

EXECUTIVE COMMITTEE

PROPOSED AGENDA FOR FIFTH MEETING OF EXECUTIVE COMMITTEE
Veterans Building, Room 219, June 5, 1945, 10:30 a.m.

(1) The question of whether Denmark shall be invited to take a seat at the Conference.

(2) Consideration of whether the nomination of the Secretary-General by the Security Council should be by vote of any seven members.

The proposed Charter provision for electing the Secretary-General, adopted by Committee II/1 on May 25, 1945, reads as follows*:

"Chapter V. The General Assembly

Section B. Functions and Powers

Paragraph 4

4. The General Assembly ~~should~~ shall 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 shall~~ elect, upon recommendation of the Security Council, the Secretary-General of the Organization upon the recommendation of the Security Council, made by an affirmative vote of seven members. 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. The General Assembly shall participate in the election of the judges of the International Court of Justice in accordance with the provisions of the Statute of the Court."

*The numbers are those of the Dumbarton Oaks Proposals. The original language of Dumbarton Oaks is shown in plain type, deleted passages are shown in canceled type, and new language is underscored.

(3) Consideration of whether the Charter should contain a provision creating the positions of Deputy Secretaries-General and making them eligible for reelection.

In Committee I/2, on May 24, the Delegate of the Union of Soviet Socialist Republics moved that the amendment of the sponsoring powers to Chapter X, paragraph 1, of the Dumbarton Oaks Proposals be modified to provide for five Deputy Secretaries-General, and their eligibility for reelection.

Committee I/2 thereafter voted upon the question, "Shall the Charter mention Deputy Secretaries-General or not?" Fifteen delegates voted "yes"; 13 "no".

The text of the Dumbarton Oaks Proposals, on this question, as amended by the four sponsoring powers, reads as follows*:

"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 reelection. The Secretary-General should be the chief administrative officer of the Organization."

(4) Consideration of the text adopted by Committee I/2, May 25, 1945. The text reads as follows*:

"Chapter V. The General Assembly

Section B. Functions and Powers

Paragraph 3

The General Assembly should, upon recommendation of the Security Council, be empowered to The Organization may at any time suspend from the exercise of any

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the rights or privileges of membership any member of the Organization against which preventive or enforcement action shall have been taken by the Security Council, or which shall have violated the principles of the Charter in a grave or persistent fashion. The exercise of the these 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 in accordance with the procedure laid down in Chapter ... para ..."

Prior to adopting the above text, the Committee voted on the question of whether or not it desired to retain in the Charter a provision concerning expulsion. Nineteen delegates voted "yes"; 15 "no". The Committee accepted by vote of 25 to 2, the text stated above.

(5) Consideration of the proposed paragraph 8, Section B, Chapter V, adopted by Committee II/2, May 30, 1945.

The text adopted by the Committee reads as follows*:

"Chapter V. The General Assembly

Section B. Functions and Powers

Paragraph 8

8. The General Assembly should receive and consider annual and special reports from the Security Council and reports from other bodies of the Organization; such reports should include an account of the measures which the Security Council has adopted or applied to maintain international peace and security.

Subject to the provisions of paragraph 1 of this Section, the General Assembly should be empowered:

a) to approve or disapprove in whole or in part any report from the Security Council and to make any recommendations or observations thereon;

*The numbers are those of the Dumbarton Oaks Proposals. The original language of Dumbarton Oaks is shown in plain type, deleted passages are shown in canceled type, and new language is underscored.

The Consultants at the San Francisco Conference of the United Nations, representing American Agriculture, Business and Labor;

Believing that economic peace is the counterpart of political peace and that political peace is not secure in the absence of economic peace; and

Conscious of the importance in the proposed Charter of the recognition of the problems of human welfare; and

Aware of the pressing nature of these problems, due to the disorder and destruction caused by the War,

Are deeply concerned that, pending the completion of the Organization of the United Nations, adequate provision should be made as promptly as possible for the utilization or creation of those technical and other specialized agencies which are necessary to deal effectively with international economic and social matters, including regular conferences of qualified experts and representatives of the major interests concerned, to act as fact-finding and recommendatory bodies, also providing media for the voluntary settlement of international financial and commercial disputes, and a continuing secretariat to assist in compiling and registering the pertinent laws, regulations and treaties which relate to these matters.

CLASS OF SERVICE

This is a full-rate Telegram or Cablegram unless its deferred character is indicated by a suitable symbol above or preceding the address.

WESTERN UNION

A. N. WILLIAMS
PRESIDENT

1220

SYMBOLS

DL = Day Letter

NL = Night Letter

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NB446 NL PD 7 EXTRA=NEWYORK NY 2

1945 MAY 2 PM 6 05

COMMANDER HAROLD E STASSEN, US DELEGATE=

SAN FRANCISCO CONFERENCE SFRAN=409 Fairmont

SINCE ANY PROGRAM ON TRUSTEESHIPS WHICH MAY BE ACCEPTED BY THE CONFERENCE WILL DIRECTLY AFFECT THE FUTURE OF ALL MANDATED TERRITORIES, WE TAKE THE LIBERTY TO URGE YOU TO SEE TO IT THAT JEWISH RIGHTS IN PALESTINE SHALL NOT BE IGNORED AND THE REPEATED PROMISES GIVEN TO JEWISH PEOPLE ONLY RECENTLY BY THE MAJOR AMERICAN POLITICAL PARTIES AND BY THE GOVERNMENT OF THE UNITED STATES SHALL NOT BE FORGOTTEN. IF TROUBLES OF A MOST DANGEROUS NATURE ARE TO BE AVOIDED BOTH IN EUROPE AND THE MIDDLE EAST, PALESTINE MUST BE TRANSFORMED INTO A JEWISH STATE AS ADVOCATED BY OVERWHELMING AMERICAN PUBLIC OPINION. FOR THE BRIEF TRANSFORMATION PERIOD INTERNATIONAL TRUSTEESHIP TO ADMINISTER THE COUNTRY IN THE SPIRIT OF INTERNATIONAL OBLIGATIONS TO THE JEWISH PEOPLE SHOULD BE SET UP. BRITAIN'S EXPRESSED OPPOSITION TO UNRESTRICTED IMMIGRATION IN THE AREAS IN TRUST AIMS TO CAMOUFLAGED HER INTENTIONS WITH REGARD TO PALESTINE AND TO CONTINUE WITH HER CLOSED DOOR POLICY IN AREAS WITH WHICH THE WHOLE WORLD IS VITALLY CONCERNED. WE FIRMLY BELIEVE THAT AMERICAS OWN INTERESTS=

WESTERN UNION

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NB446 SHEET TWO=

1945 MAY 2 PM 6 02

AND A FARSIGHTED AMERICAN POLICY IN THE MIDDLE EAST DICTATE
AMERICAN SUPPORT FOR A JEWISH PALESTINE. RELYING ON YOUR
SYMPATHETIC UNDERSTANDING OF OUR AIMS AS WELL AS ON YOUR
VISION AND COURAGE WE SINCERELY HOPE THAT YOU USE YOUR GREAT
INFLUENCE TO PREVENT STEPS WHICH WILL BE DETRIMENTAL TO
FUTURE OF PALESTINE AND RESULT IN TERRIFIC PUBLIC
DISAPPOINTMENT AND AGITATION.=

COLONEL MORRIS J MENDELSON PRESIDENT NEW ZIONIST
ORGANIZATION OF AMERICA 55 WEST 42ND ST NY CITY.

,55 42ND.

The General Assembly shall meet specially as
a Constitutional Assembly not later than 2 years
following the date when this charter comes into
force & not less than every tenth year thereafter
to consider development & revision of the charter.
Changes there approved by a vote of $2/3$ of
its members of the General Assembly
shall come into force when ratified
in accordance with their constitutional provisions
by $2/3$ of the members of the Organization,
such $2/3$ to include at least $3/4$
members having permanent membership on the
Security Council. Any non-ratifying
member may, within one year following
such coming into force, withdraw
from membership in the Organization.

Mr. Van Meter

Bole

Chadler

Mrs. Reddy

SECRET
June 16, 1945

Chapter V. The General Assembly

Section B. Functions and Powers

1. The General Assembly should have the right to discuss any matter within the sphere of international relations; and, subject to the exception embodied in paragraph 2(b) of this section, to make recommendations to the members of the Organization or to the Security Council or both on any such matters which affect the maintenance of international peace and security or relate to the stated purpose of the Organization.

RECORDED
E.O. 12958, SEC. 3.0(b)
STATE DEPT. GUIDELINES
BY DOH DATE 4/24/00

THE UNITED NATIONS CONFERENCE
ON INTERNATIONAL ORGANIZATION

Colonel

What is your understanding
of the 5 power position
in this Soviet move
on "deputies"?

~~Chairman~~

I think it is quite out
of order to raise this here
now. We have adopted the
text without mention of it, and
the Soviet Delegate reserved
his right to raise it in comm.

The General Assembly should have the right to discuss any matter relating to the maintenance of international peace and security or otherwise covered by the purposes and principles or falling within the scope of the Charter; and, except as provided in paragraph 2 (b) of this section, to make recommendations to the members of the United Nations or to the Security Council or both on any such questions or matters

or relating to the powers and functions of any of the organs of the Assembly

THE ANOMALOUS POSITION OF THE SECRETARIAT
AS PROVIDED BY CHAPTER X OF THE CHARTER

In spite of the vital role of the Secretariat in the Organization, the present language does not give the Secretary General a solid place in the grand scheme of the Charter. He is left hanging in mid-air.

Recommendation: By simply explaining who in the Organization will determine his functions, the Secretary General's role will be materially clarified and strengthened. This can be done as follows:

Section 2. Revise it to read:

"The Secretary General shall act in that capacity in all meetings of the General Assembly, of the Security Council, of the Economic and Social Council, and of the Trusteeship Council, and He shall perform such other functions as are or may be entrusted to him by the Organization. organs of the Organization under regulations prescribed by the General Assembly, but with the approval of the Security Council in respect to those regulations directly relating to the discharge of the Council's responsibilities under the Charter."

Section 4. Change first sentence to read:

"In the performance of their duties, the Secretary General shall be responsible only to the Organization United Nations."

or preferably combine the first two sentences as follows:

"In the performance of their duties, the Secretary General and the staff shall be ~~responsible only to the Organization.~~ They shall not seek or receive instructions from any government or from any other authority external to the Organization."

These changes would make clear that the section deals with loyalty and not with organizational relations.

Transpose Sections 4 and 5, since Section 4 deals with loyalty which applies to all preceding sections.

Method:

Method: The Coordination Committee could propose these changes to Technical Committee I/2 on grounds of lack of clarity in present language.

Reasons: The existing language has the following defects:

- (1) The Secretary General is not given independent executive powers and rightly so; yet he is not made a responsible agent, nor is he accountable for his acts;
- (2) There is no indication which body can fire him or take corrective action before the expiration of his three year term, if the Secretariat is not being administered properly. Nor is it clear to which body he looks for final guidance or a vote of confidence.
- (3) He is to act as Secretary General for the Assembly, Security Council, Economic and Social Council, and Trusteeship Council, but there are no means for insuring consistency of administration and action if each of these organs makes its own (and perhaps inconsistent) regulations and administrative powers.
- (4) The only direct authority to be exercised over him will be by the Budget Committee of the Assembly - an indirect and unhealthy approach to the basic problem of responsibility.

ORDER OF THE DAY

Thursday, June 14, 1945

Commission I 10:30 a.m. Opera House
(Public Meeting)

Committee meetings, not open to the public:

IV/1 10:30 a.m. 202 Veterans Building
Coordination Committee 418 Opera House

III/1 11:00 a.m. 223 Veterans Building

Advisory Committee of 1:30 p.m. 418 Opera House
Jurists

I/2/E 3:00 p.m. 219 Veterans Building

III/2 3:30 p.m. 202 Veterans Building
Coordination Committee 418 Opera House

I/2 4:00 p.m. 303 Veterans Building

I/1 8:30 p.m. 303 Veterans Building
III/1 223 Veterans Building

June 11, 1945

EXPLORATORY

REVISED U.S. REDRAFT OF SECTION A, PARAGRAPH 1

(Taking into account the Australian revised amendment and the U.K. Draft)

A. GENERAL POLICY

1. States members of the United Nations which have responsibilities for the administration of territories whose peoples have not yet attained a full measure of self-government, recognize the principle that the interests of the inhabitants of these territories are paramount /a primary concern/, and accept as a sacred trust the obligation to promote to the utmost the well-being of the inhabitants of such territories within the world community, and to this end /undertake/ to:

- (a) insure the political, economic, social, and educational advancement of the people concerned, their just treatment and their protection against abuses;
- (b) take due account of the political aspirations of the people and to assist them in their development toward free political institutions according to the particular circumstances of each territory and its peoples;
- (c) administer the territories in a manner which will further international peace and security; and
- (d) compile and transmit annually for information purposes full statistical and other information relating to health, mortality, labor, literacy and schooling conditions in the territories for which they are responsible.

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

May 2, 1945

MEMORANDUM for Commander Stassen.

In a conversation with Taussig this afternoon, Cranborne brought up the following points:

1. Strategic areas in many cases will have substantial populations. Some provision must be made in the chapter on trusteeship to provide for the welfare of these peoples. The Security Council will not be so constituted as to consider welfare matters. The Social and Economic Council is the probable agency of the Organization to have this jurisdiction.

2. The non-discriminatory clause in paragraph 2, clause C, was subject to substantially the same criticism by Cranborne as made by Bowman. The attached memorandum gives an explanation of our position under the existing document without the Bowman amendment.

3. There was a lengthy discussion on Regional Commissions and their possible relationship to the Organization, details of which I will have to give ⁱⁿ at a later time.

Attachment.

C.W.T.

DECLASSIFIED

E.O. 12958, SEC. 3.5(b)

STATE DEPT. 6406/100
BY DIA DATE 4/24/00

~~SECRET~~

The non-discriminatory treatment provision in our Trusteeship proposal is not an open-door provision, but only a provision guaranteeing equality of treatment. The door could be closed, if closed to all, including the administering authority. The open-door concept, in its traditional usage, was not favorable to the development of the native populations in that it opened only one way. That is, it provided free opportunity for the trade of metropolitan states in the dependent territory, but afforded no reciprocal treatment for the goods of the dependent territory in the metropolitan states. This has tended to discourage the development of local industry in the dependent territory. The non-discriminatory treatment provision has two simple objectives, viz.:

(1) To preserve trade advantages which this country now has in many dependent territories of the world, as in the African mandated territories ^{and} in the Congo Basin.

(2) To prevent any administering authority from exploiting a trust territory exclusively for its own

benefit, by means of preferential arrangements, and thereby establishing a virtual monopoly over the trade and resources of the territory.

The difference between the B and C mandated territories was one postulated on comparative stages of development. The C mandates were considered to be so backward that their administration could be integrated with that of neighboring metropolitan states or their possessions. Thus there were no special guarantees protecting the C mandates in their economic relationships. Our non-discriminatory provision would apply to the C mandates, if placed under the system, as to all other trust territories, as for example, Southwest Africa.

The British, thinking in terms of imperial preference, would quite likely oppose such extension. It should be recalled, however, that this provision has been long established and observed in the very large part of Africa covered by the Congo Basic treaties, so the last of which, the treaty of St. Germain-en-Laye, the United States is a signatory. This has been of considerable advantage to us.

~~S E C R E T~~

May 1, 1945

MEMORANDUM

The most significant points to be noted as a result of the Five Power conference on trusteeships held on Monday, April 30, at 8:30 p.m., seem to me to be the following:

1. The mechanism provided for the making of agreements to place areas under trusteeship is likely to be attacked.

Comment: There will be a great deal of difference of opinion as to what are the states "directly concerned." An obvious illustration is the difference of opinion that now exists as to the title to the mandated territories. In addition, confining the parties who are to make the agreements to those claiming title may not give the Russians the standing that they will demand. For example, it may be that the Russians will not be content to have the agreements concerning Pacific islands made by the United States, the British, and the French, even though the agreements are thereafter submitted to the Security Council for approval. The Russians would probably insist upon being a party to the original agreement, particularly if they participate in the war against Japan.

Consideration should be given to whether some sort of compromise on this point is possible, if compromise becomes essential. One of the possibilities that might be considered is that all of the permanent members of the Security Council should be parties to the negotiation of specific agreements placing strategic areas under the trusteeship system, reserving, of course, the veto power of the United States as provided in the present United States draft.

2. Should all functions of the International Organization with respect to strategic areas be exercised by the Security Council, or should economic, social and political functions be reserved to the General Assembly.

Comment: Commander Stassen made the following two points about this:

(a) That administrative difficulties would result if both the Security Council and the General Assembly had jurisdiction over a given area. It may be, however, that this disadvantage is outweighed by the advantages of confining the Security Council in all of its functions to work intimately connected with and essential to military activities. And unless the Security Council is so confined, there will be many possibilities of friction between it and the General Assembly. In addition, there is the possibility that the public will regard the arrangement as regressive unless specific provision is made in the document for promoting the economic, social and political welfare of the people of all trust areas.

(b) That the strategic areas would be limited to the specific confines necessary for strategic purposes. This would indicate an intention that the

DECLASSIFIED
E.O. 12958, SEC. 2.3(d)
STATE DEPT. GUIDANCE
BY DCH DATE 4/24/00

number of civilians included within any strategic area should be small. It has been indicated that the U.S. Army and Navy feel that the strategic system proposed for the Pacific would have to include entire groups of islands. This would result in "strategic areas" which embraced substantial native populations. If the United States insists on doing this, presumably other nations will take a similar position. Accordingly, it may not be advisable to discount the problem on the grounds that it will involve an insignificant number of people. In addition, a strategic port, for example, might include a substantial number of people.

If any of the strategic areas are to include a significant number of native people, it would seem to be advisable to include in the document provisions similar to those in paragraphs 10 and 11. These would require reports, etc., with respect to economic, social and political development, subject to such reservations and exceptions as might be made for security reasons in the trusteeship arrangements. It would seem preferable that even in strategic areas the jurisdiction of the International Organization with respect to such matters should be exercised by the Trusteeship Council for the reasons stated above. As a minimum, these provisions should be included in the document as functions of the Security Council. It must be borne in mind that in the past, colonial powers have justified oppressive measures against civilian populations in the name of security, and for this reason world opinion may react unfavorably to the present draft.

3. The suggestion made at the meeting that the trusteeship system might be available for areas in Europe detached from the enemy may prove to be troublesome.

Comment: The United States should have no hesitation, in my opinion, in agreeing to confine the operation of the system to areas outside of continental Europe. As a matter of fact, in the discussions which have taken place in the past, it was never contemplated that the system would be available for any territories other than those which can broadly be classified as dependent or colonial areas.


Abe Fortas.

ALLOCATION OF COMMITTEE RESPONSIBILITIES

COMMISSION III.

Present at Meeting

Senator Connally
Senator Vandenberg
Commander Stassen

QUESTION: What should be the division of labor among the members of the United States delegation for the four committees dealing with the Security Council?

A. Committee 1. Structure and Procedures

United States Members:

1. *Connally*
- 2.

B. Committee 2. Peaceful Settlement of Disputes

United States Members:

1. *Stassen*
- 2.

C. Committee 3. Enforcement Arrangements

United States Members

1. *Connally*
- 2.

D. Committee 4. Regional Arrangements

United States Members

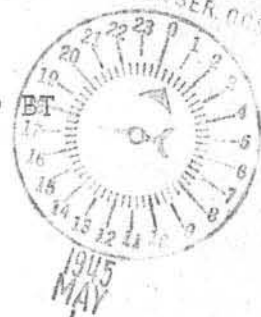
1. *Vandenberg*
- 2.

May 2, 1945

WA21

~~SECRET~~

ARMY.COM. SER. 005100



UNCIO V STATE NR 24/1 MAY

7:36 PM EWT URGENT GR 259 BT

TO: DUNN, ALLING AND VILLARD

FROM: GREW, ACTING.

24 MAY 1ST

OWI REPORTS AS A MATTER OF URGENCY THAT SEVEN BELGIAN JOURNALISTS NOW VISITING THIS COUNTRY AT GOVERNMENT INVITATION ARE ABOUT TO FILE ARTICLES FROM SAN FRANCISCO CRITICAL OF WHAT THEY CLAIM ARE ANGLO-SAXON DESIGNS ON THE BELGIAN CONGO AND RUENDA URUNDI. THE BELGIANS FEAR THAT THE MODIFIED TRUSTEESHIP ARRANGEMENTS UNDER DISCUSSION AT UNCIO WOULD IMPAIR BELGIAN SOVEREIGNTY. OWI WEST COASTMAN TORCZYNER HAS BEEN UNABLE TO DISPEL THEIR FEARS AND OWI WOULD LIKE A STATEMENT FROM THE STATE DEPARTMENT WHICH MIGHT REMOVE AS FAR AS POSSIBLE ANY MISAPPREHENSIONS ON THE PART OF THE BELGIANS.

THE DEPARTMENT HAS BEEN AWARE FOR SOME TIME THAT THE BELGIAN CONGO HAS UNNECESSARILY BECOME A SORE POINT IN AMERICAN-BELGIAN RELATIONS AND WOULD APPROVE ANY STEP WHICH MAY BE TAKEN IN SAN FRANCISCO BY YOU TO QUIET BELGIAN SUSPICION. IT IS SUGGESTED THAT DUNN DESIGNATE SOMEONE TO CONSULT WITH THE OWI REPRESENTATIVE ABOUT ISSUANCE OF A STATEMENT OR REPLY TO THE BELGIANS' QUERIES. IT IS UNDERSTOOD THAT THE VISITING JOURNALISTS LEFT SAN FRANCISCO LAST NIGHT FOR THE HOLLYWOOD PLAZA HOTEL LOS ANGELES, BUT THAT OWI, SAN FRANCISCO, WOULD ARRANGE COVERAGE IN THEIR NAMES. PREFERABLY ANY STATEMENT SHOULD BE RELEASED AS IN RESPONSE TO THE BELGIAN JOURNALISTS' REQUEST.

THE DEPARTMENT, OF COURSE, CONSIDERS THAT ANY ACTION YOU MAY TAKE ON THIS MATTER IS WITHIN YOUR DISCRETION, HAVING REGARD TO THE STATUS OF CURRENT TRUSTEESHIP TALKS AT THE CONFERENCE AND OUR RELATIONS WITH OTHER COLONIAL POWERS.

GREW ACTING.

SENT NR 24/1ST MAY 8 45 PM EWT STATE NLG

RECD NR 24/1ST MAY 6 45 PM PWT UNCIO BM

E.O. 12958, SEC. 8.8(b)

STATE DEPT. 64141405

BY DCH DATE 4/24/00

INTERNATIONAL ECONOMIC PEACE

The National Association of Manufacturers believes that economic peace is the counterpart of political peace; and that political peace will not long endure in the absence of economic peace.

It also believes that the Dumbarton Oaks proposals to date are incomplete and to that extent unsatisfactory, in that they do not adequately provide the structure and functions of an international economic organization for handling economic problems which might ultimately become international political disputes, or even result in war.

Political Background

As to non-economic provisions which will help to assure peace and prosperity, the National Association of Manufacturers believes that improvement in the Dumbarton Oaks draft is possible and desirable as follows:

1. Formulation of positive standards which set forth the basic rights of individuals and of member states.
2. Continuation and strengthening of the present Court of International Justice.
3. Formulation of standards for determining justifiable disputes and codification of international law.
4. Machinery for accomplishing substantial and progressive reduction in the burden of armaments in all nations.
5. Abstention from voting by a member state in a dispute to which such state is a party.
6. Greater ease and flexibility in modifying the charter of the United Nations organization.
7. Creation at the San Francisco Conference of an interim organization or organizations to carry forward those purposes in the charter which call for immediate action.

The Real Peace Agency

It is the belief of the National Association of Manufacturers that the proposed Economic and Social Council of the United Nations, if properly organized, may well be the real peace agency of the world. For such Council, the National Association of Manufacturers recommends the following:

Structure: The Economic and Social Council should be composed of authorities with practical experience in economic and social fields. It should be stipulated that the Council will establish an International Board of Trade or Technical Institute, which will operate on a permanent and continuing basis, and will be composed of representatives of the major economic organizations of each member country.

Functions: The Council itself or through its Technical Institute, should be a fact-finding body; a repository of laws, administrative regulations, treaties and agreements of every nature that concern currency, finance, commerce, industry, agriculture and labor; and should provide a medium for the voluntary settlement of international financial and commercial disputes through mediation and arbitration.

Powers: The Council should, under instructions of the Assembly of the United Nations, or upon its own initiative, constantly study and report to the Assembly and to the member states as to any treaty, law or decree of a member state which has the effect of restricting freedom of communications, operating in a discriminatory or confiscatory manner in respect to the property rights or interests of another member state or its nationals, denying unconditional most favored nation treatment to a member state, or providing for subsidies, except in matters of national defense. It should also have the power on its own initiative to elaborate uniform conventions on such matters as patents, customs formalities, commercial terms and so forth, for submission to member states for possible adherence by them. One of its earliest activities should be the preparation of a convention for outlawing cartels, such convention to be submitted for adoption by member states.

Limitations: The Council should not have the power to engage directly or indirectly in industry, commerce, finance or agriculture, to establish cartels, to fix prices, restrict production, divide markets or allocate quotas.

Memorandum presented on behalf of
NATIONAL ASSOCIATION OF MANUFACTURERS

By _____
(W. W. Cumberland, Consultant)

By _____
(Hugh O'Connor, Assoc. Consultant)

Addition to Chapter XI of the Dumbarton Oaks Proposals

"Periodically and at least twelve years from the date of the coming into force of this Charter, the membership shall, in special ~~xxxxxxx~~ Assembly, examine the Charter to consider such changes as may be practicable either in the functions of the various organs or the relationship of the autonomous agencies. The rules for the adoption of such changes shall be fixed by the previous regular Assembly.

"A permanent commission on the charter, consisting of one representative from each member state shall study the development of the organization and be prepared to make recommendations which shall furnish the basis of discussion at the special meeting of the Assembly to examine the Charter."

MEMORANDUM

The Government of the United States proposes that a trusteeship system should be constituted in accordance with the agreement reached at Yalta. The placing of individual territories under this system would be a matter for subsequent agreements in which specific and detailed terms could be defined.

The problem of devising a trusteeship system can be considered in two parts: first, as applied to areas that are necessary for security, and, second, non-strategic areas.

As to strategic areas, it is the view of this Government that the administering power should be given all such rights as may be necessary to assure that the area is administered so as fully and properly to serve its strategic function. Such powers as may be vested in the International Organization with respect to strategic areas should be vested in and exercised by the Security Council.

As to non-strategic areas, it is the position of this Government that the administering power should undertake to perform its duties primarily in the interests of the inhabitants of these areas, and should be held to a substantial degree of accountability. The powers of the Organization with respect to non-strategic areas should be vested in and exercised by the General Assembly which might act through a special trusteeship council.



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