

MEMORANDUM re: VETO POWER

The U.S.S.R. differs from the other sponsoring powers and France as to whether under the Yalta voting formula any Permanent Member, not itself a party to the dispute, has a right by its single vote to prevent discussion and consideration and preliminary hearing by the Security Council of a dispute or situation deemed likely to create international friction.

The U.S.S.R. contends that there is such a right to veto since discussion and consideration may have "major political consequences" and since discussion, unless it was "followed by * * * action", would be "likely to discredit the whole Organization". The Soviet, therefore, concludes that discussion and consideration by the Security Council is "of great political importance by itself and may entail serious consequences; . . ." and thus should be subject to veto. However, the Soviet says that it is not to be assumed that in fact the veto power would be used except in "rare exceptional cases".

The U.S. contends that the right of free discussion within the Security Council is inherent and fundamental and may well prove to be the most useful aspect of Council activity. It believes that a duty to discuss clearly arises from the language of the Dumbarton Oaks Proposals. VIII-A-2 entitles any state as of right to bring to the attention of the Security Council any dispute or any situation which may lead to international friction or give rise to a dispute. Chapter VIII-A-4 obligates parties to an unsettled dispute to refer it to the

Security Council. Chapter VI-D-4 entitles any member to participate in discussion before the Security Council whenever the Security Council (acting by what the U.S.S.R. concedes may be a procedural vote) considers that the interests of that member are specially affected. It is not apparent as to how the Council can intelligently make up its mind as to how to deal with those matters which will come before it, unless, first, there can be discussion.

If this difference of interpretation is looked upon as an isolated matter, it may seem relatively unimportant. But the matter should also be considered in relation to its setting.

1. The U.S.S.R. now states that the right to veto discussion and consideration is one which in practice would rarely be exercised. But it cannot be assumed that this is an accurate estimate of the probabilities. The Soviet political system does not encourage or even admit of free discussion of the kind we rely upon to clarify different viewpoints and bring out ways of solution. We are constantly seeing that Soviet viewpoint reflected here at San Francisco in efforts to prevent free discussion within the committees of the Conference and to subordinate those committees to the will of the Big Five. There is little doubt but what the present difference involves a basic ideological conflict; that that conflict cannot be permanently kept in the realm of theory; that at some early date the issue of what kind of a body the Security Council is to be will have to be resolved.

2. If the issue is one which must soon be settled, should it be settled now or should settlement be postponed? It can be urged in favor of postponement that that will at least permit the Conference quickly to complete its task and insure the coming into being of a world organization of which the U.S.S.R. will be a member. There may be some risk that, if the matter were forced to a decision here at San Francisco, the U.S.S.R. might not become a member of the Organization.

3. It seems extremely unlikely that the U.S.S.R. would refuse to join the organization solely on the ground that the Conference had clarified the Charter in the sense of the interpretation of Yalta agreed to by the U.S., U.K., France and China. Whether the intentions of the U.S.S.R. are good or evil - and I assume that they are good - it will need to be a member of the Organization. It seems incredible that it would stay out because the United Nations here at San Francisco denied the Soviet Union a right hereafter to veto discussion by the Security Council, a right which the Soviet Union itself claims it would expect to use only "in rare exceptional cases".

4. There may never be a better opportunity in which to get the issue resolved in a sense favorable to our interpretation. The Organization is now in process of formation and the overwhelming majority of those who are sharing in that process want the U.S. interpretation grafted into the organization. Indeed, they overwhelmingly want to cut the right of veto to much less than what the U.S. feels it must seek in order to comply loyally with the Yalta agreement with the U.S.S.R.

5. By now resolving the difference of opinion in the sense wanted by the U.S. and by all of the United Nations (except the U.S.S.R. and its satellites), we can give a moral leadership which is desperately needed. The spirit which will be infused into the new organization at its birth is even more important than the precise words of its charter. By allowing the moral sense of the nations here to move into action on this matter (which has become central to the whole conference) we can promote the kind of a spirit which alone will make the Organization a living, vital thing.

6. Postponement of decision would be construed as further evidence of the incapacity of the Big Five to come to quick and unanimous decisions. A capacity to decide quickly is indispensable to the effectiveness of the Security Council as planned. Already the smaller nations are beginning to lose confidence in the Council because of the demonstrable difficulty of the States which will be the Permanent Members of the Security Council to agree. If the present issue can only be met by postponement, that present impression will be strikingly confirmed and the nations will leave San Francisco without confidence in the ability of the Security Council to function.

7. If the U.S. uses its influence here to repress the will of the vast majority that at least "discussion" be free of veto power, that would not only hurt the Organization, but seriously impair the future influence of the U.S. in world affairs:

a) The U.S. has publicly made known its views on this matter. A statement issued by the Department of State on

March 24, 1945 contained the following:

"could the projected international organization be precluded from discussing any dispute or situation which might threaten the peace and security by the act of any one of its members?"

The answer is No."

The statement then went on to express "this government's understanding" in the sense hereinabove set forth.

Postponement of the issue now raised by the U.S.S.R. cannot be accomplished merely by the U.S. voting for its interpretation and the U.S.S.R. voting for its interpretation. It will be necessary to prevent the forty other members of the United Nations from voting the U.S. interpretation into the Charter. To prevent that would require the U.S. to use all of its influence with friendly states. If the U.S. uses its influence to prevent the adoption by the Conference of the interpretation which the U.S. has itself categorically affirmed and ardently believes in, that would be construed as surrender to a Soviet view which we do not believe in and it would seriously injure our moral and political position in the world.

b) The U.S.S.R. itself knows, both from public statements such as above referred to, and from expressions here at the Conference, that the U.S. feels that the issue is fundamental and the merits clear. Now to postpone the issue for fear of conflict with the U.S.S.R. would be deemed by it to be a sign of weakness. It might make it extremely

difficult for the U.S. again to prevail in any international negotiations with the U.S.S.R. and it would tempt the U.S.S.R. to keep on crowding the U.S. until dangerous friction developed.

c) Many if not most of the nations of the world are under strong pressure by the U.S.S.R., both directly and through internal penetration. They are wondering whether or not there is any nation which feels strong enough to stand up for what it believes as against the U.S.S.R. If the U.S. - the greatest and most powerful nation of the world, with the possible exception of the U.S.S.R. - is not willing on this issue and at this juncture and with all of the support that is available, to stand firm, then these other nations will themselves in other matters readily fall in with the U.S.S.R. policies. The result will be to leave the U.S. in a position of greatly increased and dangerous isolation.

8. If there is doubt as to the right of the Security Council to discuss and consider, free of veto power, the U.S. ratification will become much more difficult. Already liberal groups, particularly represented by religious organizations, are strongly opposed to the veto power, especially if extended to methods of pacific settlement. If the veto power is further extended even to discussion and consideration within the Security Council itself, there will be a very large measure of

disillusionment which will subtract from the domestic support which the Charter would otherwise obtain.

9. For reasons above indicated, this matter of veto has come to assume here a symbolic importance beyond the issue itself - important as that is. Under the circumstances it seems both from the standpoint of World Organization and of the U.S. that we ought not to compromise our position. Rather we should bring to an end a delay which, if further prolonged, may be dangerous, and encourage the Conference to go ahead and adopt the interpretation in which we believe, that the veto power does not apply to discussion and consideration within the Council.

This can and should be done in a spirit of entire friendliness to the U.S.S.R. and in full recognition of its good faith in this matter of interpretation.

J.F.D.

June 6, 1945

UNCIO V STATE NR 11/5TH JUNE 1948 PM EWT URGENT CR 31A ET

TO HON. EDUARD D. STETTINIUS, JR., CHAIRMAN, U.S. DELEGATION, UNCIO.
FROM HON. HAROLD L. IONES, SECRETARY OF THE INTERIOR
11 JUNE 5TH.

I ASK THAT YOU ADVISE THE UNITED STATES DELEGATION THAT IN MY OPINION IT IS VITALLY IMPORTANT THAT THE UNITED STATES SPONSOR A DECLARATION OF GENERAL POLICY RESPECTING ALL DEPENDENT TERRITORIES WHICH WILL BE PART OF THE CHARTER OF THE UNITED NATIONS ORGANIZATION. UNLESS WE DO THIS, AND UNLESS THE DECLARATION IS AN EFFECTIVE, PROGRESSIVE STATEMENT, WE WILL PREJUDICE OUR MORAL AND POLITICAL LEADERSHIP IN THE WORLD AND PARTICULARLY WITH THE MILLIONS OF DEPENDENT PEOPLES OF THE WORLD WHO FORM AN INCREASINGLY IMPORTANT SEGMENT OF WORLD OPINION AND POWER. SPECIFICALLY THE DECLARATION SHOULD REITERATE OUR HISTORIC COMMITMENT TO THE RAPID POLITICAL, ECONOMIC AND SOCIAL ADVANCEMENT OF DEPENDENT PEOPLE; TO THE OBJECTIVE OF, FIRST, SELF-RULE, AND SECOND, INDEPENDENCE; TO THE ASSURANCE OF THEIR BASIC RIGHTS AND FREEDOMS. I THINK THAT IT IS ALSO OF GREAT IMPORTANCE THAT AN EFFECTIVE SYSTEM BE PROVIDED FOR REPORTING TO THE ORGANIZATION AND TO

DECLASSIFIED

E.O. 12958, SEC. 3.6(b)

STATE DEPT. 64800005

BY D074 DATE 4/24/00

THE PEOPLE OF THE WORLD CONCERNING THE ADMINISTRATION OF THE TRUST WHICH IS IMPLIED IN THE RELATION OF THE DOMINANT COUNTRY TO THE DEPENDENT AREA. ANY SUBSTANTIAL PROBLEMS ARISING FROM A MILITARY NECESSITY TO AVOID DISCLOSURE OF SECURITY INFORMATION CAN, I AM SURE, BE MET BY APPROPRIATE LANGUAGE, BUT QUALIFICATIONS AND RESERVATIONS SHOULD BE KEPT TO THE MINIMUM REALLY NECESSARY FOR SECURITY PURPOSES.

SENT NR 11/8TH JUNE 1432 PM EWT STATE WFC

RECVD NR 11/8TH JUNE 1432 H PM AM PWT UNCIO GH

EXECUTIVE OFFICE OF THE PRESIDENT
BUREAU OF THE BUDGET
WASHINGTON, D. C.

June 14, 1945.

Dear Harold:

Attached are two documents, which you might be interested in seeing. The one suggests language which would strengthen the position of the Secretary-General and clarify his relations within the Organization. The present language leaves him hanging somewhat in midair.

Charles Darlington, of the Coordinating Committee, feels that the present language is very unclear and asked for me to try a hand at improving it. Whether or not the clarifying phrases can go in I don't know, but I believe the text would be improved by starting section two as I have done with a sentence previously tacked on to the end of section one, thereby placing all items dealing with the functions of the Secretary-General in one paragraph.

The other document is a suggested way of dealing with the deputy question in the eventuality that the conference agrees that some reference to them should be made. From the standpoint of Charter drafting this is not necessary.



Donald C. Stone,
Assistant Director.

2 attachments.

THE SECRETARIAT - Chapter X

(NOTE: Underlining is proposed clarifying language)

1. There should be a Secretariat, comprising a Secretary-General and such staff as may be required. The Secretary-General shall be elected by the General Assembly on recommendation of the Security Council for a period of three years and the Secretary-General shall be eligible for re-election. (Language on method of election still to be determined.)

2. The Secretary General shall be the chief administrative officer of the United Nations and of each of its organs. Subject to such regulations as may be established by the General Assembly, the Secretary-General shall determine the internal organization and procedures of the Secretariat, and the methods to be followed in the conduct of the administrative affairs of the Organization. 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 or may be entrusted to him by the Organization.~~ He shall perform such other functions as may be entrusted to him by the organs of the Organization under regulations prescribed by the General Assembly, but with the approval of the Security Council in respect to those regulations directly relating to the discharge of its responsibilities under the Charter. The Secretary-General shall make an annual report to the General Assembly on the work of the Organization.

3. The staff shall be appointed by the Secretary-General under regulations established by the General Assembly. 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.

4. In the performance of their duties, the Secretary-General and the staff shall ~~be responsible only to the Organization.~~ ~~They 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. Each member 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.

QUESTION OF DEPUTY SECRETARIES-GENERAL

If the deputy question is reopened and the conference decides that some reference to deputies should go in the Charter, the following is the simplest method of providing for them:

1. Change paragraph 1 of article X by adding the words underlined:

"There shall be a Secretariat, comprising a Secretary-General, one or more deputy secretaries-general, and such staff as may be required."

2. Change paragraph 5 to read:

"The deputy secretaries-general and the staff shall be appointed by the Secretary General under regulations established by the General Assembly."

June 19, 1945

MEMORANDUM for Miss White:

My special assistant, Lieutenant Cord Meyer, Jr., has been retired from the Marine Corps, effective June 1, 1945. Prior to that date, his salary was paid by the Marine Corps, the State Department and the Marine Corps jointly supplying per diem. In accordance with a verbal understanding which I had in Washington regarding salaries of assistants at the Conference, I should appreciate appropriate steps being taken by the State Department to pay Lieutenant Meyer's salary from June 1 to the conclusion of the Conference at the rate of \$3600 per annum base pay. Lieutenant Meyer's certification as to the separation date from the Marine Corps appears below. If copies of his official papers are required, they will be furnished upon request.

Harold E. Stassen, Delegate

I hereby certify that the official date of my separation from the United States Marine Corps, by reason of disability, was June 1, 1945.

Cord Meyer, Jr.

To Comrade Stasen
(J.F.D.)

June 19, 1945 17 M.

MEMORANDUM to: Secretary Stettinius
From: Mr. John Foster Dulles

At the Big Five meeting this morning, word was received from Committee III/3, dealing with Transitional Arrangements, that the matter of the right of enemy powers to appeal to the Security Council or Assembly was proposed to be dealt with by the insertion in the Committee report of language as follows:

"It is understood that the enemy states in this war shall not have the right of recourse to the Security Council and General Assembly until the Security Council gives them this right."

The Big Five agreed to acquiesce in this handling of the subject. That agreement, in so far as you were concerned, was in part based upon my advice to you that if the understanding so to be expressed in the Committee report were accepted by the Organization, the decision of the Security Council to give the enemy states the right of recourse could, in my opinion, be taken by procedural vote. I based this advice primarily upon the fact that paragraphs 4 and 5 of Section D, Chapter VI, providing for participation by members or non-members in the consideration by the Security Council of disputes, is "Procedural", and under the agreed interpretation of Chapter VIII-C (Yalta voting formula) such procedural action may be taken by the affirmative vote of any seven members of the Council.

I discussed this interpretation briefly with Lord Halifax and Professor Webster, who stated that they shared my view as above expressed.

J.F.D.

THE UNITED NATIONS CONFERENCE
ON INTERNATIONAL ORGANIZATION

San Francisco
June 21, 1945

Dear Governor:

I hope you will find it possible to be present at Hamilton Field on the afternoon of June 25 so that I may have the opportunity of personally presenting you to the President upon his arrival.

Full details concerning his arrival will be communicated to you as soon as plans are definite.

With all good wishes,

Sincerely yours,

Commander Harold E. Stassen, USNR
Delegation of the United States,
Fairmont Hotel
St. Francisco.



accept

*In honor of
President Harry S. Truman
The Chairman of the
Delegation of the United States of America
to the
United Nations Conference on International Organization
requests the pleasure of your company
at dinner
on Monday, June twenty-fifth
The Fairmont Hotel, San Francisco*

Pent House, eight o'clock

Informal dress

*Please address reply
to the Protocol Officer*

Room 104 Fairmont Hotel, San Francisco

*Werner
6/23*

RECEPTION AT FAIRMONT HOTEL - 5:15 P.M., JUNE 25

At the reception to be held at the Fairmont Hotel immediately after the President has arrived from Hamilton Field, foreign delegations and some few American officials, including the Governor and the Mayor, are to assemble in the Venetian Room, straight through the lobby at the rear of the Hotel. As the reception is in a Conference category, the six American delegates will also be asked to assemble in this room prior to filing by the President in usual Conference alphabetical order. "Admit" cards for the reception will be taken up on leaving the Venetian Room. The Governor, the Mayor and others in the special group mentioned above will follow the last foreign (Yugoslavia) delegation.

Advisers, political and technical assistants will follow in an order approximate to classifications listed in the official Conference book, listing delegation personnel. The above persons will assemble in the Laurel Court in the area opposite the Transportation Section. International Secretariat officials will also assemble in the Laurel Court. "Admit" cards will be taken up when passing entrance to Venetian Room.

Assembly time is indicated as 5:15.

Protocol Office

THE UNITED NATIONS CONFERENCE
ON INTERNATIONAL ORGANIZATION

Protocol Office

The Protocol Officer of the International Secretariat presents his compliments to their Excellencies the Chairmen of the Delegations to the United Nations Conference, and, with reference to the invitation extended to them by the Chairman of the Delegation of the United States of America to be present at Hamilton Field for the arrival of President Truman on Monday afternoon, June 25, has the honor to set forth for their information certain additional details:

1. Informal street clothes will be worn for the ceremony at Hamilton Field as well as the reception at the Fairmont Hotel which will follow.

2. The Chairmen should proceed from San Francisco to Hamilton Field in the automobiles assigned to them. A special number will be supplied for each car to indicate its relative position in the presidential procession on the return trip from Hamilton Field to San Francisco. Flags of appropriate size as well as a sticker bearing the name of the respective delegation will also be supplied. Chairmen should leave San Francisco for Hamilton Field not later than one p.m. the afternoon of Monday June 25. It is not contemplated that they will be accompanied at the ceremony, as there will be no arrangements to present other members of foreign delegations to the President.

3. On arrival at the Security Control point at Hamilton Field, Chairmen may wish to display this circular to facilitate identification. Military personnel will be present at Hamilton Field to guide automobiles to the parking area. If the weather is unusually warm, cars will be parked in a designated hangar; otherwise they will take position on the right flank of the Guard of Honor.

4. Just before the arrival of the presidential plane, State

Department officials who will be present will escort the Chairmen to the location which has been assigned to them.

5. The President will be greeted by the Chairman of the Delegation of the United States of America as he descends from the plane, following which the Chairmen will be escorted to the President where they will be presented by Mr. Stettinius following established Conference order. After the presentation, they will assemble in an informal group to the right and rear of the President where they may witness the military part of the ceremony.

6. At the conclusion of the military ceremony, the automobiles will be brought forward to the Chairmen in the usual order for their return to San Francisco.

7. The presidential procession will return to San Francisco over the Golden Gate Bridge and after driving through the streets of San Francisco with appropriate escort, will reach the Fairmont Hotel at approximately 5 p.m. Chairmen will be met at the door by State Department officials and escorted to the Venetian Room where the invited guests will be assembled for the presidential reception to be held by Mr. Stettinius in the Red Room at 5:30.

8. Delegations will be escorted to the Red Room in the order previously indicated. Mr. Stettinius will present the Chairmen, who in turn will introduce to the President the individual members of their respective delegations invited to the reception.

9. Liaison Officers attached to the respective delegations will be glad to furnish any additional detailed information which may be required.

San Francisco, June 22, 1945.



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