; Captain of cruisers, "Cheng-hai" and "Hai-shen" 28-31; naval attaché to Chinese Embassy in Tokyo 34-37, in Wash. 43-46; rep. MSC 46-.

Lleras Camargo, Alberto (Colombia); b. 06, Bogotá; ed. *Instituto Ricaurte* and *Colegio del Rosario* in Bogotá; founded *El Liberal*, a daily in Bogotá; fmr. reporter, ed. writer, and ed. of *El Tiempo*, Bogotá; app. Rep. to Cong. 31; sec.-gen. to Pres. López 34-35; Min. of Interior 35-38; Min. of Natl. Ed. 38; elected Pres. of House in 41; Amb. to U.S.A. 43; Min. of For. Affairs 45; Pres. of Colombia 45-46; App. Dir.-Gen. of Pan Amer. Union 47; Chm. Colombian del. UNCIO 45.

Lleras Restrepo, Carlos (Colombia); b. 08, Bogotá; ed. De la Salle Inst., Bogotá and Natl. Univ. of Colombia; Deputy Cundinamarca Asmb. 31-33; sec. of govt., Municipality of Bogotá 33-34; Rep. Natl. Chamber of Reps. 33-34, Pres. 35; Comptroller-Gen. of Colombia 36-38; Min. of Fin. and Pub. Credit 38-41, 41-42, and 43-44; Sen. 43; rep. GA London 46, ESC 46.

López, Alfonso (Colombia); b. 86, Honda, Colombia; ed. in U.K. and U.S.A.; founder and Vice-Pres. of Amer. Mercantile Bank of Colombia, becoming its Pres. in 18; app. Min. to U.K. 31; Pres. of Colombia 34-38 and 42-45 (resigned); founder of *El Liberal* and fmr. ed. and part owner of *El Diario Nacional;* rep. Econ. Conf. in London 33; Chm. of Colombian del. to Pan Amer. Conf. in Montevideo 33, GA N.Y. 46, first spec. sesn. GA 47; rep. SC 47, AEC 47, CCA 47.

López, Pedro (Philippines); b. 06, Cebu; studied law at night school; ed. *The Freeman*, Visayan Islands; publ. of *The Star, The Clarion*, and *The Nasud;* fmr. Pres. of Cebu Press Assn.; fmr. sec. of Cebu Bar Assn.; Pres. of Cebu Lawyers' League since 40; Maj. Bohol Area Command during World War II; mem. House of Rep.; mem. Philippine Rehabilitation Com., Wash.; rep. Prep. Comn. 45, GA London 46.

López, Rafael Ernesto (Venez.); b. 95, Caracas; ed. Cen. Univ. of Venez., Columbia Univ., Paris and Vienna; M.D. (Univ. of Venez.); fmr. resident-surgeon at Lennox Hill and Mt. Sinai Hospitals, N.Y.; founded and organized Inst. of Experimental Surgery in Caracas 38; founded Hispano-Amer. Med. Soc.; Min. of Natl. Ed. in Venez. 36-38; rep. UNCIO 45.

Loudon, Alexander (Neth.); b. 92, The Hague; ed. The Hague and Univ. of Leyden; LL.D. (Univ. of Leyden); fmr. attaché at Sofia, Constantinople and London, Sec. at Buenos Aires, Wash., and Madrid, chargé d'affaires at Mex. City and Lisbon, Min. at Lisbon, Berne and Wash.; Amb. to U.S.A. 44-; Vice-Chm. Neth. del. UNCIO 45; rep. SC 46.

Lubin, Isador (U.S.A.); b. 96, Worcester, Mass.; ed. in econ. Clark Coll. in Worcester; Ph.D. (Robert Brookings Inst.) 26; adviser to Ed. and Labor Com. of U.S. Senate 28-29; Vice-chm. U.S. Cen. Stat. Bd. 33-38; mem. of Temp. Natl. Econ. Com. 38-41; Comr. of Labor Stat. and Stat. Asst. to White House 41-45; Min. and Assoc. U.S. rep. to Allied Reparations Comn. in Moscow 45; Rapp. of Econ. and Employment Comn. 47.

Luisi, Héctor (Uru.); b. 90, Montevideo; fmr. Dir. of Naval School of Hydrographic Service and Gen. Dir. of Naval Training; adviser, Uru. del. to LN 20; fmr. naval attaché in Gr. Brit. and France; Under-Sec. of State in Dept. of Natl. Defence; rep. UNCIO 45.

Lutz, Bertha (Brazil); b. 94, Sao Paulo; ed. Univs. of Paris and Rio de Janeiro; sec. of Natl. Museum in Rio, chief of dept. of nat. hist. and geol.; Pres. of Brazilian Federation for Advancement of Women; rep. Int. Confs. for Women, Rome 23, Berlin 29; mem. Chamber of Deputies 36-37; rep. ILO Conf. Phila. 44, UNCIO 45.

Lynden, R. A. de (Liberia); b. Holland; LL.D.; Min. in London 38-; rep. GA London 46.

MacEachen, Roberto Eduardo (Uru.); b. 99, Montevideo; ed. Univ. of Montevideo; second sec. Uru. Legation in Wash. 26-28; first sec., counsellor and chargé d'affaires Uru. Legation in London 28-40; Min. to Cuba 40-43; Min. to Gt. Brit. 43-44, Amb. 44-; del. World Mon. and Econ. Conf. London 33; rep. Prep. Comn. 45, Chm. Com. Eight; Chm. Uru. del. GA London 46; Chm. Fourth Com. GA 46; rep. GA N.Y. 46.

Machado Hernández, Alfredo (Venez.); b. 89, Caracas; ed. Cen. Univ. of Venez. and *Ecole Libre des Sciences Politiques* in Paris; fmr. prof. School of Dipl. in Caracas; fmr. dir. Cen. Bank of Venez.; Min. to Peru 38-39; Min. of Fin. 41-43; rep. UNCIO 45.

Mackay, Athol Rezy F. (New Zealand); b. 98, Paeroa; ed. Wellington Coll., Victoria Univ. Coll.; Ph.D. (London Univ.); fmr. Inspector, later Accountant to Treas.; Fin. Officer of New Zealand Treas. in London 32-35; rep. LN. 34; app. Asst.-Sec. to Treas. 42; Rapp. Fiscal Comn. 47.

Mackintosh, W. A. (Can.); b. 95, Madoc, Ontario; ed. Queens Univ. in Kingston, Ontario and Harvard; Ph.D. (Harvard); dir. of school of commerce and adm., Queens Univ. 23-; dir. of research Can. Pioneer Probs. Com. 29-34; mem. Natl. Employment Com. 36-38; special asst. to Deputy-Min. of Fin. 39-44; Acting Deputy-Min. of Fin. 45; Can. Chm. Joint Econ. Com. of Can. and U.S.A. 41-43; Dean of Fac. of Arts and Science,

Queens Univ. 46-; Chm. Nuclear Econ. and Employment Com. 46.

Mahalanobis, Prasanta Chandra (India); b. 93; ed. Presidency Coll. in Calcutta and King's Coll. at Cambridge; prof. of physics at Presidency Coll. 15-, present Pres.; hon. sec. and dir. of Indian Stat. Inst. 31-; hon. ed. of *Sankhya* (Indian Journal of stat.) 33-; stat. adviser to Govt. of Bengal 44-; Gen. Sec. of Indian Science Cong. 45-; Vice-chm. Stat. Comn. 47.

Makin, Norman John Oswald (Australia); b. 89, Petersham, N.S.W.; mem. House of Rep. for Hindmarsh 19-46, Speaker 29-31; Min. for Navy and Munitions 41-46, for Aircraft Production 45-46; Amb. to U.S.A. 46-; rep. GA 46, SC 46 and 47, TC 47.

Malik, Charles (Lebanon); b. 06, Bitirram, Lebanon; ed. Amer. Univ. of Beirut and Harvard Univ.; Ph.D. (Harvard); associated with a Rockefeller Foundation unit in Egypt 30-32; asst.-prof. of philos., Harvard 36-37; prof. of philos. and head of dept., Amer. Univ. of Beirut 37-45; first Min. from Lebanon to U.S.A.; rep. UNCIO 45, ESC 46-, GA N.Y. 46, first spec. sesn. GA 47; Rapp. Comn. on Human Rights, 47.

Mance, Sir Harry Osborne (U.K.); b. 75; ed. Bedford School; K.B.E., C.B., C.M.G., D.S.O.; Dir. Rys., Light Rys. and Roads War Office 16-20; trans. adviser to British del. Paris 19-20; Dir. Ger. Ry. Co. 25-30; ry. econ. expert to Austria 34; transport adviser E. Afr. 36; dir. of canals, Min. of War Transport 41-44; Chm. Temp. Transport and Communications Comn. 46.

Manuilsky, Dmitro Zakharvich (Ukr. S.S.R.); b. 83; ed. Leningrad Univ. and Sorbonne; mem. Revolutionary Com. of Ukr. 20-21; app. mem. Presidium of Comintern 24; Commissar for For. Affairs and Deputy-Chm. of Council of People's Commissars of Ukr. 44-; Chm. Ukr. del. UNCIO 45; Vice-Pres. Prep. Comn. 45; Chm. Ukr. del. GA 46; Chm. First Com. GA 46.

Marchal, Comdr. Victor (France); b. 05, Lunéville; ed. *Ecole Navale;* participated in Indo-China campaign 29-32; Ordinance Officer to Adm. of Fleet in Algeria 38-40; Deputy-Chief of Gen. Staff of Submarine Group in Bizerte 40; Chief of Operations of Gen. Staff of Navy at Casablanca and later Algeria 43-44; escort work in Mediter- Oleron 45; Deputy-Chief of French Naval participated in operations at Royan and Oleron 45; Deputy-Chief of French Naval Mission to U.S. 45; Navy rep. MSC 47.

Mariam, Ambaye Wolde (Eth.); b. 06, Eritrea; ed. Lycée of seminary of Vatican in Rome and Univ. of Paris; Ph.D. (Univ. for Propagation of the Faith in Rome); legal adviser to Special Ct. of Addis Ababa 33-35; app. legal adviser to Duke of Harrar, second son of Emp. 41; fmr. Vice-Min. of Jus.; acting Vice-Min. of For. Affairs; rep. UNCIO 45.

Marshall, Herbert (Can.); b. 87, Toronto; ed. Univ. of Toronto; fmr. lecturer at Univ. of Toronto; app. Prices Stat. in Dominion Bu. of Stat. 22; Chief of Internal Trade Branch 26-42; Sec. at Br. Commonwealth Stat. Conf. 35; Asst. Dominion Stat. 42-45; Dominion Stat. 45-; Chm. of Stat. Comn. 47.

Martin, Paul (Can.); b. 03, Ottawa; ed. St. Michael's Coll., Harvard, Trinity Coll., Cambridge and Geneva School of Int. Studies; mem. House of Commons 35; Chm. Can. del. World Youth Conf. 36; del. 19th LN Asmb. 38; parl. asst. to Min. of Labour 43; Sec. of State 45-; Chm. Com. on Const. of ILO; rep. GA 46; rep. ESC 46.

Martínez Cabañas, Gustavo (Mex.); Dr. in Econ. Science; fmr. econ. adviser at Fin. Min.; prof. of Natl. School of Econ. in Mex.; Dir. *Review of Economics* of Mex.; rep. GA London 46; Chm. Com. on Contributions.

Martins, Carlos (Brazil); b. 84, Rio Grande do Sul; ed. School of Law, Porto Alegre; Amb. to Japan 34, Denmark 34, Belgium 35, U.S.A. 39-; Chm. of Brazil del. to First Meeting of Min. of For. Affairs of Amer. Reps., Panama 39; rep. Inter-Amer. Conf. on Probs. of War and Peace, Mex. City 45; Vice-Chm. of del. to UNCIO 45; rep. GA N.Y. 46.

Masaryk, Jan (Czech.); b. 86, Prague; ed. Prague; served in Min. of For. Affairs in Prague 20-22 and 23-25; Min. to Gr. Brit. 25-38 (resigned); app. For. Min. of Czech. Govt. in London 40, also Vice-Premier 41-45; Chm. Czech. del. UNRRA Conf. Atlantic City 43, UNCIO 45; rep. Ex. Com. of Prep. Comn. 45, Prep. Comn. 45; Chm. Czech. del. GA 46; rep. ESC 46.

Massey, Vincent (Can.); b. 87; ed. Toronto and Ox. Univs.; lecturer in modern hist. Toronto Univ. 13-15; Pres. Massey-Harris Co. 21-25; Min. to U.S.A. 26-30; High Comr. in London 35-; Gov. Toronto Univ.; rep. GA London 46.

Massigli, René (France); b. 88; ed. *Ecole Normale;* prof. *Ecole Française de Rome* 10-13; sec. Lausanne Conf. 22-23; mem. Council of State 24-28; chief of LN sect., Min. of For. Affairs 28-33; asst.-dir. of pol. sect., Min. of For. Affairs 33-37, dir. 37-38; Amb. to Turkey 38-40, to Gt. Brit. 44-; rep. Ex. Com. of Prep. Comn. 45, Prep. Comn. 45, GA London 46, SC 46.

Mayhew, Major Christopher Paget (U.K.); b. 15; ed. Christ Church Coll., Ox.; M.P. (Labour) for S. Norfolk 45-; Parl. Private Sec.

to Lord Pres. of the Council 45; Parl. Under-Sec. of State for Foreign Affairs 46; rep. ESC 47.

Maza, José (Chile); Deputy, House of Rep. 21 and 24; Sen. 25, 32, 36, 37, 45; Pres. of Sen. 36-37; Min. of Jus. and of Pub. Ed. 23; Min. of Interior 24; rep. UNCIO 45.

McCloy, John J. (U.S.A.); b. 95, Philadelphia; ed. Amherst Coll. and Harvard; Capt. in Field Artillery World War I; head of Paris Office of legal firm of Cravath, De Gersdoff, Swaine & Wood 30, 31; app. expert consultant to Sec. of War, later spec.-asst. to Henry L. Stimson 40; Asst.-Sec. of War 41-45 (resigned); app. Pres. Int. Bank for Recon. and Devel. 47.

McIntosh, Agnes F. R. (New Zealand); b. London; ed. Univ. of Edinburgh, Scotland; fmr. mem. of Teachers' Training Coll., Christ Church, New Zealand; life mem. of Farmers Union, active in Women's Div.; Pres. Natl. Council of Women; active in establishing Home Aid for Women, and in establishing Obstetrical Hosp. for spec. research, Auckland; rep. GA N.Y. 46.

McIntosh, Alister Donald (N. Zealand); b. 06, N. Zealand; ed. Marlborough Coll. and Victoria Univ. Coll., N. Zealand; mem. of staff, Gen. Asmb. Library 27-34; app. to Prime Minister's Dept. in 34; sec. to War Cabinet 43-45; sec. of Dept. of Ext. Affairs 43-; rep. GA London 46.

McKenzie, Jean Robertson (N. Zealand); b. 01, N. Zealand; mem. of Prime Minister's Dept. 26; sec. to del. to Ottawa Conf. 32, to N. Zealand Trade Comr., Canada 32-36; attended Asmb. and Council of LN 36-39; first sec. to High Comr. for N. Zealand, Australia 43-; rep. GA London 46.

McNair, Sir Arnold Duncan (U.K.); b. 85, London; ed. Aldenham School and Gonville and Caius Coll. Cambridge; LL.D.; C.B.E., F.B.A.; fellow and law lecturer Gonville and Caius Coll. 12; sec. Coal Controller's Advisory Bd. 17-19; Tagore Prof. Univ. of Calcutta 31; prof. Acad. of Int. Law, The Hague 28, 33 and 37; Vice-Chancellor Liverpool Univ. 37-45; Judge ICJ 46-.

McNarney, Gen. Joseph T. (U.S.A.); b. 93, Emporia, Penn.; ed. West Point Mil. Acad.; promoted to Gen. (temp.) 45; app. Deputy-Sup. Allied Comd. of Mediterranean Theater of Operations and Commanding Gen. of U.S. Army Forces 44; app. Commanding Gen. of U.S. Forces in European Theater and C.-in-C. of U.S. Forces of Occupation in Germany 45; U. S. air rep. MSC 47.

McNaughton, Gen. Andrew G. L. (Can.); b. 87, Moonsomin, Saskatchewan; ed. McGill Univ.; C.H., C.B., C.M.G., D.S.O.; Deputy C. of S. 23-28, Chief 29-35; Pres. Natl. Research Council 35-39; Comdr. First Can. Army in World War II; Min. of Natl. Defence 44-45; Co-Chm. Can.-Amer. Joint Defence Bd. 45-46; rep. AEC 46-.

McNeil, Hector (U.K.); b. 10, Scotland; fmr. parl. private sec. to P. Noel-Baker; fmr. Under-Sec. for For. Affairs; Min. of State; Chm. Special Com. on Refugees and Displaced Persons 46; rep. ESC 46-, GA N.Y. 46.

Medhen, Blatta Ephram Tewelde (Eth.); b. 94, Eritrea; ed. Amer. Univ. of Beirut; Consul-Gen. to France 29-32; app. First Sec. and chargé d'affaires a.i. in London 32; app. Sec.-Gen. of Min. of For. Affairs 42, later Vice-Min.; Min. to U.S.A. 43-45, to UK 45-; Chm. Eth. del. to Bretton Woods Conf., Int. Civil Aviation Conf. in Chicago 44; rep. UNCIO 45, Prep. Comn. 45, GA London 46; Chm. Eth. del. GA N.Y. 46.

Medved, Levko Ivanovich (Ukr. S.S.R.); b. 05, Tchernaya Greblia in the Vinnitsa Oblast;ed. Chem.-Phar. Inst. Vinnitsa and Med. Inst. Kiev; prof. of industrial hygiene, Med. Inst. Kiev; in charge of Kiev Oblast Sect. of Pub. Health 34-37, Health Sec. of Dnieper Basin 37-40; Dir. Kiev Med. Inst. 40-45; app. Deputy-Min. of Pub. Health of Ukr. 45; rep. ESC 46, GA N.Y. 46.

Mendès-France, Pierre (France); b. 97; ed. in econ.; fmr. deputy, advocate at Ct. of Appeals; Under-Sec. for Treas. 38-39; Fin. Comr. for French Provisional Gov. 43-44; fmr. Min. of Natl. Econ.; rep. ESC 47.

Messina Pimentel, Temístocles (Dominican Rep.); b. 94, Sabana de la Mar; ed. San Domingo Univ.; Judge of Ct. of Appeals 22-24; State Atty. 41-43; Judge of Supreme Ct. 43-44; fmr. mem. Perm. Ct. of Arbitration, The Hague; present Pres. of Perm. Consultative Comn. of Min. of For. Affairs, Natl. Comn. on Amer. Int. Law, mem. of Inst. of Comparative Law; Chm. Dominican del. GA London 46; rep. GA N.Y. 46.

Meyer, Eugene (U.S.A.); b. 75; ed. Cal. and Yale Univs.; LL.D.; head of Eugene Meyer, Jr, & Co., N.Y. 01-17; Dir., later Mgr.-Dir. War Fin. Corp. of U.S.A. 18-20 and 21-29; mem. Fed. Farm Loan Com. 27-29; Gov. Fed. Reserve Bd. 30-33; First Chm. Recon. Fin. Corp. 32; publisher and ed. *Wash. Post;* Pres. Int. Bank for Recon. and Devel. 46 (Resigned).

Michalowski, Jerzy (Poland); b. 09; ed. Univ. of Warsaw; active in Polish Co-operative Movement; fmr. mem. Inst. of Social Science in Warsaw; prisoner of war 39-45; app. counsellor to Polish Embassy, London 45; alt.-rep. SC 46, AEC 46.

Modzelewski, Zygmunt (Poland); b. 00; ed. School of Pol. Science, Paris; fmr. journalist; officer in Polish Army during World War II; Amb. in U.S.S.R. 45; app. Under-Sec. of State, Min. of For. Affairs 45; rep. Prep. Comn. 45, GA London 46, SC 46.

Moe, Finn (Nor.); b. 02, Bergen; ed. *Lycée Corneille* and Univ. of Paris; journalist, for. corr. and later co-for. ed. of Labor Party Newspaper *Arbeiderbladet;* winner of *Conrad Mohrs Press Scholarship* 36; Dir. of Nor. broadcasting from U.S.A. 40-43; Press Consultant at Nor. Min. of For. Affairs in London 43-45; mem. of Nor. del. to GA in London 46; fmr. pol. adviser to Sec.-Gen. of UN; rep. ESC 46-, GA N.Y. 46, first spec. sesn. GA 47.

Molotov, Viacheslav M. (U.S.S.R.); b. 90 as V. M. Skriabin; ed. Petersburg Polytechnic; Sec. Gen. Com. of Communist Party of U.S.S.R. 21-; Premier 21; chm. Council of People's Commissars 30-41, Vice-Chm. 41-; Foreign Commissar of U.S.S.R. 39-; attended Moscow Conf. 43; Yalta Conf. 45; Chm. U.S.S.R. del. UNCIO 45, GA N.Y. 46; rep. Council of For. Ministers, Paris Peace Conf.

Moniz de Aragão, J. J. (Brazil); b. 87; ed. Rio de Janeiro Fac. of Law; sec. in Embassy U. S. A. 12, Uru. 13; chargé d'affaires Spain 15, Italy 16; counsellor, del. to Peace Conf. Versailles 19; del. LN 25, ILO 27-28; Min. to Den. 29, to Venez. 31, to Austria 33; Amb. to Ger. 35, to Gr. Brit. 40-; rep. GA London 46.

Montt, Gonzalo (Chile); entered dipl. service 11; fmr. sec. in Bolivia and London, consul-gen. in Swit., chargé d'affaires in Czech., Min. to Para.; Min. to The Neth.; rep. GA London 46.

Moore, Adm. Sir Henry Ruthven (U. K.); b. 86; ed. Sherbourne and H.M.S. "Britannia"; K.C.B., C.V.O., D.S.O.; asst.-sec. of U. K. del. to Limitation of Armaments Conf. Wash. 21-22, Geneva 27; dir. of Plans Div., Admiralty 32-33; A.D.C. to the King 37-38; Lord-Comr. of the Admiralty and Asst.-Chief of Naval Staff 40-41, Vice-Chief 41-43; Vice-Admiral 2nd in command, Home Fleet 43-44; C.-in-C. Home Fleet 44-45; rep. MSC 46-.

Mora, José A. (Uru.); b. 87, Montevideo; ed. Univ. of Montevideo; LL.D.; fmr. Sec. of Legations in Spain, Portugal, Brazil and U.S.A.; fmr. Dir. of Dept. of Inter. Institutions in Min. of For. Affairs; Min. to Bolivia 42-44; Min. of Uru. Embassy in Wash.; mem. of Governing Bd. of Pan Amer. Union; mem. Uru. del. to Meetings of For. Mins. in Panama, Havana and Rio, Mex. Conf. and UNCIO in 45; rep. GA N. Y. 46.

Mora, Marcial (Chile); b. Chillan; ed. Liceo in Chillan and Univ. of Chile; ed. *El Dia* of Chillan; Deputy in Natl. Cong. 26-30; Min. of Interior and Aviation 32; Pres. of Natl. Savings Bank 33-39, of Cen. Bank of Chile 39-40; Min. of For. Affairs 40-41, of Fin. 41; fmr. Amb. to U. S. A.; rep. UNCIO 45.

Morgenstierne, Wilhelm Munthe (Nor.); b. 87, Oslo; ed. Oslo Univ.; served Legation in Wash. 10-12, as commercial counsellor 17-21; app. counsellor 21; subsequently chief of Amer. Div. of For. Office in Oslo until 29; consul-gen., N. Y., 29-34; Min. to U.S.A. 34-42, Amb. 42-; rep. UNCIO 45, GA N.Y. 46.

Morozov, Alexander P. (U. S. S. R.); b. 00, Kostroma Dist.; ed. Leningrad Pol. Inst.; fmr. lecturer at Finance Inst.; Chief of Dept. of For. Currency and mem. of Bd. of Min. for For. Trade of U. S. S. R. 39-46; mem. of U. S. S. R. del. to Monetary and Financial Conf., Bretton Woods 44; rep. ESC 47; Vice-Chm. of Econ. and Employment Comn. 47.

Morris, Gen. Sir Edwin Logie (U. K.); b. 89; ed. Wellington and Royal Mil. Acad. Woolwich; K.C.B., O.B.E., M.C.; Imp. Defence Coll. 33; Comdr. Royal Engineers 34; Deputy-Dir. Operations War Office 36-38; Chief of Gen. Staff India 42-44; Gen. Officer, C.-in-C. Northern Command 44-; rep. MSC 46-.

Moullec, Rear-Adm. R. (France); b. 01, Brest; ed in Brest and Paris and Naval Acad., Brest; naval attaché, Embassy in Madrid 36-39; co-organizer with Admiral Muselier of Free French Naval Forces and C.-of-S. 40-42; French rep. to Allied Com. in Italy 45-46; rep. MSC 46.

Mow, Lt.-Gen. Pong-Tsu (China); b. 04, Fenghwa, Chekiang Prov.; ed. Whangpoa Mil. Acad., Canton Aviation Acad., and Second Mil. Aviation Acad. in U. S. S. R.; chief instructor, Cen. Mil. Acad. Aviation Branch, 28-30, Dir. 31;Deputy-Comdr. Chinese Air Force 37-38, Chief of Operations, 38-39, C-in-C 41-43; Deputy-Dir. Com. on Aeronautical Affairs and chief rep. Chinese Air Mission in U. S. A. 43-; rep. MSC 46-.

Mudaliar, Sir A. Ramaswami (India); b. 87; ed. Christian Coll. and Law Coll. Madras; fmr. ed. *Justice;* fmr. Mayor of Madras; fmr. mem. Madras Legis.; mem. Econ. Com. of LN; del. Nine Power Conf. Brussels 37; rep. of India on Imp. War Cabinet and Pac. War Council 42-43; rep. UNCIO 45, Prep. Comn. 45; Chm. Indian del. GA London 46; Pres. ESC 46-; Chm. Com. on Arrangements for Consultation with Non-Gov. Organizations, Com. on Negotiations with Intergov. Agencies 46.

Muniz, João Carlos (Brazil); b. 93, Matto Grosso; ed. in law at Univ. of Rio de Janeiro, Univ. of N. Y.; Dir. of Fed. Council for For. Trade Council 38-41; Min. to Cuba 41-42; Amb. to Ecua. 42-45; mem. of Governing Bd. of Pan Amer. Union; rep. to Bankers' Conf., Phila. 26, Commercial Aviation Conf., Wash. 27, sesns. of Labor Conf., Geneva 23-34, N. Y. 41; rep. GA N. Y. 46, first spec. sesn. GA 47; alt. rep. CCA 47.

Muñoz, Rodolfo (Argentina); b. 08, Buenos Aires; ed. Buenos Aires Univ. and La Plata Univ.; Dir. Internal Revenue 31; Adviser to Min. of Fin. 33-35; Econ. Attaché to Embassy in London 36-39, Sec. 40-44; Counsellor and chargé d'affaires in Paris 45; Sec. Argentinian del. GA London 46; alt. rep. GA N. Y. 46; rep. first spec. sesn. GA 47; Counsellor to Argentinian perm. del. UN 47.

Myrdal, Karl G. (Sweden); b. 98, Delecarlia; ed. Univ. of Stockholm; asst.-prof. of int.-econ. at Post-Graduate Inst. of Int. Studies in Geneva 30-31; fmr. holder of Lars Hurta Chair of Pol. Economy and Public Fin. at Univ. of Stockholm; app. Chm. of Post-War Econ. Planning Comn. 44; Min. of Commerce and Trade 45-47; Ex.-Sec. Econ. Comn. for Europe 47.

Myrddin-Evans, Sir Guildhaume (U. K.); b. 94; ed. Christ Church of Ox.; mem. Prime Min.'s Secretariat 17; Under-Sec. Min. of Labour and Natl. Service 42; mem. Int. Labour Confs. 39 and 44; rep. UNCIO 45; Chm. of Governing Body of ILO.

Naim, Wadih (Lebanon); b. 85, Chiah; ed. in Beirut; has specialized in civil law cases since graduation; Chief of Bar of Beirut 24, 25, 30 and 31; app. Deputy from Dist. of Mt. Lebanon 43, Min. of Interior and Pub. Ed. 45; Chm. Labanese del. UNCIO 45.

Nájera, Francisco Castillo (Mex.); b. 86, Durango; ed. Coll. of State of Durango and Univ. of Mex., special studies in med. in Paris, Berlin and N. Y., also studied in Paris and Brussels; M. D. (Univ. of Mex.); fmr. prof. Univ. of Mex.; dir. Juarez Hosp. 18-19; app. dir. Army Med. School 20; Min. to China, Belg., Holland and France 22-35; Amb. to U. S. A. 35-45; For. Min. 45-46; rep. UNCIO 45, SC 46; Chm. Mex. del. GA N. Y. 46.

Nash, Walter (New Zealand); b. 82; ed. in England; rep. Int. Labour Conf. in Geneva 20; Sec. New Zealand Labour Party 22-32, Pres. 35-36; rep. Imp. Conf. 37; mem. War Cabinet 40-41; Min. to U. S. A. 42; Pres. Int. Labour Conf. Philadelphia 44; rep. ESC 47.

Navarro, Manuel A. (Ecuador); b. 87, Quito; ed. Univ. of Paris, Massachusetts Inst. of Technology; Dir. of Pub. Works in Quito 11; Rep., later Sen. 28-33; Rector of Cen. Univ. of Quito 37-38; rep. Comns. of Inter-Amer. Develop. in N.Y. 44; Min. Counsellor to U. S. A. 46-; rep. GA N. Y. 46.

Nicholls, George Heaton (U. of S. Afr.); b. 76; M.P. 20; rep. of Sugar Industry at Imp. Conf. London 31; mem. Indian Colonization Com.; mem. Perm. Native Affairs Com.; High Comr. for S. Afr. in London 44-; rep. Prep. Comn. 45; Chm. S. Afr. del. GA London 46; rep. GA N. Y. 46.

Nieto Del Río, Félix (Chile); b. 88; Cauquenes; sec. at Embassies in Wash. and in Belg. 17-26; sec. Chilean del. to LN 20; Spec. Min. to Peru 29; Under-Sec. of For. Affairs 30; Amb. to Chaco Peace Conf. 35-37, to Brazil 36-39; fmr. Chilean rep. Perm. Inter-Amer. Juridical Com.; ed. *El Mercurio;* mem. Governing Bd. of Pan.-Amer. Union; rep. UNCIO 45; Chm. Chile del. GA N. Y. 46.

Nisot, Joseph (Belg.); b. 94, Charleroi; ed. in law at Univ. of Gand, Cambridge, Geneva, Freiburg and Harvard; asst. legal consultant, Min. of For. Affairs 19-22; legal adviser, Secretariat of LN 22-40; mem. of Com. of Jurists and of Conf. for Revision of Statutes of Perm. Ct. of Int. Jus., Geneva 29; mem. of Harvard Research Group in Int. Law 40-42; legal adviser, Embassy in Wash. 42; alt. rep. GA 46, first spec. sesn. GA 47, SC, AEC, CCA; rep. Com. of Experts.

Noel-Baker, Philip (U. K.); b. 89; ed. Bootham School, Cambridge Univ. and Haverford Coll. in U. S. A.; fmr. Vice-Pres. Ruskin Coll., Ox. Univ.; mem. LN Secretariat; prof. Univ. of London 24-29; parl. private sec. to Sec. of State for For. Affairs 29-31; parl. sec. to Min. of War Transport during World War II; Min. of State 45-46; Sec. of State for Air 46-; rep. Ex. Com. of Prep. Comn. 45, Prep. Comn. 45, GA 46, SC 46, ESC 46.

Noriega Morales, Manuel (Guatemala); b. 10; ed. School of Science and Econ. in Guatemala and Harvard; counsellor of econ. affairs at Min. for For. Affairs; rep. Bretton Woods Conf. 44, UNCIO 45.

Novikov, K. V. (U. S. S. R.); b. 05, Moscow; ed. Leningrad Univ.; counsellor at U. S. S. R. Embassy in London 41-42; rep. of U. S. S. R. at Moscow Conf. 43; Yalta Conf. 45; rep. UNCIO 45.

Novikov, Nikolai V. (U. S. S. R.); b. 03, Leningrad; ed. Oriental Inst. of Leningrad, Inst. of Profs. of the World's Econ. and Pol. in Moscow; Deputy-Dir. First Eastern Dept. 38, fmr. Dir. Near Eastern Dept., Balkan Dept., Fourth Eastern Dept. of People's

Commissariat for For. Affiars; Amb. to U. S. A. 46-; rep. GA N. Y. 46.

Oreamuno, José Rafael (Costa Rica); b. 90; attaché Costa Rican Mission Wash. 10-14; sec. Costa Rica Legation Wash. 15-17; consul-gen. N. Y. 20-22; Min. to U.S.A. 22-28; fmr. mem. of Office of Co-ordinator of Inter-Amer. Affairs; rep. UNCIO 45.

Orr, Sir John Boyd (U. K.); b. 80, Ayrshire, Scotland; ed. Glasgow Univ.; D.Sc. (Glasgow Univ.); Dir. of Rowett Research Inst. of Animal Nutrition 19-45; Imperial Bu. of Animal Nutrition 29-45; mem. Reorganization Comn. for Milk 35-36; app. Rector of Glasgow Univ. 45, Chancellor 46; M. P. 45-; Dir.-Gen. of FAO 45-.

Osborn, Frederick H. (U. S. A.); b. 89, N. Y., N. Y.; ed. Princeton Univ., Cambridge Univ.; Treasurer, Vice-Pres. Detroit, Toledo, Ironton Ry. 14-17; acting-chief of Mil. Works of Amer. Red Cross World War I; app. Chm. Civilian Com. on Selective Service 40; fmr. Chm. Joint Army-Navy Com. on Welfare and Recreation; fmr. Chief (with rank of Brig.-Gen.) of Morale Branch of Army; fmr. Maj.-Gen. of Spec. Service; app. deputy-rep. AEC 47.

Owen, A. D. K. (U. K.); b. 05; ed. Leeds Grammar School and Leeds Univ.; Co-Dir. Pilgrim Trust Unemployment Enquiry 36; Dir. of Pol. and Econ. Planning 40; personal asst. to Sir Stafford Cripps 41-43; mem. of Foreign Office Recon. Dept. 43-45; mem. of British del. UNCIO 45; Deputy Ex.-Sec. of Prep. Comm. 45; Asst. Sec.-Gen. in charge of Dept. of Econ. Affairs 46-.

Oyevaar, Jan Johan (Neth.); b. 97, Amsterdam; ed. Univs. of Amsterdam and Utrecht; fmr. rep. Amsterdam Shipping Co.. in Br. India and fmr. consul at Calcutta; Econ. Intelligence Dept. of Min. of Econ. Affairs; app. Dir. of Shipping in Min. of Econ. Affairs 39; later Sec.-Gen. of Min. of Shipping; present Dir.-Gen. of Shipping in Min. of Transport; Chm. Trans. and Communications Comn. 47.

Padilla, Ezequiel (Mex.); b. 92, Coyuca, Guerrero; ed. Univ. of Mex., Sorbonne and Columbia; LL.D. (Columbia); fmr. mem. army of Gen. Zapata; lawyer in Cuba and Mex.; fmr. Deputy to Cong.; fmr. prof. Univ. of Mex.; Atty.-Gen. 28-29; Sec. of Pub. Ed. 29-30; Min. to Italy and Hungary 30-32; Sen. 34-40; For. Min. 40-45; Chm. Mex. del. UNCIO 45.

Padilla Nervo, Luis (Mex.); b. 98, Zamora, Michoacan, Mex.; ed. Univs. of Mex. and Buenos Aires, George Wash. Univ. and London School of Econ.; entered dipl. service 20; Min. to U. S. A. 32-34, subsequently to El Salvador, Costa Rica, Panama, Uru., Para., Neth., Den. and Cuba; del. LN 38 and 46; fmr. Under-Sec. of Ed. and Fine Arts; fmr. Asst.-Sec. of Labor; rep. Ex-Com. of Prep. Comn. 45, Prep. Comn. 45, GA 46, SC 46, AEC 46, TC 47, first spec. sesn. GA 47.

Palladin, Alexander Vladimirovich (Ukr. S. S. R.); b. 85; ed. Petersburg Univ.; fmr. prof. at Kharkov; as Dir., organized Ukr. S. S. R. Research Inst. of Bio-Chem. 25; attended Int. Physiological Confs. Boston 29, later in Stockholm, Rome and Leningrad; Vice-Pres. Ukr. S. S. R. Acad. of Sciences; mem. Acad. of Sciences of U. S. S. R.; rep. UNCIO 45.

Palza, Humberto (Bolivia); b. 01, La Paz; ed. Univ. of La Paz; app. Under-Sec. of Ed. 28, Deputy 29; gen. adviser, then Under-Sec. to Min. of For. Affairs 39-43; lecturer Univ. of Santiago 45; prof. Univ. of La Paz; rep. GA N. Y. 46; Chm. Bol. del. first spec. sesn. GA 47.

Pandit, Vijaya Lakshmi (India); b. 00; ed. private instructors; elected mem. Legis. Asmb. of United Provinces, app. Min. for Local Self-Government and Pub. Health 37 and 46; Pres. All-India Women's Conf. 41-43; founder and present Pres. All-India Save the Children Com; Chm. Indian del. GA N. Y. 46.

Papanek, Jan (Czech.); b. 96, Brezova; ed. *l'Ecole libre des Sciences Politiques* and *l'Institut des Hautes Etudes Internationales* in Paris and *l'Académie de Droit* at The Hague; LL.D. (Univ. of Paris and Charles Univ. of Prague); commercial attaché of Legation in Budapest 25-27; sec. of Legation in Wash. 27-32; mem. UN Inf. Organization 42-46; rep. UNCIO 45, ESC 46-, Vice-Pres. ESC 47-; rep. GA N. Y. 46; first spec. sesn. GA 47.

Paul-Boncour, Joseph (France); b. 73, Dept. of Loire-et-Cher; LL. D; Deputy 19-30; elected Sen. 30; rep. at Geneva 24-28; Premier 32-33; Pres. of Socialist and Republican Union 35-38 (resigned); For. Min. 38; Chm. Com. of Twenty to select 60 M. P.s in Paris to sit in Consultative Asmb.; app. mem. Consultative Asmb. 44; rep. UNCIO 45, GA London 46; rep. ESC 46, SC 46.

Parodi, Alexandre (France); b. 01, Paris; ed. Univ. of Paris; Dir.-Gen. of Min. of Labor 38-40; app. Pres. of Underground Press Com. 43; under name of "Cerat" app. del.-gen. of French Com. of Natl. Liberation 44; Pres. of Int. Labour Conf. 45; Amb. in Italy 45; rep. SC 46-, AEC 46-, ESC 46, GA N. Y. 46, first spec. sesn. GA 47, CCA 47-.

Parra Pérez, Caracciolo (Venez.); b. 88, Merida; ed. Univ. of Merida and Univ. of Paris; Attaché, Sec., Counselor and finally chargé d'affaires, Paris Legation 13-17; chargé d'affaires, Swit. 19-26; Min. to Italy,

England, Swit. and Spain between 27-39; Min. of Pub. Instruction 36; Pres. and Sec. Venez. del. at all meetings of LN; fmr. Min. of For. Affairs; Amb. to France; Chm. Venez. del. UNCIO 45.

Parra Velasco, Antonio (Ecua.); del. Pan Amer. Conf. Montevideo 33; fmr. Min. of Fin. and of Pub. Ed.; fmr. prof. of int. law Univ. of Guayaquil; Deputy to Constituent Asmb. 45; Min. in Paris; rep. Prep. Comn. 45, GA London 46.

Pastoriza, Andrés (Dominican Rep.); ed. Dominican Republic and U. S. A.; Min. of Pub. Works and Communications 30; commercial enterprises 31-35; Min. to U. S. A. 36-41, to England 45-; rep. GA London 46; alt.-rep. GA N. Y. 46.

Payssé Reyes, Héctor (Uru.); b. 03, Montevideo; ed. Fac. of Law at Montevideo; fmr. prosecuting-atty. in Criminal Ct. and fmr. journalist; sec.-gen. Natl. Party of Uru.; Pres. Uru. Olympic Com. and of Sports Federation; mem. House of Rep.; rep. UNCIO 45, GA London 46.

Pearson, Lester Bowles (Can.); b. 97, Toronto; ed. Univ. of Toronto, Ox. Univ.; mem. of Dept. of Ext. Affairs 28-35; First Sec. then Counsellor of High Comr. of Canada in London 35-41; Asst.-Sec. of State for Ext. Affairs 41; Min.-Counsellor at Legation in Wash. 42; rep. on UNRRA; app. Min. to U. S. A. 44, Amb. 45; app. Under-Sec. of State for Ext. Affairs 46; Chm. of Can. del. first spec. sesn. GA 47.

Pelt, Adrian (Neth.); b. Koog on the Zaan; ed. *Ecole libre des sciences politiques*, Paris; ed. successively of *Nieuwblad voor Nederland* and *Niews van de Dag en Telegraaf* 19-20 mem. LN staff, Inf. Sect. 20-34, Dir. of Sect. 34-40; fmr. head of Neth. Govt. Inf. Service in London; rep. GA London 46; Asst. Sec.-Gen. in charge of Conf. and Gen. Services 46-.

Peña Battle, Manuel Arturo (Dominican Rep.); b. 02, Ciudad Trujillo; ed. Univ. of Santo Domingo; Pres. Dominican Sect. of Boundary Delimitation Com. set up in 29; Dominican rep. in negotiations of Treaty of Amity and Arbitration with Haiti; mem. of Dominican Com. for Cod. of Int. Law 40; Pres. Chamber of Deputies 42; Sec. of State for Interior and Police 43; fmr. Sec. of State for For. Affairs; Chm. Dominican del. UNCIO 45.

Pérez Cisneros, Guy (Cuba); b. Paris; ed. Univ. of Havana; Ph. D., Litt. D. (Univ. of Havana); Comr. Provisional Com. of Office of LN in Cuban Min. of State 39; commercial attaché in Can.; Vice Sec.-Gen. Inter-Amer. Union of the Caribbean; sec.-gen. Cuban del. UNCIO 45; rep. GA 46; rep. ESC 47.

Pérez-Guerrero, M. (Venez.); b. 11, Caracas; ed. Univ. of Paris; LL.D. (Univ. of Paris); mem. Dept. of Economy, Fin. and Transit of Secretariat of LN 37-40; sec. of Com. for Importation Control, Venez. 40-42; mem. Econ. and Statistical Sect. of ILO 42-43; acting-dir. Cen. Bank of Venez. 45; rep. Prep. Comn. 45.

Pertzev, Vladimir Nikolaevich (Byelorussian S. S. R.); b. 77, Byelorussia; ed. Moscow State Univ.; mem. Acad. of Sciences of Byelorussia; prof. Byelorussian Univ. of Minsk; rep. UNCIO 45.

Petrovsky, Mikola I. (Ukr. S. S. R.); b. 94; ed. Inst. of Nejin; app. prof. of hist. 28; conducting research at Ukr. S. S. R. Acad. of Science since 34; app. Dir. Inst. of Hist., Ukr. S. S. R. Acad. of Sciences 42; consultant to People's Commissariat of For. Affairs of Ukr. S. S. R.; rep. UNCIO 45, GA London 46.

Phelan, Edward (U. K.); b. 88, Waterford, Ire.; ed. Liverpool Univ.; fmr. mem. of Bd. of Trade, Natl. Health Insurance Comn., Min. of Labour and For. Office; Asst.-Sec. of Organizing Com. of First ILO Conf. in Wash. 19; fmr. Chief of Dipl. Div. of ILO, app. Asst.-Dir. 33, Deputy-Dir. 38, Dir-Gen. 46.

Picón Lares, Roberto (Venez.); Dr. of pol. science; fmr. Rector Univ. of Los Andes; Dir. Inst. of Immigration and Colonization, and dir. Secretariat of Pres.; dir. of Int. and Pol. Depts., Min. of For. Relations; Chm. Venez. del. GA London 46.

Plaza Lasso, Galo (Ecua.); b. 06; ed. Univs. of Cal. and Maryland; co-founder Amer. School in Quito; Pres. of Quito Municipal Council and Min. of Natl. Defence 38-40; fmr. Amb. to U. S. A.; Sen.; rep. UNCIO 45.

Ponce Enríquez, Camilo (Ecua.); b. 12, Quito; ed. Cen. Univ. of Quito and Univ. of Santiago, Chile; founding mem. Ecua. Dem. Alliance 43, and mem. of its Directive Council 44; fmr. Min. of For. Affairs; Chm. del. Inter-Amer. Conf. on Probs. of War and Peace, Mex. 45, UNCIO 45.

Ponce, Neftalí (Ecuador); b. 08, Quito; ed. Univ. of Quito; LL.D. (Univ. of Quito); Consul in Glasgow 34; First Sec. to Embassy in Wash. 41; Dir. of Protocol in Min. of For. Relations 43; counsellor to Embassy in Caracas 43, Bogota 44; Min-Counsellor, chargé d'affaires at Embassy in Wash.; mem. Governing Bd. of Pan Amer. Union; rep. Inter-Amer. Conf. on Probs. of War and Peace, Mexico City 45, UNCIO 45; rep. GA N. Y. 46; Chm. of Ecuador del. first spec. sesn. GA 47, one of Vice-Presidents.

Ponsot, Henri (France); b. 77; Consul-Gen. to Montreal 18-20; Dir.-Gen. of Interior with Tunisian Gov. 22-24; Dir. of African Levant Sect. of For. Office 25; High Comr. of Syria and Lebanon 26-33; Resident-Gen. in Mo-

rocco 33-36; Amb. to Turkey 36-39; mem. French del. GA London 46; Chm. IRO Prep. Comn. 47.

Popovic, Vlado (Yugoslavia); b. 14, Montenegro; ed. Univ. of Belgrade; fmr. mem. Sup. Hdqrs. Staff of People's Liberation Army and Partisan Units, Maj.-Gen. and Comdr. of Third Army Corps; app. Pol. and Mil. Rep. to Bulgaria 45; Amb. to U.S.S.R. 45-; rep. Paris Peace Conf., GA N.Y. 46.

Porras, Demetrio A. (Panama); b. 97; ed. Panama Natl. Inst., Bordeaux Univ., The Hague Int. Acad. of Law and London School of Econ; LL.D.; fmr. consul-gen. at Bordeaux and London; Pres. Panama Law School; fmr. mem. Legis. Chamber; fmr. Min. of State; Min. to Gr. Brit. and France; rep. GA London 46.

Portillo, Eduardo del (Bolivia); ed. Univ. of Barcelona and Madrid Univ.; LL.D. (Madrid Univ.); mem. House of Rep. 40-43; fmr. Min. to Spain; rep. GA London 46.

Price, Byron (U.S.A.); b. 91, Topeka, Indiana; ed. Wabash Coll.; LL.D. (Wabash Coll.); joined A.P. 12; Capt. of Infantry in World War I; app. chief of A.P. Wash. Bu. 27; ex. news ed. of A.P. in N.Y. 37-41; Dir. of U.S. Office of Censorship 41-45; Vice-Pres. of Motion Picture Assn. and head of its Hollywood office 45-47; Asst. Sec.-Gen. in charge of Adm. and Fin. Services 47-.

Price, Frederick A. (Liberia); b. Barbados, Br. W. Indies; ed. in Barbados; served for 40 years as missionary of fmr. Methodist Episcopal Church of U.S.A.; fmr. Field Treas. of Mission Bd.; fmr. Inspector of Schools, Maryland Co., Liberia; app. Counsul-Gen., N.Y. 45; rep. FAO Conf. in Quebec 45, UNRRA Council in Atlantic City and Wash., GA N.Y. 46, first spec. sesn. GA 47.

Puig-Arosemena, Alberto (Ecua.); fmr. Supt. of Banks; fmr. chargé d'affaires in Paris, Nor., Belg., Neth., Czech.; chargé d'affaires in London; rep. third session of UNRRA, UNESCO, GA London 46.

Putman, Rodolphe (Belg.); b. 81, Waereghem; Pres. of *Comité spécial d'Imposition des Sociétés Coloniales;* mem. of *Conseil Supérieur des Finances;* fmr. Pres. of Fin. Com. of LN; negotiated treaties on double taxation between Belg., Neth., Luxembourg, France and Italy; Chm. Fiscal Comn. 47.

Quirós José Antonio (El Salvador); b. 88, San Miguel; ed. in law at Natl. Univ. of El Salvador, Univ. of Paris; practiced law for a few years; represented El Salvador at a number of conferences; Chm. Salvadorian del. UNCIO 45; app. Min. of For. Affairs 46; rep. GA N.Y. 46.

Quo Tai-chi (China); b. 88, Kwangtzi, Hupeh Prov., China; ed. Williston Acad. in Easthampton, Mass. and Univ. of Penn.; sec. to Gen. Li Yuan-hung 12-15; mem. Chinese del. to LN 32-38; Min. to Gr. Brit. 32-35, Amb. 35-41; Min. of For. Affairs 41-42; Chm. Sup. Natl. Defence Council 42-46; rep. SC 46-, AEC 46-, GA N.Y. 46, first spec. sesn. GA 47, CCA 47.

Rabichko, V. A. (Ukr. S.S.R.); b. 04, Stalino; ed. Plekhanov Inst. of Natl. Econ. in Moscow; fmr. lecturer on pol. economy; mem. of coal industry of Middle Asia 33-36; fmr. mem. of Central Stat. Adm. in Moscow; Dir. of Stat. Adm. of Ukr. S.S.R. 37-; mem. of State Planning Comn.; Vice-chm. Population Comn. 47.

Rahman, Sir Abdur (India); b. 88; ed. St. Stephen's Coll. at Delhi, Law Coll. at Lahore; Senior Vice-Chm. of Delhi Municipality 25-28; Dean of Faculty of Law, Delhi Univ. 28-34, Vice-Chancellor 30-34; app. to Bench of Madras High Ct. 37; Judge of Lahore High Ct. 43-; rep. SCOP 47.

Rajchman, Ludwik (Poland); b. 81, Warsaw; ed. Univ. of Cracow; M.D. (Univ. of Cracow) 06; Gen. Dir. of Natl. Inst. of Health in Warsaw 19; Dir. of Health Organization of LN 21-39; rep. of LN's Council to Natl. Econ. Com. of China 33-34; adviser to Natl. Gov. of China 39-43; Chm. of Ex. Bd. of ICEF.

Rand, Ivan C. (Can.); b. 84, Moncton, New Brunswick; ed. Mount Allison Univ., Harvard Law School; app. Atty-Gen. for New Brunswick 24; elected to New Brunswick Legislature 25; Counsel to Can. Natl. Ry. 26-43; app. judge to Sup. Ct. 43; rep. SCOP 47.

Rangel, Orlando (Brazil); b. 07, Niteroi, State of Rio de Janeiro; ed. Mil. Acad.; head of laboratory of mil. plant of Piquete 37-38; mem. Brazilian Mil. Com. in Sweden and Hungary 39-40, in Ger. 40-41, in U.S.A. 46; mem. tech. sect. Ordnance Dept., Min. of War 41-46; mem. mil. staff of Pres. of Brazil 45-46; alt. rep. AEC 46-.

Rasmussen, Gustav (Den.); b. 95, Odense; ed. Univ. of Copenhagen; chargé d'affaires in Berne 27-31; counsellor Danish del. to LN 34-35; chief of sect. in For. Office 35-39; counsellor Danish Legation in London 39-42; mem. of Dan. Council and Mil. Mission in London during World War II; Min. of For. Affairs 45-; Chm. Danish del. GA 46; Chm. Credentials Com. 46.

Read, John E. (Can.); b. 88, Halifax, N.S.; ed. Dalhousie Univ., Columbia Univ., Univ. Coll., Ox. (Rhodes Scholar); gen. law practice 13-20; legal adviser, Dept. of Ext. Affairs 29-46; fmr. counsel for Govt. of Can. in various cases before Int. Joint Com., in litigation before Sup. Ct. of Can., Judicial Com. of Privy Council, and U.S.A. Fed. Cts., including U.S.A. Sup. Ct.; Judge ICJ 46-.

Rendis, Constantin (Greece); head of pol. sect. of Greek del., Peace Conf. Paris 18-20; Min. without portfolio in Papandreou Govt., Cairo 44; Min. of Justice and Interior 45; Min. for For. Affairs 46; Chm. Greek del. GA London 46.

Reyes Carías, Marcos (Honduras); b. 06, Tegucigalpa; ed. Univ. of Honduras; sec. First Ct. of Appeals 29-32; fmr. sec. Honduran Legation in Paris; ed. *El Demócrata* and *Vanguardia;* private sec. to Pres. Carías; rep. Conf. on Food and Agric. Hot Springs 43, UNCIO 45.

Riaz, Mamdouh (Egypt); b. 95, Cairo; ed. Faculty of Law, Univ. of Paris and School of Pol. Science, Paris; elected M.P. City of Alexandria 26, re-elected 30, 36, 39 and 44; Parl. Under-Sec. of State for Min. of For. Affairs 36-37; Chm. Com. of For. Relations in House of Deputies 44-45, Fin. and Budget Com. 46; rep. GA London 46, SC 46.

Ribnikar, Vladislav (Yugoslavia); b. 00, Belgrade; owner and manager newspaper *Politika* 24; Vice-Pres. Natl. Liberation Com. of Yugoslavia and Comr. of Information 43; subsequently Min. of Ed. in Federal Govt. and Pres. of Com. for Culture and Art; deputy at Belgrade 45; rep. UNESCO 46; Mem. Comn. on Human Rights 47.

Rice, Stuart Arthur (U.S.A.); b. 89; ed. Univ. of Wash. and Columbia Univ.; prof. of sociology and stat. Univ. of Penn. 26-40; asst.-dir. U.S. Census 33-36; Vice-Chm. U.S. Cen. Stat. Bd. 32-35, Chm. 36-40; asst.-dir. stat. standards, Bu. of Budget, Ex. Office of Pres. 40-; first Vice-Pres. Inter-Amer. Stat. Inst. 41-; Chm. Nuclear Stat. Comn. 46, Rapp. Stat. Comn. 47.

Ridgway, Lt.-Gen. Matthew Bunker (U.S.A.); b. 95, Fort Monroe, Virginia; ed. U.S. Mil. Acad. and Army War Coll.; mem. Amer. Electoral Com. in Nicar. 27-29 and 30; Asst. C.-of-S., G-3, Second Army, Chicago 36; mem. of War Plans Div. War Dept. Gen. Staff 39-42; Commanding Gen. of 82nd Airborne Div. and of 18th Corps (Airborne) 42-45; senior U.S. del. to Inter-Amer. Defense Bd.; rep. MSC 46-.

Ripka, Hubert (Czech.); b. 95, Koberice, Moravia; ed. Prague Univ.; Ph.D.; Ed. *Narodni Osvobozeni;* ed.-in-chief *Demokraticky stred;* Sec. of State for For. Affairs 40-42; Min. of State in charge of Inf. Service 42-44; Min. of For. Trade; rep. GA London 46.

Robertson, Wishart McLee (Canada); b. 91, Barrington Passage, Nova Scotia; ed. Barrington Passage High School; elected to Nova Scotia Legis. 28, to Sen. 43; app. Pres. of Natl. Liberal Fed. 43; app. Sen. Govt. Leader 45; Pres. and mgr. of Robertson Motors, Ltd.; Pres. of Argyle Motor Services, Ltd.; rep. GA N.Y. 46.

Rodionov, K. K. (U.S.S.R.); b. 01; after completing studies at Univ. joined Navy of U.S.S.R.; rep. Dumbarton Oaks Conf. 44, UNCIO 45.

Rolin, Henri (Belg.); b. 91, Ghent; ed. Univ. of Ghent; sec. to For. Min. at Peace Conf. after World War I; del. LN Asmb.; Socialist mem. of Sen.; prof. of int. law Univ. of Brussels; fmr. mem. Perm. Ct. of Arbitration; rep. GA London 46.

Rómulo, Brig.-Gen. Carlos P. (Philippines); b. 01, Manila; ed. Univ. of the Philippines and Columbia; fmr. prof. and later head of English Dept., Univ. of Philippines, mem. Board of Regents of that Univ.; mem. Philippine Ind. Missions 21, 24, 28, 29, 33, 37; head of D.M.H.M. newspapers, a Philippine chain; A.D.C. to Gen. MacArthur; resident Comr. of the Philippines to U.S.A. 44-46; Chm. Philippine del. UNCIO 45, GA N.Y. 46; rep. first spec. sesn. GA 47.

Roosevelt, Franklin Delano (U.S.A); b. 82, Hyde Park, N.Y.; ed. Harvard and Columbia Univs.; LL.D.; mem. N.Y. Sen. 10-13 (resigned); Asst.-Sec. of Navy 13-20; Gov. of N.Y. 29-33; Pres. of U.S.A. 33-45; co-author of Atlantic Charter 41; signer of Dec. by UN 42; attended Cairo and Teheran Confs. 43, Yalta Conf. 45; d. 45.

Roosevelt, Mrs. Franklin D. (U.S.A.); b. 84; married Franklin D. Roosevelt 05; Fin. Chm. Woman's Div. N.Y. State Dem. Com. 24-28; Vice-Pres. N.Y. State Lea. of Woman Voters; radio broadcaster and journalist, writing daily column since 36; asst.-dir. Office of Civilian Defense 41; rep. GA 46; Chm. Comn. on Human Rights 46-, Drafting Com. on Int. Bill of Rights 47.

Roper, Albert (France); b. 91; ed. Paris Univ.; Capt.-Pilot World War I; French aviation expert and Sec. Aeronautical Comn. Peace Conf. 19; fmr. French aviation expert Conf. of Ambs., Wash. Confs., LN; aviation adviser to Min. of For. Affairs 20-22; Sec.-Gen. Int. Comn. for Air Navigation 22-46; fmr. Sec.-Gen. PICAO; Sec.-Gen. ICAO 47.

Rosenzweig Diaz, Alfonso de (Mex.); lawyer; fmr. Min. to Sweden; fmr. Amb. to France and to U.K.; rep. GA London 46, SC 46.

Roy, Herard (Haiti); b. 10, Port-au-Prince; ed. Paris and Port-au-Prince; Asst.-Chief of Service in Pub. Works Office 33-34; Chief of U.S. Service of For. Office 43-45; Chief of Amer. and European Affairs Div. 45-; rep. GA N.Y. 46; mem. Sub-Comn. on Prevention of Discrimination and Protection of Minorities 47.

Runganadhan, Sir Samuel E. (India); b. 77; ed. Madras Univ.; Vice-Chancellor Annamalai Univ. Chidambaram 29-35, Madras Univ. 37-40; mem. Legis. Council Madras

38-40; adviser to Sec. of State for India 40-43; High Comr. in London 43-; rep. GA London 46.

Ryckmans, Pierre (Belgium); b. 91, Antwerp; ed. Louvain Univ.; LL.D. (Louvain Univ.); served in mandated territory of Ruanda-Urundi from end of World War I to 28; Barrister of law and prof. at Univs. of Antwerp and Louvain 28-34; Gov.-Gen. of Belgian Congo 34-46; rep. GA N.Y. 46, TC 47; mem. TC Visiting Mission to W. Samoa 47.

Rzymowski, Wincenty (Poland); b. 83, Warsaw; ed. Univ. of Geneva and Odessa Univ.; mem. Warsaw Dist. Ct. of Law 07-12; journalist 23-27; mem. Cong. of Culture, Lvov 36; dir. *Slowaeki Museum Krzemicniec;* mem. Polish Com. for Natl. Liberation, subsequently Min. for Culture and Art; Min. of For. Affairs 45-; Chm. Polish del. GA 46.

St. Laurent, Louis Stephen (Can.); b. 82, Compton, Prov. of Quebec; ed. St. Charles Coll., Sherbrooke, Quebec, and Laval Univ. Quebec; LL.D.; K.C.; app. prof. of law Laval Univ. 15; fmr. Batonnier of local Quebec Bar, Batonnier-Gen, Quebec Prov. and Pres. Can. Bar Assn.; Min. of Jus. and Atty.-Gen. 41-; rep. UNCIO 45; Sec. of State for Ext. Affairs 46-; chm. Can. del. GA 46.

Saint-Lot, Emile (Haiti); b. 04, Port-au-Prince; ed. in law, Port-au-Prince; prof. at Univ. of Haiti 37-46; Dean of Faculty of Law (Port-au-Prince) 46; Sen. 46; Sec. of State for Natl. Ed., Pub. Health and Labor 47; rep. GA N.Y. 46.

Saka, Hasan (Turkey); b. 86, Trabzon; ed. School of Pol. Science, Istanbul; Deputy for Trabzon since 19, and Vice-Pres. of Turkish Natl. Asmb. since 26; fmr. prof. Univ. of Istanbul and Law Fac. of Ankara; twice Min. of Fin. and four times Min. of Natl. Econ. and Min. of Commerce; For. Min. 44-; Chm. Turkish del. UNCIO 45, GA London 46.

Salamanca, Carlos (Bolivia); b. 07; sec. Bu. of Students Univ. of Cochabamba 28-30; officer in Chaco War; app. prof. of pub. law Univ. of Cochabamba 37; elected to House of Rep. 40; fmr. Min. to Argentina; rep. UNCIO 45, Prep. Comn. 45; Chm. Bolivian del. GA London 46.

Salem, Joseph (Lebanon); b. 97, Tyre; ed. Patriarchal Coll. at Beirut and Univ. of Paris; commissioned Lieut. in Turkish Army 16; fmr. eng. in Waterworks Co. of Beirut and later Gen.-Chm. of that co.; mem. Chamber of Deputies 25-; first Min. from Lebanon to Egypt; rep. Arab Lea. Cong. Cairo 45, UNCIO 45, GA London 46, ESC 46.

Salinas, Octavio (Nicar.); b. 89, Leon; ed. in law; Deputy 14-15, 21-24, 30-35; Pol. Chief of Dept. of Zelaya 26-27; Judge of Sup. Ct. of Nicar. 35-; rep. GA N.Y. 46.

Sánchez Lustrino, Gilberto (Dominican Rep.); b. 02, Ciudad Trujillo; ed. Univ. of Santo Domingo; Under-Sec. of State for Interior and for Police, War and Marine 34-38; Amb. to Brazil and Uru. 39-43, to Para. 43; Amb.-Counsellor to Dominican For. Office 43-44; dir. *La Nación;* rep. UNICO 45.

Sand, René (Belgium); b. 77, Brussels; ed. Univ. of Brussels; M.D. (Univ. of Brussels); founded Belgian Assn. for Social Med. and became ed. of its Bulletin 12; fmr. Sec.-Gen. of Red Cross Societies; organized Int. Confs. of Social Work and Int. Hosp. Assn.; Sec.-Gen. of Min. of Health 36-40, tech. counsellor 45-; Chm. Tech. Preparatory Com. for Int. Health Conf. 46.

Sandoval-Vallarta, Manuel (Mex.); b. 99, Mex. City; ed. Mass. Inst. of Technology; asst.-prof. of physics Mass. Inst. of Technology 26-30, app. assoc.-prof. 30, app. prof. 39; resident-assoc. of Carnegie Inst. Wash. 39-; fmr. Pres. *Academia Nacional de Ciencias de Méx.;* alt. rep. AEC 46.

Sandström, Alfred Emil (Sweden); b. 86, Nykoping; fmr. reporting judge of Supreme Ct., Chief Jus. 31-33, 35-43; Pres. of a div. of Anglo-German Ct. of Arbitration, London 26-29; Chm. of Tribunal on questions of collective labor agts. 29-31; Chm. of Int. Red Cross and Swedish Red Cross Mission to Greece 43-46, Swedish-Swiss Relief Mission in Greece 43-45; Chm. SCOP 47.

Sanjinés, Ernesto (Bolivia); b. 94; ed. Univ. of La Paz; fmr. prof. of econ. and fin. sciences, criminal law; fmr. Sec.-Gen. Assn. of Mining Industrialists of Bolivia, Ex. Counsellor *"Compañía Recaudadora Nacional," "Caja de Seguros y Ahorro Obrero";* app. Under-Sec. of Fin. 30; Dir.-Gen. of Supplies for Army, later Min. of Natl. Def. 28-33 (Chaco War); rep. GA N.Y. 46, Rapp. Second Com. (Econ. and Fin.)

Santa Cruz, Hernán (Chile); b. 06, Santiago; ed. in mil. law; app. Sec. to Superior Mil. Ct. 29; fmr. prof. of criminal and mil. procedure 30; mil. atty. 34-39; legal adviser to Sec. of Interior 38-47; Judge of Superior Mil. Ct. 39-47; Sec.-Gen. and Pres. of Chilean-Brazilian Inst. of Culture; Chm. of Chilean del. first spec. sesn. GA 47; rep. ESC 47.

Sassen, Emanuel M. J. A. (Neth.); b. 11; mem. of Second Chamber of States-Gen., N. Brabant Provincial Gov.; rep. governing body of ILO at Quebec 45; mem. Neth. del. GA N.Y. 46; chief Dutch rep. IRO Prep. Comn., Rapp. 47-.

Sayre, Francis B. (U.S.A.); b. 85, Penn.; ed. Williams Coll. in Mass. and Harvard Univ.;

held acad. posts at Williams and at Harvard 12-23 and 26-33; app. adviser in For. Affairs to Siam Govt. 23; Asst.-Sec. of State 33-39; High Comr. of Philippines 39-42; during World War II held posts as deputy-dir. of Office of For. Relief and Rehabilitation Operations, spec. asst. to Sec. of State Hull, dipl. adviser to UNRRA, and head of UNRRA missions to 23 countries; Pres. TC 47; mem. TC Visiting Mission to W. Samoa 47.

Schermerhorn, Willem (Neth.); b. 94, Schermer, N. Holland prov.; ed. Delft Univ.; fmr. prof. Delft Univ.; Pres. Int. Soc. for Photogrammetry; travels to Neth. E. Indies, China and Australia to discuss aerial survey probs. 36-39; Chm. *Nederlandsche Volksbewegin* (Dutch People's Movement); Prime Min.; Chm. Neth. del. GA London 46.

Schreiber, Ricardo Rivera (Peru); b. 92, Lima; ed. Univ. of Lima; chargé d'affaires London 21-26, Holland 26-28; mem. Int. Ct. of Arbitration The Hague 26; Min. to Ecua. 28-30, to Colombia 36-38, to Japan and China 38-42; Amb. to Spain 43-45, to Italy 45-; rep. Prep. Comn. 45, GA London 46.

Schrijver, August-Edmond de (Belg.); b. 98, Ghent; lawyer since 21; successively M.P., Mem. Com. of For. Affairs and of Judicial Affairs, Chm. of Flemish Catholic Parl. group, Min. of Agric. and Min. of Interior Affairs; Min. of Jus. 39; Min. of Econ. Affairs 40; app. Min. of Interior Affairs of Belg. Govt-in-Exile 43; Vice-Premier in Pierlot Govt. after liberation of Belg.; rep. UNCIO 45.

Selassie, Ras Imru Haile (Eth.); b. 92, Prov. of Harar; ed. Menelek School in Eth.; Vice-Gov. of Harar Prov. 14-22; fmr. Gov.-Gen. of Wallo Prov.; Gov.-Gen. of Godjam Prov. 33-35; Min. to U.S.A. 46-; rep. first spec. sesn. GA 47.

Senin, Ivan Semanovich (Ukr. S.S.R.); b. 03, Donets Basin; ed. Polytechnical Inst. of Kiev and Columbia; app. Deputy People's Commissar of Light Industry of Ukr. S.S.R. 38; People's Commissar of Ukr. S.S.R. 39; Deputy-Chm. Council of People's Commissars of Ukr. S.S.R. 40-; rep. UNCIO 45.

Serrato, José (Uru.); b. 63, Montevideo; ed. Univ. of Montevideo; app. mem. of Econ. Bd. of Montevideo 97; Min. of Devel. 03-04 (resigned), later Min. of Fin.; elected Sen. 07; Min. of Fin. and Min. of Interior 11; app. Pres. of State Mortgage Bank 17, and Pres. of Bank of Republic 33; Pres. of Uru. 23-27; fmr. For. Min.; Chm. Uru. del. UNCIO 45.

Sevilla-Sacasa, Guillermo (Nicar.); b. 11, Leon, Nicar.; ed. in Leon and at Natl. Univ. of Mex.; M.D.; private practice in medicine in Mex. 37-43; app. First Sec. of Embassy in Wash. 43, later app. Amb.; mem. of Governing Bd. of Pan Amer. Union; rep. first and fourth sesns. of UNRRA Council in 43 and 46, first conf. of FAO in 45, GA N.Y. 46, first spec. sesn. GA 47.

Shang Chen, Gen. (China); grad. of Pei-yang Staff Coll.; Comdr. 32nd Army 31-36; Dir. of Main Office and of For. Affairs Bu. of Natl. Mil. Council 42-44; head of Chinese Mil. Mission to U.S.A. 44-45; app. personal C.-of-S. to Pres. of Natl. Govt. 45; rep. MSC 46-.

Sharapov, Lt.-Gen. Andrei R. (U.S.S.R.); grad. of an aviation school and mil. acad.; participated in first and second World Wars; fmr. Comdr. of Air Force of a district; Chief of the Air-Force Acad.; fmr. Chief of the Mil. Mission in Gr. Brit.; rep. MSC 46-.

Shawcross, Sir Hartley (U.K.); b. 03; ed. Dulwich Coll.; senior law lecturer Liverpool Univ. 24-34; bencher Gray's Inn 39; Ind. Chm. Kew District Bd. since 40; Recorder of Salford 41-; Atty.-Gen.; rep. GA 46.

Shepstone, Denis Gem (U. of S. Afr.); b. 88; ed. Natal Univ. Coll. and in England; Solicitor of the Sup. Ct. of S. Afr., Mem. of City Council for City of Durban 39-43; Sen. of U. of S. Afr. 43-; rep. GA N. Y. 46.

Shertok, Moshe; b. 95, Ukraine; ed. Imp. Ottoman Univ. at Istanbul and London School of Econ.; fmr. ed. mem. *Davar* (organ of Palestine Labor Party); Pol. Sec. to Jewish Agency 31-33; head of Pol. Dept. 33-; helped organize Jewish Brigade in World War II; rep. Jewish Agency for Palestine at First Com. meetings of first spec. sesn. GA 47.

Shmigov, Frol Porfirjevich (Byelorussian S.S.R.); b. 13, Byelorussia; ed. Molotov State Univ.; fmr. lecturer Molotov State Univ.; Chief of Pol. Dept. of Byelorussian People's Commissariat for For. Affairs; rep. UNCIO 45, GA 46.

Silva Pena, Eugenio (Guatemala); b. 97, Guatemala City; ed. St. Joseph's Acad., Cal. and Univs. of Guatemala and Honduras; mem. of Cong. for Guatemala, and mem. of Fed. Cong. Tegucigalpa, Honduras 20; sec. of Legations in France and Spain 23-27; Guatemalan del. on comn. on boundary dispute with Honduras, Wash. 30; Amb. to U.S.A. 44-45; Min. of For. Affairs 45-; rep. UNCIO 45; Chm. of del. GA N.Y. 46.

Silver, Abba Hillel; ed. Hebrew Union Coll.; Amer. rep. Zionist Conf. in London 20; Co-Chm. later Chm. United Palestine Appeal 38-43, later Co-Chm. United Jewish Appeal; Dudlian lecturer Harvard Univ. 39-40; present chm. Amer. Sect. Jewish Agency for Palestine; rep. of Jewish

Agency for Palestine at First Com. meetings of first spec. sesn. GA 47.

Simic, Stanoje (Yugoslavia); b. 93, Belgrade; ed. Belgrade; entered dipl. service 19; fmr. chief sec. of Legation in Tirana and then consul in Korcha and later in Zadar; chief of sect. for Cen. Europe in Pol. Dept., Belgrade 32-35; dipl. agent to Slovakia 39-41; Amb. to U.S.S.R. 42-45; to U.S.A. 45-46; Min. of For. Affairs 46-; rep. UNCIO 45, GA London 46; Chm. Yugoslav del. GA N.Y. 46.

Simpson, Clarence L. (Liberia); b. 96; ed. Coll. of W. Afr. and Liberia Coll.; app. collector of customs in Monrovia 25; co.-atty. for Montserrado Co. 27-28; app. sec. of Gen. P.O. 28, and Acting P.M.-Gen. 31; Rep. 31-34; Sec. of State 34-44; Chm. Liberian del. LN Asmb.; Vice-Pres. of Liberia 44-; Chm. Liberian del. UNCIO 45.

Singh, Kanwar Dalip (India); b. 85, Simla, Punjab; ed. Forman Christian Coll. in Lahore, Pembroke Coll. at Cambridge; Barrister-at-Law in Lahore 12-26; app. Sec. of Punjab Legis. Asmb. 21; fmr. Asst. Legal Remembrancer to Punjab gov. 22-24, Advocate-Gen. 24-25, Judge of High Ct. 25-43; Chm. Com. on Codification of Int. Law 47.

Singh, Rajah Sir Maharaj (India); b. 78; ed. Balliol Coll. and Ox. Univ.; joined United Provinces Civil Service 04; Sec. to United Provinces Govt. 19; fmr. Divisional Comr. in Allahabad and Benares; Chief Min. of Jodhpur State 31; Agent Gen. in S. Afr. 32; app. Mem. of United Provinces Legis. Asmb. 36; app. Vice-Counsellor of Lucknow Univ. 41; app. Prime Min. of Kashmir 43; Pres. of Indian Christian Assn. and of Natl. Liberation Federation 44; rep. GA N.Y. 46.

Sipahi, Emin Ali (Turkey; b. 95; ed. Fac. of Law, Istanbul; pub. prosecutor in Yabanabad and later in Zonguldak; Dir.-Gen. of Balkan Affairs at Min. of For. Affairs; Min. in Brussels 33-38, to China 39, to Saudi Arabia 44-; GA London 46.

Skylstad, R. B. (Nor.); b. 93; Attaché in Madrid 22, in Lisbon 23; app. Sec. in For. Min. 24; Sec. to Legation in London 28-30; Dir. of Minorities Sect. of LN 38-40; Dir.-Gen. of For. Office 41-45; app. Min. to Berne 45; Vice-chm. IRO Prep. Comn. 47.

Slávik, Juraj (Czech.); b. 90, Dobrá Niva; ed. Univ. of Budapest, Berlin, Paris; LL.D. (Univ. of Budapest); Sec. of Natl. Council at Bratislava 18; fmr. mem. of Natl. Asmb.; Min. of Agric. 26; elected to Parl. 29; Min. of Interior 29-32; app. Min. to Poland 35; Min. of Interior and Ed. of Govt.-in-Exile in London 40-45; app. Amb. to U.S.A. 46; rep. GA N.Y. 46.

Smoliar, Vassily P. (Byelorussian S.S.R.); b. 03; ed. Geog. Fac. of State Byelorussian Univ.; lectured on econ. geog. at High School of Agric.; Deputy to Sup. Soviet of Byelorussian S.S.R.; rep. European Com. of UNRRA, GA London 46.

Smuts, Jan Christiaan (U. or S. Afr.); b. 70; ed. Cambridge Univ.; P.C., C.H., K.C., M.P.; state atty. to Pres. Kruger 99; mem. Peace Conf. terminating war 08; Min. of Defence 10; Comdr. of Br. forces, Br. E. Afr. 16-17; mem. Br. War Cabinet 17-18; co-founder with Pres. Wilson of LN; Prime Min. 19-24; Leader of Opposition 24-33; Deputy-Premier and Min. of Jus. 33-39; Prime Min. 39-; Chm. S. Afr. del. UNCIO 45, GA N.Y. 46.

Sobolev, Arkady Alexandrovitch (U.S.S.R.); b. 03, Leningrad; ed. Electrotech. Inst. of Leningrad; research work in connection with devel. of power plant equipment 30-39; Sec.-Gen. of People's Commissariat for For. Affairs 39-42; app. Counsellor to Soviet Embassy in London 42; mem. U.S.S.R. del. Dumbarton Oaks Conf. 44, UNCIO 45; pol. adviser to Marshal Zhukov, Comdr. of U.S.S.R. Occupation Forces in Ger., 45-46; participated in Potsdam Conf. 45; Asst. Sec.-Gen. in charge of Dept. of Security Council Affairs 46-.

Sofianopoulos, John (Greece); b. 87, Sopoto, Prov. of Kalavryta, Peloponn-es-us; ed. Univ. of Athens; LL.D.; dir. of Press Bu., Min. of For. Affairs 12-13; fmr. legal adviser Com. for Settlement of Greco-Serbian boundaries; fmr. gen. sec. of Min. of Natl. Econ.; adviser Greek del. Paris Peace Conf.; Chm. Greek del. ILO Confs., Wash. and Geneva; fmr. Min. of For. Affairs; Chm. Greek del. UNCIO 45.

Soheiny, Ali (Iran); b. 97; ed. Teheran Univ.; Under-Sec. of State for For. Affairs 31-36; Min. to Gr. Brit. 36-38; Min. of For. Affairs 38; Gov.-Gen. Kerman Prov. 38; Amb. to Afghanistan 39; Min. of For. Affairs 41-42; Prime Min. 42-43; rep. GA London 46.

Soltesz, Josef (Czech.); b. 09; ed. in Prague and Bratislava; organized anti-Fascist front of Socialist students; del. World Youth Cong. Geneva 36, U.S.A. 38; active in Slovak underground movement; head of Dept. of Jus. in Slovak Natl. Com. during uprising 44; rep. GA London 46.

Soong, Tse Vung (China); b. 94, Shanghai; ed. Harvard and Columbia Univs.; Pres. Canton Cen. Bank 24; Min. of Fin. 28; founder and Chm. Bank of China 35-44; Min. of For. Affairs 41-44; Premier 44-47; signer of Dec. by UN 42; Chm. Chinese del. UNCIO 45.

Soto Harrison, Fernando (Costa Rica); b. 16; fmr. Min. of Govt.; lawyer by profession; rep. GA London 46.

Souza Dantas, Luis Martins de (Brazil); b. 76, Rio de Janeiro; ed. Law Univ. of Rio de Janeiro; first sec. in Buenos Aires 08-13; Min. to Argentina 13-16; Under-Sec. of State in Min. of For. Affairs 16; Min. to Italy 17-19, to Belg. 19; Amb. to Italy 19-22; fmr. Amb. to France; del. to LN 24 and 26; fmr. Min. for Ext. Affairs; Chm. Brazilian del. GA London 46.

Spaak, Paul-Henri (Belg.); b. 99, Brussels; elected Socialist Deputy for Brussels in Belg. Parl. 32; founded newspaper *L'Action Socialiste* 34; Min. of Trans., Posts and Tel. 34-36; For. Min. almost uninterruptedly since 36; Chm. Nine Power Conf. Brussels 37; Premier 38-39; Chm. Belg. del. UNCIO 45; rep. Prep. Comn. 45; Chm. Belg. del. Yalta Conf. 45.

Stalin, Joseph Vissarionovich (U.S.S.R.); b. 79; ed. seminary for priests; leader of Marxist group in Tiflis 97 and Party Com. 00; mem. "The Five" during October Revolution and afterwards of "The Seven"; Commissar for Nationalization 17-23; gen. sec. of Cen. Com. of Communist Party 22-; mem. Presidium Sup. Soviet of U.S.S.R. 25-; Commissar of Defence and C.-in-C. 41-; Premier 46-; attended Teheran Conf. 43, Crimea Conf. 45.

Stampar, Andrija (Yugoslavia); b. 88, Drenovac, Yugoslavia; ed. Univ. of Vienna; Dir. of Health in Yugoslav Govt. 19-31; health expert attached to Chinese Govt. with LN 33-36; mem. Health Organization of LN 36-37; fmr. prof. Univ. of Cal.; present Rector of Zagreb Univ.; rep. ESC 46, acting-Pres. Third Session; Chm. Interim Comn. of WHO 46.

Stanczyk, Jan (Poland); b. 86, Brzesko, Poland; Sec.-Gen. Cen. Mine Workers Union of Poland 18-39; mem. Polish Parl. and Social Affairs Com. 19-35; del. (Polish Workers) ILO 20-39; mem. Ex. Com. Int. Federation of Mine Workers 21-45, Vice-Pres. since 30; mem. Cen. Com. Int. Federation Trade Unions 30-39; Min. of Labour and Social Welfare 39-44 and 45-46; del. GA London 46; top-ranking dir., Dept. of Social Affairs 46-.

Stassen, Harold E. (U.S.A.); b. 07, Minnesota; ed. Univ. of Minnesota; fmr. co. atty.; elected Gov. of Minnesota in 38, re-elected 40, 42; served as Lieut.-Comdr. U.S. Navy during World War II; rep. UNCIO 45.

Steenberghe, Maximilien P. L. (Neth.); b. 99, Leyden; ed. in law at Univ. of Utrecht; fmr. Chm. Gen. Roman Catholic Employers Assn.; mem. Council of Industry, High Council of Labor, Cen. Comn. for State 24-34; Min. of Econ. Affairs 34-35, 37-41 (resigned); elected mem. of Second Chamber of States Gen. 37; Head of Dutch Econ., Fin. and Shipping Mission in Wash. World War II; rep. GA N.Y. 46.

Stettinius, Edward R., Jr. (U.S.A.); b. 00, Chicago; ed. Univ. of Virginia; LL.D. (Colgate); Chm. Fin. Com. and Dir. U.S.A. Steel Corp. 36-38; Chm. War Resources Bd. 39; Lend-Lease Adm. 41-43; Sec. of State 44-45; Pres. Univ. of Virginia 46-; Chm. U.S.A. del. Dumbarton Oaks 44, UNCIO 45; rep. Ex. Com. of Prep. Comn. 45, Prep. Comn. 45; rep. GA London 46, SC 46.

Strasburger, Henryk (Poland); b. 87; ed. Heidelberg Univ.; Under-Sec. of State in Min. of Commerce and Industry 18-23; del. to LN; Polish Comr. in Free City of Danzig 24-32; Pres. Cen. Organization of Polish Industries 32-39; Min. of Fin. Industry and Commerce 39-42; Amb. to Gr. Brit.; rep. GA London 46.

Stinebower, Leroy D. (U.S.A.); b. 04, Eureka, Michigan; ed. Univ. of Chicago, Brookings Inst.; Chief of Div. of Econ. Studies and mem. of Comn. on Spec. Studies, Dept. of State 43-44; Deputy-Dir. of Office of Int. Trade Policy 45; Adviser U.S. del. UNCIO 45, GA London 46; Spec. Asst. to Asst.-Sec. of State for Econ. Affairs 46-47; Deputy-rep. U.S. del. ESC 46-47, acting-rep. 47. GA 47.

Stolk, Carlos Eduardo (Venez.); b. 12, Caracas, Venez.; ed. Cen. Univ. of Venez.; Informing Magistrate of Fed. Dist. High Ct. 36-39; Pres. Fed. Dist. Law Assn. 39; del. Inter-Amer. Neutrality Com. 41-42; rep. of Venez. on Inter-Amer. Juridical Com. 42-; rep. GA London 46; Chm. Venez. del. GA N.Y. 46; rep. ESC 47-, first spec. sesn.

Street, Jessie Mary G. (Australia); b. 89, Ranchi, India; ed. Univ. of Sydney; rep. to women's and social workers' confs. in Swit., France, India, U.S., and U.K. 11-; Chm. Australian Women's Charter Conf. 43, 46; Mem. of Labor Party; Pres. of United Assns. of Women of New S. Wales; proprietor of *Women's Digest;* rep. UNCIO 45; Vice-chm. Comn. on Status of Women 47.

Subasic, Ivan (Yugoslavia); b. 92, Bukova Gorica; ed. Fac. of Law in Zagreb; elected M.P. 35 and again 38; became First Ban for autonomous Croatian Banovina 39; Yugoslav Premier in London 44; assisted in formation of United Yugoslav Govt. under Marshal Tito 45; Chm. Yugoslavian del. UNCIO 45.

Suetens, Maximilien R. L. M. (Belg.); b. 91, Lierre; ed. Mil. Coll. in Brussels; rep. to int. econ. confs. at Geneva since 30; rep. at Oslo Conf. 30, Emergency Econ. Com. for Europe 45; Min. First-Class and Dir.-Gen. of For. Trade in Min. of For. Affairs and For. Trade 36-; Chm. of Prep. Com. ITO 47.

Sumulong, Lorenzo (Philippines); b. 06, Antipolo, Rizal; ed. Univ. of Philippines, Harvard; LL.M. (Harvard Univ.) 32; prof. at Arellano Law School 45; Assemblyman 46; Chm. of For. Relations Com. of House of Rep.; rep. GA N.Y. 46.

Sychrava, Lev (Czech.); b. 87, Ledec nad Sázavou; ed. Charles Univ. in Prague; collaborator of Pres. Masaryk and Benes World War I; fmr. Czech. dipl. to France; ed.-in-chief *Národní osvobození* in Prague 24-; Vice-chm. sub-comn. on Freedom of Information and of Press 47-.

Sze, Szeming (China); b. 08, Tientsin; ed. Cambridge Univ., St. Thomas' Hosp. Med. School in London; Sec.-Gen. of Chinese Med. Assn. 37-41; Ed. of *Chinese Med. Journal* 42-45; Consultant to Chinese del. UNCIO 45; Med. Dir. of CNRRA, Wash. Office 45-; Vice-Chm. Interim Comn. of WHO; rep. and rapp. Comn. on Narcotic Drugs 46-.

Taqizadeh, Sayyid Hassan (Iran); b. Tabriz; Deputy Tabriz 06 and 09; Gov.-Gen. Khorassan Prov. 29; Min. to Gr. Brit. 29-30; Min. of Roads and Communications 30, of Fin. 30-33; Min. to France 33-34, to Gr. Brit. 41-44; Amb. to Gr. Brit. 44-; Chm. Iranian del. GA London 46.

Tello, J. Manuel (Mex.); b. 98, Zacatecas; ed. Christian Brothers School, Univ. of Mex. and *Escuela Libre de Derechos;* fmr. vice-consul in Antwerp and consul in Geneva; unofficial rep. from Mex. to LN; fmr. dir. of Pol. Affairs and Dipl. Service in Min. of For. Affairs; fmr. Under-Sec.; rep. UNCIO 45.

Tesemma, Ato Getahoun (Eth.); b. 12, Addis Ababa; ed. Amer. Univ. of Beirut; Sec.-Gen. of Com. of Patriots for Ind. of Ethiopia 36-40; Dir.-Gen. of Adm. Services of Min. of Interior 41-43; alt. rep. to UNRRA, to Int. Civil Aviation Conf.; First Sec. of Legation, Wash.; rep. Int. Health Conf. 46, first spec. sesn. GA 47.

Thomas, Ivor (U.K.); b. 05, Cumbran, Monmouthshire, Wales; ed. Ox.; mem. ed. staff of London *Times* 30-37; chief leader-writer for *News Chronicle* 37-39; M.P. 42-; Under-Sec. of State for Colonies; rep. TC 47.

Thomson, Sir George (U.K.); b. 92; ed. Perse School, Cambridge, and Trinity Coll., Cambridge; mem. Royal Flying Corps and Royal Air Force 15-19; prof. of nat. philos., Univ. of Aberdeen 22-30; mem. Aeronautical Research Com. 37-41; received Nobel Prize for physics 37, Hughes Medal of Royal Soc. 39; sci. adviser to Air Min. 43-44; alt. rep. AEC 46-.

Thors, Thor (Iceland); b. 03, Reykjavik; ed. Univ. of Reykjavik, Cambridge Univ. in England, Sorbonne in Paris; LL.D. (Univ. of Reykjavik); M.P. 33-41; Consul-Gen. of Iceland in N.Y. 40-41; Min. to U.S.A. 41-; Rep. Conf. on Food and Agric., Hot Springs, Va. 43; rep. Int. Aviation Conf. in Chicago 44, Int. Labour Conf. in Montreal 46; Chm. of Icelandic del. GA N.Y. 46, first spec. sesn. GA 47.

Toriello, Guillermo (Guatemala); b. 10, Guatemala City; ed. Univ. of Guatemala; practiced law in Guatemala City; Amb. to Mex. 44; Min. for For. Affairs 44-45; Chm. Guatemala del. UNCIO 45.

Toro, Emilio (Colombia); ed. Queens Univ. Can. and Imp. Coll. of Science and Technology, London; fmr. dir. *Banco de la República,* Bogota, Colombia; rep. ESC 46; alt. rep. SC and AEC 47.

Troncoso, Jesús María (Dominican Rep.); b. 02, Ciudad Trujillo; ed. San Domingo Univ.; fmr. lawyer, prof. of law at Univ. of San Domingo, Under-Sec. of State for Jus., of For. Affairs; Min. to U.S.A. 41-42, Amb. 42-43; Sec. of Treas. 44; Sec. of Natl. Econ. 45; Gov. of Reserve Bank 46-; rep. GA N.Y. 46.

Tsaldaris, Constantine (Greece); b. 84, Alexandria, Egypt; ed. Univ. of Athens; elected M.P. (Populist Party) 32; app. Under-Sec. of Communications 32; elected Chm. of Populist Party's Adm. Com. 45, Chm. Populist Party 46; Prime Min. and Min. of For. Affairs 46-; Chm. Greek del. Paris Peace Conf. 46; rep. GA N.Y. 46.

Tsarapkin, S. K. (U.S.S.R.); b. 06, Nikolayev, U.S.S.R.; ed. Inst. of Oriental Studies and Moscow Univ.; fmr. Chief of Second Far Eastern Dept. of People's Commissariat of For. Affairs; Chief of Amer. Dept. of People's Commissariat of For. Affairs; rep. Dumbarton Oaks Conf. 44, UNCIO 45, first spec. sesn. GA 47.

Tsien Tai (China); b. 87, Chekiang; ed. China, and Paris Univ.; LL.D.; dir. of Treaty Dept., Min. of For. Affairs 21-28; tech. del. to LN Asmb. 32, sub. del. 33-36; Min. to Spain 33-37; del. LN Asmb. 37-38; Amb. to Belg. 37-39, to Nor. 43, to Belg. 43, to France 44-; rep. GA London 46.

Tung Pi-wu (China); b. 85, Hopeh Prov.; participated in Wuchang uprising; connected with Hopeh Prov. Kuomintang Hdqrs. for many years; fmr. mem. of Cen. Ex. Com. of Chinese Communist Party and Pres. of its Sup. Ct.; mem. of People's Pol. Council; mem. Com. for Promotion of Const. Govt.; rep. UNCIO 45.

Turgeon, William Ferdinand Alphonse (Can.); b. 77; ed. N.Y., and Levis Coll., Quebec; P.C., K.C.; Atty.-Gen. Saskatchewan Prov. 07; mem. Prov. Parl. for Prince Albert, Sask. and Humboldt; Chief Justice

Sask. 38-41; Min. to Argentina and Chile 41-44; Amb. to Mex. 44, to Belg. 44-; rep. Ex. Com. of Prep. Comn. 45.

Turner, Adm. Richmond Kelly (U.S.A.); b. 85, Portland, Oregon; ed. U.S. Naval Acad.; Comdr., Aircraft Squadrons, U.S. Asiatic Fleet 28-29; C.-of-S., Aircraft Battle Force 34-35; dir. of war plans Navy Dept. 40-42; Comdr. Third Amphibious Force S. Pac. 42-43, Cen. Pac. 43-44, Pac. Fleet 44-45; commissioned Adm. 45; rep. MSC 46.

Ulloa, Alberto (Peru); b. 92, Lima; ed. Lima and Paris; tech. adviser in juridical matters to Min. of For. Affairs 34-36, 37-39, and 39-40; Min. of For. Affairs 36; del. to LN 37; Min. to Holland 39; mem. Ct. of Int. Arbitration, The Hague; Sen. and Pres. of For. Relations Com. of Peruvian Sen. 45-; Chm. Peruvian del. GA 46; rep. SCOP 47.

Unden, Osten (Sweden); b. 86; ed. in law at Univ. of Lund; app. prof. of civil law at Upsala Univ. 17; fmr. legal expert to gov. 17-20, 32-36; fmr. Min. of Jus.; Min. of For. Affairs 24-26, 45-; elected Pres. of Upsala Univ. 29; app. Chancellor of the Universities 37; fmr. rep. LN; rep. GA N.Y. 46.

Uralova, Evdokia I. (Byelorussian S.S.R.); b. 02, Smolensk; ed. Juridical Inst. in Minsk; occupied various guiding posts in organs of ed. in Byelorussian Republic; Deputy to Sup. Soviet of Byelorussian Republic; People's Commissar for Ed.; rep. GA London 46; Rapp. of Comn. on Status of Women 47-.

Valin, Martial, Air Marshal (France); b. 98; ed. St. Cyr Mil. Acad.; awarded "Croix de Guerre" for action in Campaign of Champaigne; took part in Riff campaign, Morocco 25; fmr. head of intelligence dept. of N.E. Air Force Hdqrs.; commanded Free French Air Force and was head of Air Mission in London during World War II; app. Chief of Air Staff 44; rep. MSC 46-.

Vandenberg, Arthur Hendrick (U.S.A.); b. 84, Michigan; ed. Univ. of Michigan; apprentice-reporter *Grand Rapids Herald* and eventually ed. and publisher; Sen. from Michigan since 28; Chm. of Sen. Com. on For. Relations; rep. UNCIO 45, GA 46.

van Kleffens, Eelco (Neth.); b. 94, Heerenveen, Friesland; ed. Groningen, The Hague and Univ. of Leyden; LL.D. (Univ. of Leyden); mem. LN Secretariat 19-21; app. to Bu. of Judicial Affairs in For. Office 22, head of Bu. 24-27; mem. Bu. of Pol. Affairs of Foreign Office 27-29, app. head of Bu. 29; Min. of For. Affairs 39-46; Amb. to U.S.A. 47-; Chm. Neth. del. UNCIO 45; rep. GA 46, SC 46, AEC 46, ESC 47.

van Langenhove, Fernand (Belg.); b. 89, Mouscron, Belg.; prof. of sociology and social policy Univ. of Brussels since 20; mem. Belg. del. Assemblies of LN 29-38; del. Int. Reparations Confs. London 24, Int. Econ. Confs. in Geneva 26 and Stresa 32; del. Int. Conf. on Commerce London 33; fmr. sec.-gen. of Min. of For. Affairs and For. Trade; rep. GA 46, SC 47-, AEC 47-, CCA 47-, first spec. sesn. GA 47.

van Roijen, J. H. (Neth.); b. 05, Istanbul; ed. Utrecht Univ.; attaché Legation in Wash. 30-32; attached to Min. of For. Affairs 33; sec. in Wash. Legation 33-35; sec. of Legation in Tokyo 36; app. head of Pol. Div. Neth. For. Office 39; Min. of State and later Min. of For. Affairs 45-46; Amb. to Can. 46-; rep. Ex. Com. of Prep. Comn. 45, Prep. Comn. 45, GA N.Y. 46; Chm. Neth. del. first spec. sesn. GA 47.

van Verduynen, E. F. M. J. Michiels (Neth.); b. 85, The Hague; ed. Leyden Univ.; deputy-head of sect. of Econ. Affairs 18; Min. in Prague 20-25; head of Pol. Dept. of Min. of For. Affairs 27-29; Min. in London 39; Min. of State 42; subsequently Amb. in London; rep. GA London 46, SC 46.

Varela, Jacobo D. (Uru.); b. 76, Montevideo; ed. Univ. of Montevideo; app. Min. of For. Affairs 07; Deputy and Sen. between 10-19; mem. Uru. del. Paris Peace Conf. 19; Min. to U.S.A. 19-34; Chm. Uru. Com. on Post-war Probs.; alt. Chm. Uru. del. UNCIO 45.

Varvaressos, Kyriakos (Greece); b. 84, Athens; ed. Univ. of Athens; fmr. prof. Athens Univ.; Min. of Fin. 32; Vice-Pres. of Bank of Greece 33-39, Gov. 39-46; Min. of Fin. in Greek Govt.-in-Exile 41-43 (resigned); rep. GA London 46, ESC 46.

Vasiliev, Lt.-Gen. Alexandre P. (U.S.S.R.); grad. from a mil. school and mil. acad. of the Red Army; fmr. C.-of-S. of an Army; fmr. head of the mil. Mission in London; rep. MSC 46-.

Velázquez, Celso R. (Para.); b. 97, Asuncion; ed. Natl. Univ. of Asuncion; fmr. prof. and later Rector of Univ. of Asuncion; fmr. judge of Civil Ct., Commercial Ct. and mem. of Civil Tribunal; Maj. in Para. Army during Chaco War 33-35; fmr. Amb. to U.S.A.; Amb. to Brazil; Chm. Para. del. UNCIO 45.

Velebit, Vladimir L. (Yugoslavia); b. 07, Zadar; ed. Univ. of Zagreb; Dist. Judge 32-37 (resigned); Gen. in Army of Natl. Liberation; app. first Envoy of Marshal Tito to U.K. 44; Asst. Min. of For. Affairs; rep. first spec. sesn. GA 47.

Velkoborsky, Jirí (Czech.); b. 94, Prague; ed. Charles Univ. in Prague; mem. Czech. State Ry. 21-25; fmr. mem. commercial service

in Min. of Ry., present deputy-chief of commercial dept.; fmr. rep. Int. Transport Com. Confs. in Berne; Vice-chm. of Temp. Transport and Communications Comn. of ESC 46.

Velloso, Pedro Leão (Brazil); b. 87, Pindamonhangada, Sao Paulo; ed. fmr. Free School of Juridical and Social Sciences, Rio de Janeiro; rep. in Brazilian Legations at Rome, Paris, Berne, and Copenhagen 10-18; sec. Brazilian del. Peace Conf. Versailles; Min. to China 29-35; Amb. to Japan 35-39; Sec.-Gen. of Min. of For. Affairs 41-44; Min. of For. Affairs 44-46; Chm. Brazilian del. UNCIO 45 and GA N.Y. 46; rep. SC 46-47; d. 47.

Vergara Donoso, Germán (Chile); b. 02, Constitucion; ed. Catholic Univ. in Santiago and School of Pol. Research, Paris; chief of Dipl. Dept. of Min. of For. Affairs 30; Under-Sec. of Internal Affairs 31-38; chargé d'affaires to Spain 39-44; adviser to Min. of For. Affairs 44-; rep. UNCIO 45, GA 46, ESC 46.

Villegas, Silvio (Colombia); b. 02, Manizales; ed. *Invistituto Universitario de Caldas* and Univ. of Columbia LL.D.; fmr. ed. of *La Patria* (Manizales), *El Debate* and *El Nuevo Tiempo* (Bogota); fmr. prof. of Spanish grammar and world hist. in several insts.; mem. of House of Rep.; rep. UNCIO 45.

Visscher, Charles de (Belg.); b. 84, Ghent; prof. of int. law Univs. of Louvain and Ghent; mem. Inst. of Int. Law since 21 and Sec.-Gen. 27-37; mem. Perm. Ct. of Arbitration since 23; mem. Perm. Ct. of Int. Jus. The Hague since 37; rep. Com. of Jurists, Wash. 45, UNCIO 45, GA London 46; Judge ICJ 46-.

Viteri Lafronte, Homero (Ecua.); b. 92, Ambato; ed. *Colegio de San Gabriel,* Quito and Univ. of Quito; LL.D.; dean of Fac. of Jurisprudence and Social Sciences, Univ. of Quito 26-30; fmr. mem. Ct. of Int. Jus., The Hague; Min. of Pub. Instruction 26, of For. Affairs 26-30; Min. to U.S.A. 30-32, in Lima 35-36, to U.K.; rep. GA 46.

Voina, Olexa D. (Ukr. S.S.R.); b. 07, Vinnitzky dist., Ukr.; ed. Moscow Econ. Inst. and Higher Dipl. Inst.; fmr. consul to Sweden; Chief of Pol. Dept. of People's Commissariat for For. Affairs; rep. GA London 46.

Vyshinsky, Andrei Y. (U.S.S.R.); b. 83; LL.D.; mem. Communist Party 20-; mem. Staff Commissariat for Food Supply 20-23; Commissar for Jus., Deputy Pub.-Prosecutor and Pub. Prosecutor 35-39, present Vice For.-Min.; Chm. U.S.S.R. del. GA London 46; rep. GA N.Y. 46, SC 46.

Waerum, Ejnar (Den.); b. 90, Aarhus; ed. Copenhagen Univ.; Sec. to Legation at Brussels 23; chargé d'affaires at Tokio 24; chief of Office 1 of econ.-pol. sect. of For. Office 28, later head of sect.; mem. Council on For. Currency 36-40; rep. Second Conf. on Econ. Co-operation in Geneva 31, Econ. World Conf. in London 33, Emergency Econ. Com. for Europe 45; Chm. Econ. Comn. for Europe 47.

Wahba, Hafiz (Saudi Arabia); b. 92, Cairo; ed. Cairo School of Law; app. attaché at Saudi-Arabian Legation in Cairo 23; Min. of Ed. and asst. to Viceroy 27-28; Min. to Gr. Brit. 30-; rep. GA 46.

Waithayakon, Prince Wan (Siam); b. 91, Bangkok; ed. at Ox. in England, *Ecole des Sciences Politiques* in Paris; Sec. of Legation in Paris 17-19; private sec. of Min. of For. Affairs 19-24; Under-Sec. of State for For. Affairs 24-26; Min. to U.K. 26-30; Adviser to Premier's Office and For. Office 33-46; Chm. of Siamese del. first spec. sesn. GA 47.

Wang Chung-hui (China); b. 84; ed. China, Japan, England, France, Ger. and U.S.A.; D.C.L. (Yale); fmr. Min. of Ed., of Jus., of For. Affairs and Pres. of Judicial Yuan; Judge Perm. Ct. of Int. Jus., The Hague 23-24 and 30-35; translated Ger. Civil Code into English; Sec.-Gen. of China's Sup. Defence Council; rep. UNCIO 45.

Wang, Lt.-Col. Ko-tsan (China); b. 07, Honan Prov., China; ed. Cen. Mil. Coll., Chinese Aeronautical Acad., H.M. Mil. Acad. in Gr. Brit.; C.-of-S. 8th Air Group 33; sect. chief of Intelligence, Chinese Aeronautical Com. 40; Dir. of Ed., Chinese Air Com. 42; asst. air-attaché Embassy Wash. 44, acting air-attaché 46; rep. MSC 46-.

Wang Shih-chieh (China); b. 92, Hupeh; ed. London and Paris; mem. Perm. Ct. of Arbitration, The Hague 28; Chancellor, Natl. Wuhan Univ. 29-34; Min. of Ed. 33-37, of Inf. 39-42 and 44-45; app. Min. of For. Affairs 45; Chm. Chinese del. GA London 46.

Warner, Edward (U.S.A.); b. 94, Pittsburgh, Penn.; ed. Harvard and Mass. Inst. of Technology; prof. of aeronautical eng. Mass. Inst. of Technology 20-26; Asst. Sec. of Navy for Aeronautics 26-29; ed. *Aviation* 29-34; Pres. Interim Council PICAO 46-; Pres. ICAO Council 47.

Wehrer, Albert (Luxembourg); b. 95; ed. Geneva; LL.D.; counsellor for Int. Affairs and del. to LN 26; chargé d'affaires, Berlin 38-40; Sec.-Gen. Grand-Ducal Govt. since 36; rep. GA London 46.

Wei Tao-ming (China); b. 99, Kiangsi prov.; ed. Univ. of Paris; LL.D.; Sec.-Gen. of Min. of Jus., Vice-Min. and later Min. of Jus.; Mayor of Nanking 30-31; Sec.-Gen. of Ex. Yuan 37-41; fmr. Amb. to U.S.A.; rep. UNCIO 45.

Wilgress, L. D. (Can.); b. 92, Vancouver; ed. McGill Univ.; mem. Can. Econ. Mission to Siberia 18-19; Trade Comr. at Hamburg 23-32; Dir. of Commercial Intelligence Service 32-35; first Can. Amb. to U.S.S.R.; alt. rep. UNCIO 45; rep. Prep. Comn. 45.

Wilkinson, Ellen (U.K.); b. 91, Manchester; ed. Univ. of Manchester; organized Natl. Union of Women's Suffrage Societies and Natl. Union of Distributive and Allied Workers; M.P. Middlesborough 24-31; M.P. Jarrow 35-47; mem. Min. of Home Security 40-47; Min. of Ed. 45-47; Pres. Prep. Comn. UNESCO 45-46; rep. GA London 46; d. 47.

Wilson, David (New Zealand); b. 82, Glasgow, Scotland; ed. Board School, Glasgow; mem. of trade union movements, of Socialist and Labour Party; elected campaign organizer, Labour Party 35, 38; High Comr. to Can. 44-; Chm. of del. to FAO in Quebec 46, ILO Conf. in Montreal 46, PICAO Interim Asmb. 46; rep. GA NY 46.

Wilson, Joseph Vivian (N. Zealand); b. 94, N. Zealand; ed. in N. Zealand, and Trinity Coll., Cambridge; mem. N. Zealand Expeditionary Force 15-19; fmr. mem. LN Secretariat as asst. to Sec.-Gen. and later head of Cen. Sect.; Asst.-Dir. of Research Royal Inst. of Int. Affairs London 40; mem. Dept. of Ext. Affairs, Wellington 44-; rep. GA 46.

Wilson, Roland (Australia); b. 04, Tasmania; ed. in econ. Univ. of Tasmania; D. Phil. (Ox. Univ.) 29; Ph.D. (Univ. of Chicago) 30; app. Commonwealth Stat. and Econ. Adviser to Treas. 36-; Perm. Head of Dept. of Labour and Natl. Service 41-46; Pres. of Econ. Soc. of Australia and New Zealand; Vice-chm. Econ. and Employment Comn. 47.

Winant, John G. (U.S.A.); b. 89, N.Y.; ed. St. Paul's School and Princeton and Dartmouth Univs.; N. Hampshire State Sen. 21-23, Gov. 25-26, re-elected 31; fmr. Asst.-Dir. and Dir. of ILO; Chm. Social Security Bd. 35-37; Amb. to Gr. Brit. 41-46; rep. ESC 46.

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Abbreviations

AEC.....Atomic Energy Commission
Amend. .....Amendment
Biog. .....Biography
CCA.....Commission for Conventional Armaments
Comm. .....Commission
Conf. .....Conference
Conv. .....Convention
Cttee .....Committee
ESC.....Economic and Social Council
FAO.....Food and Agriculture Organization
GA.....General Assembly
Govt. .....Government
ICAO.....International Civil Aviation Organization
ICJ.....International Court of Justice
ILO.....International Labour Organisation
Int. .....International
IRO.....International Refugee Organization
LN.....League of Nations
PC.....Preparatory Commission of the United Nations
Recomm. .....Recommendation
Resol. .....Resolution
SC.....Security Council
TC.....Trusteeship Council
U.K. ....United Kingdom of Great Britain and Northern Ireland
UN.....United Nations
UNCIO.....United Nations Conference on International Organization
UNESCO.....United Nations Educational, Scientific and Cultural Organization
UNRRA.....United Nations Relief and Rehabilitation Administration
U.S.A. .....United States of America
U.S.S.R. ...Union of Soviet Socialist Republics
WHO.. .....World Health Organization

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