

GENERAL

Guide to
Amendments, Comments and Proposals
Concerning the
Dumbarton Oaks Proposals
For a
General International Organization

(For the Use of the Delegates)

THE UNITED NATIONS
GENERAL ASSEMBLY
MAY 14, 1945

GENERAL

This document is arranged, in accordance with the instructions of the Steering Committee, in three columns, as follows: Column 1 — Dumbarton Oaks Proposals; Column 2 — Amendments proposed by the four sponsoring governments; Column 3 — A comprehensive index to amendments, comments, and proposals. The index is based only upon those documents which appear in the bound volume "Comments and Proposed Amendments Concerning the Dumbarton Oaks Proposals".

Dumbarton Oaks Proposals
For a
General International Organization

(For the Use of the Delegates)

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DUMBARTON OAKS PROPOSALS

(Committee I/1)

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.

AMENDMENTS PROPOSED BY THE FOUR SPONSORING GOVERNMENTS

[Note: Amendments agreed to by the four sponsoring governments on May 4, 1945, are indicated by printing added passages in italic type and deleted passages in canceled type.]

(Committee I/1)

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 cooperation in the solution of international economic, social and other humanitarian problems; and

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

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 cooperation 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

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DUMBARTON OAKS PROPOSALS

(Committee I/1)

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.

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.

AMENDMENTS PROPOSED BY THE
FOUR SPONSORING GOVERNMENTS

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:]

7. *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.*

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DUMBARTON OAKS PROPOSALS

(Committee I/2)

Chapter III. Membership

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

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FOUR SPONSORING GOVERNMENTS

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DUMBARTON OAKS PROPOSALS

(Committee I/2)

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.

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DUMBARTON OAKS PROPOSALS

(Committee II/1)

Chapter V. The General Assembly

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AMENDMENTS PROPOSED BY THE
FOUR SPONSORING GOVERNMENTS

(Committee II/2)

Section B. Functions and Powers. 1. The General Assembly should have the right to consider the general principles of cooperation 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.

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DUMBARTON OAKS PROPOSALS**AMENDMENTS PROPOSED BY THE
FOUR SPONSORING GOVERNMENTS****(Committees I/2 and II/1)***

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

(Committees I/2 and II/2)**

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.

(Committee II/1)

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.

*I/2—Questions of the conditions of admission; II/1—Questions of procedure.

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(Committee II/1)

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.

(Committees II/2 and II/3)*

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

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6. The General Assembly should initiate studies and make recommendations for the purpose of promoting international cooperation 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 or 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 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.

*II/2—Questions of political cooperation and of adjustment of situations likely to impair the general welfare.

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7. The General Assembly should make recommendations for the coordination 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.

**AMENDMENTS PROPOSED BY THE
FOUR SPONSORING GOVERNMENTS**

[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.

(Committee II/2)

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

(Committee II/1)

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 questions to be decided by a two-thirds majority, the decisions of the General Assembly should be made by a simple majority vote.

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(Committee II/1)

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

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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.

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(Committee III/1)

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 reelection. 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.

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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, *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 reelection. 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.

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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.

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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.

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[Here follows the text of Section C as proposed at the Crimea Conference:]

Section 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.

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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.

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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 subcommittees 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.

AMENDMENTS PROPOSED BY THE
FOUR SPONSORING GOVERNMENTS

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 subcommittees 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.*

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DUMBARTON OAKS PROPOSALS

(Committee IV/1)

*Chapter VII. An International Court of Justice*AMENDMENTS PROPOSED BY THE
FOUR SPONSORING GOVERNMENTS

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

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.

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DUMBARTON OAKS PROPOSALS

Chapter VIII. Arrangements for the Maintenance of International Peace and Security Including Prevention and Suppression of Aggression

(Committee III/2)

Section A. Pacific Settlement of Disputes.

**AMENDMENTS PROPOSED BY THE
FOUR SPONSORING GOVERNMENTS**

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.

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

Without prejudice to the provisions of paragraphs 1-5 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.

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DUMBARTON OAKS PROPOSALS

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.

AMENDMENTS PROPOSED BY THE
FOUR SPONSORING GOVERNMENTS

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. *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.*



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