

WITHDRAWAL

Suggestion for Revised Text for Insertion in the Report of Committee I/2

The Committee adopts the view that the Charter should not make express provision either to permit or to prohibit withdrawal from the Organization. The Committee deems that the highest duty of the nations which will become Members is to cooperate within the Organization for the preservation of international peace and security. If, however, a Member for good and sufficient reasons feels constrained to withdraw, and leave the burden of maintaining international peace and security on the other Members, it is not the purpose of the Organization to compel that Member to continue its cooperation in the Organization.

Nor would it be the purpose of the Organization to compel a Member to remain in the Organization if its rights and obligations as such were changed by Charter amendment in which it has not concurred and which it finds itself unable to accept, or if an amendment duly accepted by the necessary majority in the Assembly or in a general conference fails to secure the ratification necessary to bring such amendment into effect.

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

THE UNITED NATIONS CONFERENCE
ON INTERNATIONAL ORGANIZATION



All —

Misunderstand

"Severe blow has been
struck at the confidence
of the small powers
in the decision on the veto,"



Fraser

(Suggested new chapter, to precede the
Chapter on "Amendments" - now Chapter XI)

This organization of peace-loving states
shall be unbroken and shall endure so long as
the organization serves its purpose to harmonize
the action of its members in the achievement of
the common ends they have proclaimed herein.

HED
 Mrs. Rankin
 Dowley
 Mrs. Hanley
 Mr. Logan
 E.T.

The organization of the...
 will be...
 the...
 the...
 the...

; and with the exception of measures taken within the Inter-American system by the American States in accordance with their long established regional understandings for the maintenance of peace and security throughout the Western Hemisphere, not affecting, however, the authority of the Security Council under this Charter to take such measures at any time as it may deem necessary in order to maintain world peace and security.

FINAL APPROVED
MILITARY DRAFT, 1100
10 MAY 1945

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May 19, 1945

To the Delegations of:

Australia
China
Cuba
Egypt
El Salvador
France
Greece
Netherlands
Union of Soviet Socialist Republics
United Kingdom
✓ United States of America

This is to advise you that the first meeting of Subcommittee III/1/B, which was appointed at the meeting of Committee I, Commission III on May 18, 1945, will be held in Room 202, Veterans Building, on Saturday May 19, 1945, at 3:30 p.m.

This Subcommittee was appointed pursuant to a vote of the committee taken on a resolution offered as follows:

"Considering that discussion on the application of provisions of Section C, Chapter VI with relation to the measures that the Security Council should take in compliance with Section A, Chapter VIII, has made it clear that there is not a uniform interpretation of the voting procedure in that respect,

"IT IS RESOLVED that the Chairman appoint a subcommittee composed of representatives of the four sponsoring powers and Australia, Cuba, Egypt, the Netherlands, Greece and France which will study with the Rapporteur Chapter VI, Section C, in order to clarify the doubts that have arisen in the course of discussion."


Paul G. Pennoyer
Secretary, Committee III/1
Room 420, Veterans Building
International 3300, Ext. 137

Basically - Dumbarton Oaks

There will be an introductory statement by Commander Stassen with reference to the fact that the Delegation is engaged in consultation with the other three sponsoring powers on the amendments proposed by all four sponsoring powers.

1 The American Delegation wants to see it made specific that the Organization will be guided in all its acts by the principle of justice. It wants to see the organization develop international law so that gradually the principles of law rather than decisions of a political character may guide the relations among nations.

2 It is already provided that the Assembly shall have the right to consider the adjustment of conditions which may threaten the general welfare, but we desire to see it made clear that this relates to treaties and prior international decisions so as to make sure that the organization will not be guaranteeing a status which cannot now be foreseen because many of the post war treaties have not yet been concluded.

3 We hope to see included a more specific reference to the long range principles which are set forth in the Atlantic Charter and on which the United Nations have already agreed.

4 One of the matters left over for consideration at Dumbarton Oaks was the matter of trusteeship of dependent peoples. We want to see the Organization have power to exercise that type of responsibility to the extent that may hereafter be agreed upon with reference to particular areas.

6
We know full well that the Charter, as it may be agreed upon here at San Francisco, will not be perfect and will not fully satisfy many legitimate aspirations. Therefore, we hope to expand the present provisions with amendments by introducing the possibility of a general meeting for a Charter revision after a sufficient period of time has elapsed so that the adequacy of the initial Charter has been tested and the desirability of improvement is clearly seen.

7
8
9
The Assembly is already given the right to deal with human rights and fundamental freedoms, and we are going to suggest that among the Commissions which the General Assembly can establish, there should be specific provision ~~for a Commission~~ on human rights and freedoms. We also want to broaden the purpose of the organization to include not only economic and social and humanity problems, but cultural as well.

~~World Court~~
That is the progress along which we are working and where we already are assured that our basic thoughts are shared by the other sponsoring powers.

(Dr. Pasvolsky suggested that mention of treaties be omitted and the following inserted: "We want a quorum in which all situations can be discussed whatever their cause or origin.")

Clarification of the Procedure and Ruler for the Conclusion of the Work of the San Francisco Conference and the Preparation of the Final Draft of the Proposed Charter for Submission to the Respective Governments for Ratification with their Respective Constitutional Processes.

1. In accordance with the rules each technical committee will prepare a report to its respective commission as to a proposed text of the Charter within the terms of reference of the technical committee.
2. Each commission in sessions open to the public will consider the proposed text submitted by its respective technical committees and will prepare a proposed text for the charter within the terms of reference of the commission.
3. During the consideration by the technical committees and the commissions, the coordinating committee may make any informal suggestions and consult with the technical committees and the commissions for the purpose of clarifying, coordinating, and eliminating conflicting decisions of various committees.
4. During the consideration of the technical committees and commissions any chairman of a delegation may bring to the attention of the Executive Committee and therefore to the attention of the Steering Committee any decision of a technical committee or on the grounds that it is contrary to the terms of reference of the Committee, beyond its jurisdiction, in conflict with the decision of another Committee or commission or was taken with an inadequate vote of the members of the Conference or was taken without consideration of important factors which are involved.
5. Upon such a question being raised the Executive Committee will make a recommendation on its disposition to the Steering Committee. The Steering Committee may either decide on the jurisdiction of the Committee, decide on the corrections or error of its procedure, or direct a reconsideration of the substance of the action and in any event will refer its decision to the technical committee or commission from which the question was raised.
6. Upon the conclusion of the work of the Commissions of the proposed draft of the sections of the charter within their respective terms of reference, the four drafts of the Commissions will be reviewed by the Coordinating Committee and the Committee of Jurists both as to substance and form and will prepare one coordinated consistent document from the four portions of the proposed draft charter.

7. The

7. The coordinating committee will then present the prepared draft charter to the Executive Committee for review along with both its reconsiderations as to the complete draft of the proposed charter.
8. The Executive Committee will review the proposed draft charter and the recommendations of the Coordinating Committee and Committee of Jurists and present to the Steering Committee the proposed draft charter for review together with its recommendations.
9. The Steering Committee will review the proposed draft charter and the recommendation of the Executive Committee and present to the Plenary Session the proposed draft charter together with its recommendations for final action.

THE UNITED NATIONS CONFERENCE
ON INTERNATIONAL ORGANIZATION

The Syrian Delegation proposes that Category (a) of Paragraph 3 of the U. S. A. suggestions on Trusteeship system may be modified to read as follows:

(a) territories now held under mandate and whose independence is not yet recognized by participating with the United Nations in the Conference on International Organization.

or

as territories now held under mandate, namely:
(naming them ^{excepting} without Syria and Lebanon)

Consulates
or Embassies

Russ Endanger Peace, Sen. La Follette Warns

U. S. Progressive Assails Imperialism of Soviet Union and Britain

(Continued from Page One)

scribed as being also menaces to peace.

WARNING GIVEN—

Senator LaFollette's address tonight, and the three hour speech he delivered in the Senate last week on the same theme, are regarded in Washington as a warning to the San Francisco Conference that the agreement to be reached there will be subjected to a most searching analysis when it reaches the Senate.

While these speeches do not as yet forecast the eventual rejection of the San Francisco agreement, they do indicate that it will have no easy road to ratification by the Senate.

Senator LaFollette said: "The world stands today at a great crossroad of history. The United States must determine which of two courses it is to follow.

"One is to wash our hands of the whole business and refuse to take on the responsibilities our participation in the war has thrust upon us. I do not believe we should do this.

"Instead, I believe we should face these new responsibilities and strive to create a peace settlement that will endure, with a realistic international organization which will actually work.

"But the past teaches us that to achieve this end both the peace settlement and the world organization must be rooted in principles of justice.

JUSTICE NEEDED—

"I am profoundly convinced that we should now throw our moral strength into the international balance to tip the scales on the side of justice and liberty just as we threw our military strength in to tip the scales against Nazism and Fascism.

"In charting our future course we must keep the past record before us if we are to avoid repeating our disastrous mistakes. Therefore, I wish to consider the present international problems against the back drop of the past.

"Americans should remember that during the first World War our Allies expressed general agreement with our democratic war aims as declared by President Wilson.

"Americans should also remember that at the peace table we discovered that some of our Allies had used their fine phrases about internationalism to cloak their secret imperialistic bargains which they insisted upon writing into the war-breeding treaty of Versailles,



IATED CARE

as their price for joining a League of Nations. The Chinese Province of Shantung was the price demanded by Japan.

PERIL SEEN—

"We must beware of making a similar compromise of principle in order to bring a reluctantly into the present world organization. The Treaty of Versailles should teach us that no permanent peace can be based upon wrong, and that no world organization can be made strong enough to enforce a bad peace.

"The decisions as to the peace settlements will be more important to our children than any decision at San Francisco regarding the mechanics for enforcing peace.

"The present developments in international affairs are disturbing to those who long for enduring peace. Recently, I have watched the activities of our allies in the field of world politics with growing apprehension.

"I yield to no man in my admiration for the magnificent courage and heroic sacrifices of the Russian people. But the Russian Soviet Government's present imperialistic policies in Europe are a menace to any lasting peace. These policies have violated Marshal Stalin's pledges to support the Atlantic Charter and Yalta agreement.

POLAND CITED—

"Russia's arbitrary action toward Poland in forcing territorial changes, her insistence on setting up the made-in-Moscow Lublin regime, and her activities in other areas liberated from the Nazi yoke are facts ominous for any co-operative world organization.

"Great Britain and France have also been pursuing similar imperialistic policies in other areas. No one who studies the causes of war can evade the basic fact that imperialism creates breeding grounds for future conflict.

"I am convinced that Mr. Churchill's course in Greece and his arrogant refusal to discuss any definite plans for freedom for the subject peoples of the British Empire are also menaces to the enduring peace we long for.

"I am no more prepared to commit the United States to enforcing British rule over India, Burma, Malta or Greece than I am to commit my country to enforcing Russian domination over Poland, Rumania or Austria.

"Consider the veto power which permits any one of the five great powers to veto a charge against itself. If any one of these great nations was accused of aggression it would be allowed to sit upon the jury which passes upon its acts.

"Then, as a member of that jury, the accused nation can by its own single vote declare itself 'not guilty.' Thereupon the world organization would be confronted with the horrible choice of either tolerating the aggression or of violating its own pledges by entering upon a war to stop the aggression."

Tokio Kowtows To Soviet

Russian Power Lauded In Broadcast

By Associated Press
Still wooing Russia over the air lanes, Tokio radio yesterday quoted a Japanese war correspondent just returned from Berlin as saying if Hitler "could have had even one opportunity to travel through the Soviet Union, the war between Germany and Russia would never have taken place."

In the broadcast, recorded by the FCC, a Domei writer identified only as Tomoeda, said Germany lost because she underestimated the "belligerent determination" of America and Britain and failed to invade England after France fell.

The correspondent said he stayed in the "gunsmoke-filled and bullet-raining city of Berlin the last day." He described the city's fate as "beyond gruesomeness and I almost felt like a silent prayer."

TRUMAN ASKS SECURITY UNIT

House Bretton Woods Co-operation Cited; Group Wins Praise

By FELIX COTTEN
Staff Correspondent Int'l News Service
WASHINGTON, June 5.—

President Truman appealed today for the co-operation of Democrats and Republicans in Congress in providing for United States participation in international security and economic programs.

In a letter to Chairman Brent Spence, Democrat of Kentucky, of the House Banking Committee, the Chief Executive held up the committee's action on the Bretton Woods financial agreement as an "example" of the kind of cooperation at home that he hoped for.

The letter was read to the House by Spence when the chamber opened debate on the bill for U. S. participation in the currency stabilization fund and international bank provided for in the Bretton Woods agreement.

BILL APPROVED—

The bill was approved by the House Banking Committee by a vote of 23 to 3 after Democratic and Republican leaders on the committee, in consultation with treasury experts, had collaborated in working out a series of amendments.

"I have already made clear," President Truman said, "my conviction that the prompt enactment of the Bretton Woods legislation is of paramount importance to the establishment of a sound economic foundation for lasting peace.

"I am confident that this legislation will be enacted. But my interest in its enactment is almost equalled by my interest in seeing that the Bretton Woods legislation continues to have the full bi-partisan support so manifest by the action of your committee in reporting the bill.

GROUP PRAISED—

"You and Mr. Wolcott (Representative Jesse T. Wolcott, Republican of Michigan, ranking Republican on the committee), as well as the other members of the committee, have demonstrated a high degree of statesmanship and nonpartisanship for which America can be proud and her fighting men and women can be encouraged that their sacrifice has meaning in terms of tomorrow.

"An America united in its determination for lasting peace and prosperity can know no defeat."

While Spence was reading the letter, the Senate Finance Committee was rushing to complete hearings on the bill authorizing the President to cut existing tariffs 50 per cent and extending the Reciprocal Trade Agreements Act for three years.

Air Forces Retire Col. John Lapham

Col. John H. Lapham, brother of Mayor Roger Lapham and assistant chief of staff in charge of the Security Division at Randolph Field, Tex., has been retired from active duty with the Army Air Forces, authorities announced yesterday.

Lapham began his aviation career in 1927 when he received a private pilot's license. He was called into active service in 1941 and served at Randolph since 1942.

Legion Em For Mi

Soviet Mobiliza Cited in

The F

WASHINGTON mobilization of 't was cited today! Guard Associati universal traini

"Russia has n her 15 to 16 year an intensive per training," Col. Taylor (Unite Retired) natio rector of the House Post mittee at h gion's train

SECURI

"Action I with the general n present I ducted o than in "The least be proach sia."

Coleran clare. Fran one "Unpre try m i Pa ti U t ti e te tri tha now "I tive a sy secur United ignore their sec

"The d is the bus all of us, William the Arizon told the co "must take defensive ern Europ by the S adoption o program he

"The pr

Retu Bott

North faced wi a shor bottles interru milk Every collec bottle have a home; a bottles future w time poss

Since ma ties cannot i bottle losses incurred in i dairy executiv that unless milk returned prompt liveries may be or curtailed withi near future.

FUNDS

to the liberated areas of the

PHILIPPINES

The President of the Philippines has designated The Anglo California National Bank of San Francisco as correspondent of the Banking Division of the National Treasury of the Commonwealth of the Philippines.

You can now make remittances of funds direct to the liberated areas of the Philippine Islands.

Anglo Bank will carry out your wishes immediately in transmitting funds by cable or by mail.

ANGLO CALIFORNIA NATIONAL BANK

HEAD OFFICE: 1 SANSOME STREET SAN FRANCISCO

ANGLO CALIFORNIA NATIONAL BANK

(20 other California offices)

FANTA COLA

ICE TWELVE

THE SUPREME COURT OF MINNESOTA
ST. PAUL

CHARLES LORING, CHIEF JUSTICE
JULIUS J. OLSON
HARRY H. PETERSON
LUTHER W. YOUNGDAHL
THOMAS GALLAGHER
CLARENCE R. MAGNEY
LEROY E. MATSON
JUSTICES

ANDREW HOLT
COMMISSIONER

May 21, 1945

Commander Harold E. Stassen
Fairmont Hotel
San Francisco, California

Dear Harold:

Thank you very much for your telegram. I can fully appreciate the reason why the countries you suggested should not be in the revised court automatically but should come in later upon proof of a genuine change of heart. I do not see how there could be any objection to their present exclusion.

I hope that none of these comparatively minor difficulties will cloud the main objective of an effective organization to keep the peace. Of course, I realize the great necessity of a sustaining public opinion throughout the world and especially in the United States, in support of such an organization. It will be even more important fifteen or twenty years from now than it is now to have such a public opinion; and it must be a well informed public opinion which is enlightened by a thorough knowledge of all that is going on in such countries as Germany and Japan.

I think we all realize the burden that is falling upon you personally in this conference and how much depends upon the result of the conference. May God give us all wisdom!

Yours sincerely,

Charles Loring

CL:iw

I agree totally with your position.

I do not agree that "inter-dependence"
is to supersede "independence". I think
the former fails unless the latter survives.

THE UNITED NATIONS CONFERENCE
ON INTERNATIONAL ORGANIZATION

Don't you think that matter could be settled, as I think you suggested, by inserting, in due time, in paragraph 3, already considered, after the words "or other peaceful means" the ~~the~~ words: "whether in virtue of special agreements, or regional arrangements or of their own choice, as the case might be."

11:30 a.m.

~~TOP SECRET~~

May 25, 1945

SUGGESTED REARRANGEMENT IN CHAPTER LANGUAGE,
WITH SLIGHT MODIFICATIONS, OF CHAPTER VIII,
SECTION A OF THE DUMBARTON OAKS PROPOSALS AS
ALTERED BY THE FOUR POWER AMENDMENT

(The insertions marked by an * have been inserted as a result of action by committees. The other insertions were suggested by members of the U.S. Delegation. Paragraph 8 is a suggested revision by Commander Stassen of the Four Power amendment to paragraph 2 of the Dumbarton Oaks Proposals)

1. Any state, ~~whether member of the organization or not,~~ may bring to the attention of the Security Council or of the General Assembly ~~for consideration or discussion any such dispute or situation the continuance of which is likely to endanger the maintenance of international peace and security.~~

2. The parties to any dispute the continuance of which is likely to endanger the maintenance of international peace and security shall, first of all, seek a solution by negotiation, investigation and examination*, mediation, conciliation, arbitration, resort to regional agencies or arrangements,* reference to the International Court of Justice or other judicial settlement, or other peaceful means of their own choice. The Security Council shall call upon the parties to settle their dispute by such means peaceful means of their own choice7.

3. The Security Council shall discuss and consider any dispute or situation brought before it.

4. ~~Without prejudice to the provision of paragraphs 1-5 below, the Security Council should be empowered.~~ If all the parties to a dispute so request, the Security Council is authorized to make
recommendations

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E.O. 12958, SEC. 2.6(b)
STATE DEPT. EVIDENCE
BY DSH DATE 4/24/00

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.

5. The Security Council shall ~~be empowered to investigate~~ be authorized to ascertain independently the facts with respect to 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.

6. The Security Council may, at any stage of a dispute ~~of the nature referred to in paragraph 3 above~~ the continuance of which it considers likely to endanger international peace and security, recommend appropriate procedures or methods of adjustment, including reference of justiciable disputes by the parties to the International Court of Justice.

7. If nevertheless ~~the parties to a any dispute of the nature referred to in paragraph 3 above fail to~~ the continuance of which is likely to endanger international peace and security ~~do not~~ settle it by ~~the means indicated in that paragraph~~ peaceful means of their own choice, they shall refer it to the Security Council. If the Security Council deems that the continuance of the particular dispute is in fact likely to endanger the maintenance of international peace and security, it shall ~~decide whether to take action under paragraph 5~~ 6, or ~~whether to itself to recommend such terms of settlement as it may consider appropriate in accordance with the purposes and principles of the United Nations.~~

8. In

~~TOP SECRET~~

8. ~~in the case of a non-member, it~~ Non-members shall be required to accept, for the purposes of ~~such dispute~~ the peaceful settlement of disputes the obligations of pacific settlement provided in the Charter.

[The second sentence of paragraph 6 of the Dumbarton Oaks Proposals is not covered in this redraft. It has been deferred in Committee III/1 pending action on advisory opinions in Committee IV/1.]

How can anything be settled unless
you can start

This is paralysis — reaction, moral
and constitutional

Pasvolosky stated as a fact that American opinion would not support the V. S. not being able to veto a case to which it was a party.

~~It~~ There is no evidence to justify such a statement so far as I know - and it's part of my job to know.

- 1) Every consultant, except the Lawyers Guild, which spoke at meeting with Senator Churchill, urged reconsideration of veto.
- 2) The public opinion polls have consistently contradicted Pasvolosky's position.
- 3) Even Senator Taft is now attacking the theory of the veto.
- 4) Leading press foreign policy thinkers e.g. McGeorge Bundy, Reston of Times, Vera Dean of Foreign Policy Ass., and others have spoken most strongly to me about it and insisted the public would support changing the veto.

1. Pending the establishment of The United Nations there shall be a Provisional Commission consisting of one representative from each state signatory to the Charter.

2. The Provisional Commission shall set up an Executive Committee whose ~~members shall be~~ membership shall be identical with the membership of the Executive Committee of the present Conference.

3. The Provisional Commission through the Executive Committee should be charged with responsibility for:

- (a) the preparation of the agendas for the first sessions of the organs of the Organization;
- (b) the preparation of documents relating to matters on the agenda, including provisional rules of procedure, budget regulations, staff regulations;
- (c) preparation of arrangements for relating the specialized agencies to The United Nations and proposed procedures for the transfer of functions of the League of Nations to the organization;
- (d) issuance of request to members of the United Nations inviting them to make nominations for judges to the International Court of Justice; ~~and~~
- (e) consideration of the location of the permanent headquarters of the organization; and
- (f) study and recommendations as to the make-up of the secretariat for The United Nations and its various organs and agencies.

4. The Provisional Commission through the Executive Committee should facilitate economic and social cooperation, particularly it should:

- (a) initiate and assist ^{such} intergovernmental conferences
as may be needed in ~~that field~~ these fields
- (b) utilize and assist specialized agencies having
responsibilities in these fields.

5. The Provisional Commission through the Executive Committee should facilitate the pacific settlement of disputes and should follow to whatever extent practicable the procedures set forth in Chapter VIII, Section A of the Charter.

or

5. The Provisional Commission through the Executive Committee should give every possible assistance in settling any conflicts which may arise.

6. The Executive Committee should be so organized as to be able to function continuously.

7. The Executive Committee should be empowered to appoint such technical staff as may be required.

8. The Provisional Commission and the Executive Committee should elect their own chairmen.

9. Expenses of the Provisional Commission should be borne by the governments attending the United Nations Conference in proportion to be determined by the Executive Committee.

10. The seat of the Provisional Commission should be in

_____.

THE UNITED NATIONS CONFERENCE
ON INTERNATIONAL ORGANIZATION

Lord Cranborne
(through Paynter) wishes
to know what the
situation will be when
H 6 is reached, in
view of his note to
you at the beginning of the meeting
RJB

In the event of the transfer of a League of Nations Mandate, Category A, to the trusteeship system, such system shall not be applied to a territory under such a mandate save to the extent of the mandate itself and to the carrying out of the purposes of such mandate as provided for in the Covenant of the League of Nations.



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