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The planned International Organisation.

'The United Nations' ..

Ch-I. Purposes.

Main aim: '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...

Ch. II. Principles.

1-76

1. the sovereign equality of all peace loving states.
2. obligations
3. disputes settled by peaceful means
4. Kellogg Pact if 'inconsistent with the purposes of the organisation'
5. every assistance if 'in accordance with the Charter'
6. preventive of enforcement action taken against a State

Not members must be forced to act accordingly..

Ch. III Membership

Open to all peace loving States.

Ch. IV Principal organs

General Assembly
Security Council
An Internat. Court of Justice
Secretariat

Ch. V General Assembly

A. All members with varying number of representatives.

B. Function and Powers.

Consider principles and minor matters, nothing vital without the permission of the Security Council.

C.

One vote. each.

All important decisions - two thirds.

D. Procedure.

Annual meetings. Own chairman. Own procedure.

Ch. VI. The Security Council.

A. Composition

of 11 members. USA UK USSR CH Fr. (in due course) should have permanent seats.

6 ~~non-permanent~~ G.A. to fill non permanent seats. for two years each Not immediately eligible for reelection

B. Princ. functions and powers.

1. primary responsibility for the maintenance of international peace and security and should agree that in carrying out these duties under this responsibility it should act on their behalf.

2. in accordance with the principles of the organisation

3. specific powers are laid down in Chapter VIII VII & VII

4. obliged to obey

5. in order to minimise armaments a world army prepared.

'The S.C. with assistance of the Military Staff committee should have the responsibility for formulating plans for the establishment of a system of regulation of armaments for submission to the members of the organisation,

Ch. VII

C. Voting.

1. Each member one vote. affirmative
2. On procedural matters seven votes.
3. On all other matters ' an affirm vote of seven members, including the concurring votes of the permanent members, provided that a party to a dispute should abstain from voting under Ch. VIII sect. A and under 2nd sentence of §1 of Ch. ~~VIII~~ VIII Sect. C.

D. Procedure

.....able to function continuously

may set up regional subcommittees of the military staff Ctee
rules of selecting president.

especially affected member to be present at discussion of any ^{question}

non members and non members of U.N to be invited to take part in discussion if affected by question.

Ch. VII An international Court of Justice.

The principal judicial organ., mainly the Permanent Court of International Justice.

Ch. VIII: International Peace and Security.

A.: The pacific settlement of disputes.

1-7

- 1 investigate any dispute
- 2 any state whether a member or not bring up
3. parties should obligate themselves to seek peaceful settlement
4. If nevertheless they fail, they ' should obligate themselves to refer it to the Council'. The S.C. should in each case decide or not
5. to recommend appropriate methods.
6. International Court
7. 'should not apply to disputes or situations arising out of matters which by international law are solely within the jurisdiction of the State concerned, ' Colour bar?

B.

1-11 Determination of threats to peace or acts of aggression, and action with respect thereto.

1. any measures necessary for the maintenance of international peace and security ...
2. '..determine the existence of any threats to the peace..'
make recommendations and decide about measures..'
3. measures not involving the use of armed forces...
4. if inadequate, then ' action by land naval and air forces.'
5. make available to the S.C. on its call armed forces...
6. to enable urgent military measures to be taken national air force contingent to be held immediately available for combined international enforcement action...
7. by all members or by some of them.. 'i be carried out by their by their own action..
8. military staff committee to make plans...
9. Chiefs of staffs of the permanent members compose the Milit. Staff committee... Command to be worked out subsequently..
10. mutual assistance to be given..
11. special economic ~~human~~ difficulties to be alleviated.

C. Regional arrangements.

Ch., VIII continued. International Peace and Security

A-C.-

C. Regional arrangements.

1-3,

1. Regional arrangements expressly authorized.
The S.C. should encourage the settlement of local disputes through such regional arrangements.
2. no enforcement action should be taken under regional arrangements or by regional agencies without the authorization of the S.C.
3. S.C. to be fully informed...

Ch. IX. International Economic and Social Cooperation.

A-D.

A. Purpose and relationship.

1-2-

1. promote respect for human rights and fundamental freedoms
2. ec. soc and other organ. to work under General Assembly

B. Composition and voting.

18 members.

Simple majority of those present. One vote each, :Elected for three years...

C. Organisation and procedure

1. Expert commissions.
2. experts to participate.
3. own rules of procedure and elect its president.

Ch. X: Secretariat.

1.-3.

1. Elected by the G.A. on recommendation of the S.C.
2. Act in S.C., in G.A. and Ec. and Soc. Council.
3. Can bring any matter to the attention of the S.C. which in his view threatens the peace.

Ch. XI. Amendments.

2/3 vote of G.A. plus ratification by five permanent members plus half of others.

Ch. XII. Transitional arrangements,

1-2.

1. Moscow declaration of 30 October, 1943 to be in force in the near time for enforcement of peace..
2. exception: enemy States as result of present War!!

these viewpoints

It is from ~~human nature~~ that one might be inclined to have a look at the UNO, since it will to a large extent determine how far it is going to be a living reality, and not merely a pretence, as the League turned out to be.

B. How far does it resemble the Old League?

- a. A voluntary association of
- b. sovereign States, based on
- c. the equality of all States, great and small (one State one vote)
- d. with the purpose of maintaining their independence and integrity through
- e. collective security based on mutual assistance.
- f. It possesses an Assembly of all States and a Council elected by the Assembly, ~~but~~ a Secretariat and an Permanent Court of Int. Justice, ~~but~~
- g. with some permanent members on the Council.
- h. Against the aggressor 'sanctions' can be applied,
- i. economic, financial, and lastly, military sanctions,
- j. ~~but~~ also effective against non-member States,

*Democracy
a most unrepresentative form of it*

C. How far does it differ from the Old League?

- a. War is ruled out altogether, (in ~~sharp~~ ^{sharp} contrast to the League)
- b. The UNO possesses military ~~organisation~~ ^{organisation} of its own (General Staff, disposable airforce, etc).
- c. ~~WAR~~ All executive action and power is with the Council, and the Assembly is pledged to support the decisions of the Council.
- d. The Council acts on majority rule, not on unanimity, though
 - aa. the privileged position of the permanent members is maintained, and indeed, enhanced since their unanimity is required (except for the abstention of a party to the dispute in the 'settlement' phase).
 - bb. there can be no increase of the number of Council members and the non-permanent members cannot be re-elected after their two years terms has passed.

*War is ruled out
only among permanent members.*

no need to define the aggressor, since threat of force sufficient...

Such an organisation depends to a larger extent than the League on the cooperation of the largest powers, but is a very much more effective instrument / in maintaining peace, if they cooperate.
(than the League was)

- (f) social & economic council
- (g) Trusteeship Council.

D. The all important thing is the status of the Security Council of 11.

*voting rule
situation 2
dispute
procedure*

Economic and Social tasks of the International Organisation.

I had the privilege of attending some of the lectures and discussions these last days, and feel quite apprehensive of my task. Not only because they were very excellent lectures indeed, but also because they seemed to raise expectations in regard to my this morning's subject which may ~~possibly~~ lead to a disappointment.

~~VERY IMPORTANT~~ Chapter IX of the Dumbarton Oaks Draft sets out the place of an Economic and Social Council in the framework of the International Organisation. International Eco. and Soc. Cooperation.

A. Purpose and Relationship.

1A. The Organisation should facilitate the solution of international econ. soc and humanitarian problems and promote respect for human rights and ~~freedom~~ fundamental freedoms. Responsibility vested in the General Assembly and under the authority of the Assembly in an Ec. and Soc. Council.

2B. Specialised organ and agencies -- as defined in their statutes. ILO ('brought into relationship with the ESC'...)

B.

B. Composition and voting.

Representatives of 18 member states. Elected for 3 ~~th~~ years. One representative, one vote. Simple majority of those present.

C. Functions and powers.

Carry out recommendations of the G.A.

make recommendations.

make and consider reports from the agencies and coordinate their activities through consultation with and recommendations to, such organisations.

examine their budgets, in view of recommendations

enable the Secretary General to provide information to the Sec. Council

assist the Sec. C. upon its request.

other functions assigned to it by the Gen Assembly.

D. Organisation and Procedure.

1. Expert commissions to be set up. There should be a permanent staff

which should constitute a part of the Secretariat of the Organisation

2. Agencies to participate without vote

3. Select its president freely. None at all line Gen Assembl deadlocked.

That's all. an' after thought...! No executive jurisdiction...

This is the part of the Dumbarton Oaks draft will be most incisively altered. The Canadian delegation has made proposals which would certainly enlarge its functions essentially. We may deal with that ~~matter~~ later when we have reviewed the main tasks of such a Council.

What are these tasks?

'With a view to the creating of conditions of stability and well-being which are necessary for peaceful and friendly relations among nations..'
(Even the ~~fundamental~~ human rights and fundamental freedoms ~~human rights~~ are a most valuable starting point...)

> Theme: Full employment + rising standards of life. Consequently:
Should the pre-war economic system be restored? Private ownership system on the whole will be maintained. And yet very great issues are pending. There is a free economy version of it (something like laissez-faire) and a controlled foreign economy version of it, and the issues involved are very great. One should not underestimate the difference between the old economy and the new.

Symbol of the old: FS; the new: democratic planning, + free trade

(1) Mink - 18 g. Ansell } elected by G. Ansell
 } no representative character
 Develop B. Wood with bank to have the
 → operation in Canada

Bank	$4 \cdot (-1)^n [9]$	$[10]$
(1) B. Wood: appointing currencies before trade used were	$[8] - [4]$	$[9]$
(2) E. + L. Council: experts to be used!	$[7] \cdot [5]$	$[8]$
(3) Gold in (1935 - 1937)	$\frac{A_2^2 \sqrt{1 + \alpha_2^2 + \beta_2^2}}{1}$	$[7]$
(4) Gold and Russia	$\sqrt{1 + \alpha_2^2 + \beta_2^2}$	$[6]$
	$\frac{\alpha_2^2 + \beta_2^2}{1 + \beta_2^2} + \frac{1}{\beta_2^2}$	$[5]$
	$[1] \cdot [3]$	$[4]$
	$\frac{A_2^2 \sqrt{1 + \alpha_2^2 + \beta_2^2}}{1}$	$[3]$
	$\sqrt{1 + \alpha_2^2 + \beta_2^2}$	$[2]$
	$\frac{\alpha_2^2 + \beta_2^2}{1 + \beta_2^2} + \frac{1}{\beta_2^2}$	$[1]$
	$A_2^2 =$	
	$A_2^1 =$	
	$A_2^2 = s$	
	$A_2^2 = mb - s$	
	$A_2^1 = mb + s$	
	$\alpha_2^2 = \frac{A_2^2}{X} = \frac{mb - s}{X}$	
	$\alpha_2^1 = \frac{A_2^1}{X} = \frac{mb + s}{X}$	
	$\beta_2^2 = \frac{A_2^2}{n \cdot \frac{A_2^2}{2}}$	
	$\beta_2^1 = \frac{A_2^1}{n \cdot \frac{A_2^1}{2}}$	
	$m =$	
	$n =$	

B

The pre-War System.

1. It is the system which was flourished in the 19th Cty, which we tried to maintain upto 1914, which broke down in the Great War, 1914-18 which we restored again 1925-1928, and which finally broke down after 1929 and 1931.

2. What did it consist in?

World Commodity markets
World Capital markets.

private trading
investing

credits
short nnnnnn
long nnnnnn
loans

Main instrument : a system of stable currency maintained by private trading and loan investing. GOLD STANDARD.

3. This is the meaning of the Gold Standard. You might often have wondered what the importance of it is. Why do capital lists and treasure it so much? Is it mere ignorance or prejudice? No.

Its automatic function is praised: 'No government intervention'

Means: unconscious action of consumers and private traders...

Advantage: Fairly stable exchanges.

1. in trade: multilateral trading Example : Malaya
USA
UK.

2. in investing (to balance export surpluses).

Disadvantage. If the pound fell, prices fell, exports rose, and the pound was restored. fairly soon.

If prices fall considerably over a long stretch of time: SLUMP.

It is an absolute hindrance to a full employment policy, except for the country which runs it (UK in 19th Cty, USA today).

Who stands where on the question:

USA for restoration.

USSR indifferent: she has no private trading.

UK: in two minds.

According to which view one takes the solutions lie in different directions. i.e. the tasks of the EC and Soc. Council would be different.

Economic { full employment
high standards of living

- 1. managed currency.
- 2. planned foreign trade.
- 1. trade : as much division of labour as possible
- 2. investment of backward countries.

Socially { fair labour conditions
reasonable social security

{ ILO effective and increased jurisdiction.
I international New Deal or Beveridge Plan).

We would need: a body which would include the Bretton Woods authorities. i.e. the Fund and the Bank.

Internat. Monet. Fund
Int. Bank of Reconstruction and Development.

The Fund should see to trade (exchanges and credits).
Bank investments (loans)

The ILO should become part of it.

All this on the Charter (to have equal with the Security Council) (not under the Assembly, not even under the Security Council)

Waive economic and financial sovereignty in order to ensure international full employment.

.....

Charter of the United Nations.

The San Francisco Charter is the much enlarged edition of the Dumbarton Oaks draft. The latter had XII Chapters, the former XVII (altogether 111 articles). The Dumbarton Oaks draft left Chapter VI (c) on Voting in the Security Council undecided. This was supplied in the Crimea. The text of the Crimea decision was incorporated in the San Francisco text.

Otherwise the main difference lies in the ~~announcements~~ ^{addition of}

1. Social and Economic Council^{ed} (responsibility not vested in Assembly)
 2. Trusteeship Council^o,
- as ~~an~~ ^{two} further organs of the UNO, making altogether five.

Preamble

(added.)

has been ~~much enlarged~~. It ~~more~~ explicitly states the intention of the founders. It may gain importance, though it is not legally binding, especially as it ~~now~~ contains commitments too vague for legal formulation.

Ch. I. Purposes and Principles. (Art. 1 & 2)

Art. 1. (Purposes)

- (1) 'International peace and security'
to take ~~now~~ effective collective measures for the prevention and removal of threats to the peace... adjustment or settlement of international situation which might lead to a breach of the peace...'
- (2) 'Respect for the principle of equal ~~rights~~ and self-determination of peoples...'
- (3) 'International co-operation in solving international problems of economic, social, cultural or humanitarian character...'
- (4) 'Centre for harmonising the action of nations for these ends...'

Art. 2. (Principles)

- act in accordance with the following principles (5)
- (1) sovereign equality of all its members (sovereignty)
 - (2) 'fulfil in good faith the obligations... (commitment)
 - (3) 'settle international disputes... (peaceful settlement)
 - (4) 'refrain... threat of use of force against the territorial integrity of political independence of any State... (Kellogg Pact - outlawry of war)
 - (5) 'every assistance' to UNO (mutual assistance)
 - (6) 'non-member States to act in accordance'... (non-members)
 - (7) 'Nothing contained in the present charter shall authorise the UNO to intervene in matters which are essentially within the domestic jurisdiction of any State or shall require the members to submit such matters to settlement under the present Charter; but such principle shall not prejudice the application of enforcement measures under ~~the~~ Chapter VII.' (domestic affairs)

Chapter II. Membership. (Art. 3-6)

Art. 3.

Original members (San Francisco)

Art. 4.

- (1) 'all other peace-loving States...'
- (2) 'admission' by Assembly on recommendation of the S.C.

Art. 5.

~~can~~ 'suspension of members, and their 'expulsion'.
Jurisdiction: Assembly, on the recom. of the S.C.

Chapter III.

Chapter III. Main Organs. (Art. 7 & 8)

Art. 7

- (1) Five organs: Assembly
S.C.
Soc. & Ec. C.
Trusteeship C.
International C. of Justice.
Secretariat.

- (2) ~~NONENEN~~
Subsidiary organs may be established..

Art. 8.

All men and women equally eligible for all organs.

Chapter IV. The General Assembly (Art. 9.- 22)

Art. 9.

Composition.

- (1) All members.
(2) Not more than five representatives.

Art. 10-17

Functions and powers.

Art. 10.

'discuss any questions'.. make 'recommendations' except Art 12

Art. 11.

- 'consider' 'principles governing general disarmament'..
'discuss' 'international peace or security', except Art. 12.
'call attention' of the S.C. to any situation which may endanger peace..

Art. 12.

- (1) 'While the S.C. is exercising in respect of any dispute or situation the function assigned to it in the present Charter, the G.A. shall not make any recommendations with regard to that dispute or situation unless the S.C. so request'. the matter..
(2) 'to be notified by Secr. Gen.' as soon as S.C. ceases to deal with

Art. 13.

- 'initiate' 'studies and make recommendations for the purpose of '
(1) promoting internat. cooper. in political field
(2) promoting internat- cooperation in cultural econ. etc, health field
also 'realisation of human rights and fundamental freedoms for all without distinction (race, sex, language or religion'.
(as to)

Also responsibilities through Soc. & Ec. Council.

Art. 14.

'recommend' 'measures for the peaceful adjustment of any situation, except Art. 12

Art. 15.

'receive and consider' annual reports. from S.C. & other organs.

Art. 16.

'approval' of trusteeship agreements ' for areas not designated as strategic'.

Art. 17.

'consider and approve' budget

Art. 18- 22)

Voting.

Art. 18.

- One vote each
Two thirds majority of the members present on all importance matters, most of them named.
Simple majority on other questions...

Art. 19.

Arrears of payment of dues (two years crucial).

Art. 20.

Yearly regular sessions (Annual meetings)
Simple majority can call special session...

Art. 21.

Own rules of procedure, President ^{for} each session.

Art. 22.

Subsidiary organs may be set up..

Chapter V. The Security Council.

Chapter V. The Security Council. (Art. 23-32).

Art. 23.

Composition.

- (1) Eleven members. Five permanent members and six non-permanent members to be elected for two years. (not eligible for immediate re-election).
- (2) However, first time three to be elected for one year only.
- (3) Equitable geographical distribution and contribution to maintenance of international peace and security to be considered in the choice.

Art. (24-26)

Functions and powers.

Art. 24.

'primary responsibility for the maintenance of international peace and security' the S.C. acts on their behalf'...

Art. 25.

'members' to 'carry out the decisions of the S.C.'...

Art. 26.

'plans' for the establishment of a system for the regulation of armaments'.

Art. 27.

Voting.

- (1) 'Each member of the S.C. shall have one vote.'
- (2) 'Decisions' of the S.C. on procedural matters shall be made by an affirmative vote of seven members'.
- (3) 'Decisions of the S.C. on all other matters shall be made by an affirmative vote of seven members including the concurring votes of the permanent members, provided that in decisions under chapter VII and under § 3 of Art. 52 a party to a dispute shall abstain from voting'.

Art. 28-32.

Procedure.

to be able to function continuously any member may participate if asked by the S.C. even non-members if it is a party to a dispute under consideration

Chapter VI. Pacific Settlement of disputes. (Art. 33-38).

Gives extremely broad powers to the S.C. to deal with almost any way at every stage of a dispute. Confer the text of Articles 33-38

Chapter VII. Action with respect to threats to the peace, breaches of the peace or acts of aggression. (Art. 39-51)

Art. 42.

Military sanctions.

Art. 43.

International force.

Art. 45.

Immediately available international air force.

Art 46-47

Military staff committee consisting of Chiefs of Staff of Permanent members

Art 51.

Right of self-defence unimpaired!

Chapter VIII. Regional arrangements. (Art. 52-54)

Regional arrangements encouraged (but Councils rights not impaired) Exceptions made for going to war, with an exception from this 'against former enemy States'. (Art 53).

Chapter IX. International Econ. & Soc. Co-operation. (Art 55-60).

Chapter IX. International Econ. & Social Co-operation. (Art 55-60).

Art. 55

Purpose and organization.

The UNO shall 'promote'

1. Higher standard of living, full employment conditions of econ. & soc. progress
2. solutions of internat. ec. soc. and related problems. internati. cultural and educational cooperation.
3. universal respect for and observance of human rights and freedoms for all without distinction as to race, language or religion.

Art-60 (the Assembly and, under the authority of the ~~General Assembly~~ ^{Assembly,} Responsibility vested in the ~~General Assembly~~ ^{in the} Economic & Social ~~Assembly~~ ^{Council})

Chapter X. Economic & Social Council. (Art. 61-72).

Art. 61.

Composition

18 members elected for three years. Retiring member re-eligible

Art. 62-66

Functions and powers.

- Study and recommend to the General Assembly
- Make agreements with agencies.
- Ask for reports

Art. 67

Voting

Majority of the members present and voting.

Art 68-72

Procedure.

Chapter XI. Declaration regarding non-self-governing territories. (Art 73-74)

'Territories whose people have not yet attained a full measure of self government...'

- a. advancement, just treatment, abuses..
- b. develop self-government... take account of the pol. aspirations of the peoples
- c. progressive development of free political institutions..

Chapter XII. International Trusteeship System. (Art. 75-85).

An International Trusteeship System organised for the administration of the 'Trust Territories'. Under the UNO. (and supervision)

Purpose: Confer above.

Apply to: Art. 77.

- a. former mandates
- b. former enemy territories.
- c. voluntarily placed under the system by States responsible for their administration..

Does not apply to member States terms "shall be agreed upon by States directly concerned". The Administering Authority may be one or more States or the organization itself...

'strategic area or areas, can be designated

5. United Nations Charter. (cont.)

strategic areas: whole Trust Territory can be 'strategic'.
to be ~~administered~~ under the control of the Security Council.
for the UNO, not under the Trusteeship Council.

Trusteeship Council.
Composition. Vote etc.

Chapter XVIII Amendment.

2/3 of the Assembly and any seven of the S.C.