

May 4, 1945

AMENDMENTS PROPOSED BY THE GOVERNMENTS OF THE  
UNITED STATES, UNITED KINGDOM,  
SOVIET UNION AND CHINA

The Delegations of the four Governments  
which participated in the Dumbarton Oaks conver-  
sations, the United States, the United Kingdom,  
the Soviet Union, and China, have consulted  
together concerning amendments to the Dumbarton  
Oaks Proposals which each of them desired to  
submit. The proposed amendments on which the  
four find themselves in agreement are submitted  
to the Conference as joint proposals. Such  
further amendments as each of these Governments  
may wish to propose will be presented separately.

Note: Amendments are indicated by underscoring  
added passages and striking out deleted passages.7

## 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 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

## 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 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 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 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.

### 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 Proposals should be adjusted to bring it into conformity with the recommendations of Commission IV in light of the report of the Jurist's 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 1-5 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 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 Security Council should in each case decide whether or not it 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 or whether it should 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



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 subcommittees of the Military Staff Committee.

## CHAPTER IX. ARRANGEMENTS FOR INTERNATIONAL ECONOMIC AND SOCIAL COOPERATION

### 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 coordinate 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 responsibilities.

## 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 becomes 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.



# GENERAL

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## AMENDMENTS PROPOSED BY THE GOVERNMENTS OF THE UNITED STATES, THE UNITED KINGDOM, THE SOVIET UNION, AND CHINA

The Delegations of the four Governments which participated in the Dumbarton Oaks Conversations, the United States, the United Kingdom, the Soviet Union, and China, have consulted together concerning amendments to the Dumbarton Oaks Proposals which each of them desired to submit. The proposed amendments on which the four find themselves in agreement are submitted to the Conference as joint proposals. Such further amendments as each of these Governments may wish to propose will be presented separately.

(Note: Amendments are indicated by underscoring added passages and striking out deleted passages.)

### 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 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

## 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 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 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 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.

#### 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 Proposals 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 1-5 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 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.

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 subcommittees of the Military Staff Committee.

## CHAPTER IX. ARRANGEMENTS FOR INTERNATIONAL ECONOMIC AND SOCIAL COOPERATION

### 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 coordinate 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 responsibilities.

#### 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.



## GENERAL

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ADDITIONAL AMENDMENTS TO THE DUMBARTON OAKS PROPOSALS  
AGREED TO BY THE GOVERNMENTS OF THE UNITED STATES, UNITED  
KINGDOM, THE SOVIET UNION AND CHINA

The Delegations of the four Governments which participated in the Dumbarton Oaks Conversations, the United States, the United Kingdom, the Soviet Union, and China, have now agreed to two further amendments to the Dumbarton Oaks Proposals in addition to those included in Document 2, G/29, May 5, 1945. These additional amendments are as follows:

CHAPTER V. THE GENERAL ASSEMBLY

Section E. 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.

(Note: Amendments are indicated by underscoring added passages and striking out deleted passages.)

## GENERAL

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AMENDMENTS TO THE DUMBARTON OAKS PROPOSALS SUBMITTED  
BY THE DELEGATIONS OF BRAZIL, THE DOMINICAN REPUBLIC,  
AND THE UNITED STATES OF MEXICO

The Delegations of Brazil, the Dominican Republic, and the United States of Mexico submit the following amendments to the Dumbarton Oaks Proposals:

Inclusion under Chapter I, Purposes, at any appropriate point, of the following paragraph:  
To ensure respect for human rights and fundamental freedoms, without discrimination against race, sex, condition, or creed.

### JUSTIFICATION

In support of the above, we point out that the proposal is in accord with the progress and development of international law and policy, as most recently affirmed by the Final Act of the Inter-American Conference on Problems of War and Peace, approved in Chapultepec, Mexico, March 7, 1945.

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The Delegations of Brazil, the Dominican Republic, and the United States of Mexico submit the following amendment to the Dumbarton Oaks proposals:

Inclusion under Chapter V, at any appropriate point, of the following paragraph:  
Representation and participation in the General International Organization shall be open to men and women under equal conditions.

### JUSTIFICATION

In support of the above, we point out that the proposal is in accord with the evolution of international law

and policy, as affirmed frequently, and most recently in the Final Act of the Inter-American Conference on Problems of War and Peace, approved in Mexico City, March 7, 1945.

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The Delegations of Brazil, the Dominican Republic, and the United States of Mexico submit the following amendment to Chapter IX, Arrangements for International Economic and Social Cooperation, Section A, Purpose and Relationships, paragraph I of the Dumbarton Oaks Proposals (line 15 to 16 of Doc I G/1):

... and promote respect for human rights and fundamental freedoms and foster the democratic principle of equality of status, opportunity, and responsibility for men and women. Responsibility for the discharge of this function... etc..

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#### JUSTIFICATION

This amendment is in accord with the development of international policy and law as demonstrated in former legal instruments and recently affirmed in the Inter-American Conference on Problems of War and Peace.

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The Delegations of Brazil, the Dominican Republic, and the United States of Mexico submit the following amendment to Chapter X, The Secretariat, paragraph I of the Dumbarton Oaks Proposals (lines 7 to 8 of Doc. 1 G/1):

I. There should be a Secretariat comprising a Secretary-General and such staff as may be required, all positions being open equally to men and women. The Secretary-General etc..

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#### JUSTIFICATION

This proposal is in agreement with the continuous development of international law and policy, as reflected in the Covenant of the League of Nations, Article VII, Paragraph 3, which reads: "All positions under or in connection with the League, including that of the Secretariat, shall be open equally to men and women", and more recently reaffirmed by the Inter-American Conference on Problems of War and Peace

~~RESTRICTED~~

US Gen 31a  
May 5, 1945

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SUMMARY OF THE RECENT BRAZILIAN, CZECHOSLOVAK,  
LEBANESE, NEW ZEALAND, PANAMANIAN, TURKISH AND SOUTH AFRICAN  
COMMENTS ON THE DUMBARTON OAKS PROPOSALS

Brazil

The Brazilian Government on May 2 submitted the following amendments to the Dumbarton Oaks proposals:

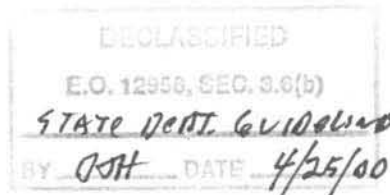
1. The addition of the phrase "To proscribe war as an instrument of national policy" at the beginning of paragraph 1, Chapter I.
2. The expansion of paragraph 2, Chapter I to include among the purposes of the Organization "to define matters which constitute the domain of international law, i.e., those which transcend the domestic competence of the states; within the limits of such definition, to vote the secondary laws or laws pertaining to application".
3. The addition of respect for and fulfillment of treaty obligations to paragraph 2, Chapter II.
4. The substitution of the word "discuss" for the word "consider" in paragraph 8, Chapter V, Section B.

Czechoslovakia

The Czechoslovak Government, in a memorandum dated April 25, voices a strong desire for the establishment of an international organization and approves the Dumbarton Oaks proposals as an "excellent basis" for the deliberations of the Conference. The Czechoslovak Government, however, makes certain observations with regard to the proposals and suggests the following changes:

1. Addition to the principles set forth in Chapter II of "observance of international law and treaty obligations" and "respect for the territorial integrity and political independence of States-members".
2. Provision that in cases where the Security Council comes to the conclusion that "international peace and security can be maintained only by measures not in conformity with these fundamental principles, and especially by territorial changes", or at the request of any party to a dispute the matter should be laid before the assembly, its decision to be taken by a two-thirds vote.

3. Revision





3. Revision of paragraph 5, Section A, Chapter VIII to make it clear that, while pacific procedures are in progress council intervention in a dispute must be limited to recommendation of appropriate procedures and that actual settlement of a dispute by the council will occur only after the parties thereto have failed to reach a solution by pacific means.

4. Deletion of the word "normally" in paragraph 6, Section A, Chapter VIII to give the international court jurisdiction over all justiciable disputes with the right to determine which disputes fall within this category.

5. Provision to give the international court the power to determine whether a dispute falls within the domestic jurisdiction of the state concerned.

6. Establishment of certain rules of conduct, including a definition of the term aggressor, to govern the action of the Security Council in the application of enforcement measures.

7. Provision empowering the Security Council to give advance authorization for regional enforcement action in "cases of immediate danger", such action to be subsequently submitted for council approval.

#### Lebanon

The Lebanese Government, in its commentary of April 26 on the Dumbarton Oaks proposals, declaring that it is "completely ready to do its part in the maintenance of peace and security on the basis of the Dumbarton Oaks Proposals", makes the following suggestions for consideration by the Conference:

1. That the peace must be based on "a foundation of real justice", and to this end the Conference must determine "a dynamic and positive conception of civilized existence".

2. That educational and intellectual cooperation must be emphasized by the Organization; that certain small nations can make large contributions in this field, and are therefore "entitled to a dominant representation in the Economic and Social Council or in an Educational Commission under that Council".

3. That a permanent committee of jurists should be created for the "periodic codification or consolidation of existing principles of international law, together with the modifications thereof which shall be deemed necessary from time to time".

New Zealand

New Zealand

The New Zealand Delegation on May 1 submitted 18 amendments to the Dumbarton Oaks proposals, the most significant of which are as follows:

1. To include in paragraph 1 of Chapter I the maintenance of territorial integrity and political independence of member states.

2. To introduce in Chapter II a paragraph 1a reaffirming the principles of the Atlantic Charter and the United Nations Declaration; a paragraph 2a pledging the promotion "of human rights and fundamental freedoms", particularly the "four freedoms" and a paragraph 4a obligating all member states to act collectively in case of aggression against any member.

3. To add the Economic and Social Council to the list of principal organs.

4. To give the General Assembly "the right to consider any matter within the sphere of international relations", not excluding security matters being dealt with by the council.

5. To give the assembly power to admit new members to the organization without recommendation by the council and to restore the privileges of suspended members upon recommendation of the council.

6. To require the concurring vote of the General Assembly by a simple majority for the application of enforcement measures under paragraphs 3 and 4 of Chapter VIII, Section B, the council to be empowered, however, in cases of "extreme urgency", to apply such measures without such concurrence and subsequently to report its decision to the assembly.

7. To give the General Assembly the right to modify, if it so desires, the term to be served by the non-permanent members of the Security Council and the limitation on their eligibility for re-election, and also to modify the provisions for the composition and voting of the Economic and Social Council.

8. To provide for the conclusion of the "special agreement or agreements" referred to in Chapter VIII, Section B, paragraph 5, with the Security Council rather than among the member states.

9. To make

9. To make the existence of regional arrangements and agencies subject to the approval of the Organization as being consistent with its purposes and principles.

#### Panama

The Panamanian Government has proposed that there be established as permanent organs of the Economic and Social Council:

1. An International Maritime Transportation Office to aid the reestablishment of maritime services after the war, and to examine transportation rates and conditions to avoid unfair exploitation.

2. An International Migration Office to study migration needs and the possibilities of colonizing various parts of the world, and to aid in the organization of colonization and immigration projects.

3. An International Educational Office to stimulate and coordinate studies to promote better understanding among nations and among cultural, technical and religious groups on all teaching levels.

#### Turkey

The Turkish Government has submitted certain suggestions of a general nature relative to the Dumbarton Oaks proposals for the consideration of the Conference when the time comes for "the amending and redrafting of the final text". These are

1. That there be included in paragraph 1 of Chapter II the stipulation that the settlement of disputes shall be in conformity with justice and the general principles of law.

2. That the powers of the assembly be extended to give it "in the last instance ... all the powers of control relative to decisions bearing upon the maintenance of peace and security", without, however, limiting the powers conferred on the council.

3. That the number of non-permanent council seats be increased to 10.

4. That a minimum of 11 votes be required for council decisions.

5. That the powers of the Security Council under paragraph 5, Section A, Chapter VIII be limited to preclude council intervention in questions before the court.

6. That

6. That the council be empowered to protect the party to a dispute submitting to the judgment of the court.

7. That the international court be empowered to determine what disputes under paragraph 7, Section A, Chapter VIII fall within the domestic jurisdiction of the state concerned.

8. That in cases of emergency the application of regional arrangements should be automatic and not require prior council approval, such arrangements, however, being exclusively for defense purposes and any emergency action taken thereunder being immediately reported to the council.

9. That a provision should be inserted in the Charter justifying legitimate self-defense, subject to review by the council.

#### Union of South Africa

The Delegation of the Union of South Africa has proposed an expanded preamble to the Charter of the Organization, setting forth the basic objectives and intentions of the participating governments in agreeing to the Charter.



# GENERAL

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JOINT DRAFT AMENDMENT TO CHAPTER VIII, SECTION C,  
OF THE DUMBARTON OAKS PROPOSALS BY THE  
DELEGATIONS OF CHILE, COLOMBIA, COSTA RICA,  
ECUADOR, AND PERU

The following form is proposed as a development of the principles enunciated in Chapter VIII, Section C of the Dumbarton Oaks Proposals:

I. It is recognized that the existence of systems of a regional nature founded on permanent agreements which would have the same purposes, aims, and objectives as the Organization of the United Nations can be of great use in the maintenance of international peace and security.

II. The Security Council shall be permanently and amply informed concerning the activities of such regional systems.

III. Agreements which may be concluded with the object of establishing systems of a regional nature for the maintenance of international peace and security must be submitted to the Security Council for its examination and approval; the Council may, before granting its approval, inspect and watch, for whatever period it may deem wise, the organization and activities of any such system.

IV. Disputes or conflicts arising between States which belong to a given regional system shall be settled according to the agreements or statutes of that system if it has been approved by the Security Council or declared, in the present instrument, compatible with the ends and purposes of the United Nations; and this will not prevent the Security Council from fulfilling the functions assigned to it, when it has not been or is not possible to settle the dispute or conflict satisfactorily by applying the measures contemplated in the corresponding

regional agreement or statutes, and it will be the duty of the said regional body to determine, in agreement with the procedure set forth in its statutes, when such a case arises.

V. It is declared expressly that the Pan-American system is compatible with the aims, purposes, and objectives of the Organization of the United Nations, and that, in consequence, it shall continue functioning autonomously as has been set forth in the preceding paragraph.

VI. The fact that a state is a member of the regional body does not relieve it of any of the obligations that it may assume in the present instrument towards all and each of the other United Nations.

## GENERAL

### JOINT PROPOSAL SUBMITTED BY THE DELEGATIONS OF BRAZIL AND CHINA\*

In accordance with the Rules of Procedure requiring authorization of the Executive Committee for acceptance of formal proposals submitted after May 4, 1945, the Secretary General herewith circulates a proposal submitted by the Delegation of China on May 12, 1945, which was accepted by the Executive Committee on May 18, 1945.

#### Proposal of the Chinese Delegation Regarding the Amendment to Chapter XII Proposed by the Brazilian Delegation

The proposal of the Brazilian Delegation to establish an Interim Commission for an international health organization is in line with the views of the Chinese Delegation.

However, we feel that, while we agree as to the high objective which we all wish to achieve, the procedure proposed--that of incorporating it as an addition to Chapter XII--is not necessarily the only way of achieving this objective.

If the proposal of the Brazilian Delegation does not receive the vote of the necessary majority, the Chinese Delegation wishes to submit the following resolution to be passed as a recommendation to the Conference from this Committee. We feel that, while it expresses almost exactly the same purposes as the Brazilian Delegation had in mind, it will achieve the desired result by a procedure which will have more general agreement.

\*Note: After the above proposal was accepted by the Executive Committee for circulation as an official Conference document, the Delegation of Brazil proposed and the Delegation of China approved that this be a joint proposal of the Delegations, the Brazilian Delegation having withdrawn its proposed amendment No. 8 to Chapter XII of the Dumbarton Oaks Proposals as set forth in Document 2 G/7 (e) (4), May 6, 1945.

BE IT RESOLVED:

1. THAT, An Interim Commission be established for studying, and making recommendations regarding, the establishment of an international health organization;
2. THAT, Each of the governments here represented be entitled to designate a representative on the Interim Commission, and that the Interim Commission be installed in a city to be designated by the Presidents of the Conference not later than three months after the date of such designation;
3. THAT, The government, in whose territory the Interim Commission has been designated to meet, shall be requested to convene the Interim Commission and to make all necessary preparations for the organization of its meetings.
4. THAT, In the preparation of a plan for the permanent organization, the Interim Commission shall give full consideration to the relation of the permanent organization to and methods of associating it with other institutions, national as well as international, which already exist or which may hereafter be established in the field of health.
5. THAT, The Interim Commission shall report the results of its studies to the Economic and Social Council.



# COMMISSION II      General Assembly

Committee 3      Economic and Social Cooperation

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JOINT DECLARATION BY THE  
DELEGATIONS OF BRAZIL AND CHINA  
REGARDING INTERNATIONAL HEALTH COOPERATION

Circulated for the Information of Commission II, Committee 3

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On May 19, 1945, the Secretary General of the Conference circulated to members the text of a resolution jointly proposed by the Delegations of Brazil and China, with reference to the establishment of an interim commission for an international health organization.

Since the Steering Committee has now decided that no resolutions are to be passed by the Conference, the Delegations of Brazil and China, after consulting the advice of the Secretary General as to procedure, wish to state the purposes of their original resolution in the form of a Declaration as follows:

"The Delegations of Brazil and China recommend that a General Conference be convened within the next few months for the purpose of establishing an international health organization.

"They intend to consult further with the representatives of other delegations with a view to the early convening of such a General Conference, to which each of the governments here represented will be invited to send representatives.

"They recommend that, in the preparation of a plan for the international health organization, full consideration should be given to the relation of such organization to methods of associating it with other institutions, national as well as international, which already exist or which may hereafter be established in the field of health.

"They recommend that the proposed international health organization be brought into relationship with the Economic and Social Council."



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