

THE UNITED NATIONS

REPORT OF THE NEW ZEALAND DELEGATION
ON THE FIRST PART OF THE FIRST REGULAR
SESSION OF THE GENERAL ASSEMBLY HELD
AT LONDON 10 JANUARY - 14 FEBRUARY 1946

Presented to both Houses of the General Assembly by Leave

By Authority: E. V. PAUL, Government Printer, Wellington.—1946.

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FIRST PART OF THE FIRST REGULAR SESSION OF THE GENERAL ASSEMBLY OF THE UNITED NATIONS

I HAVE the honour to present to Cabinet the report of the New Zealand delegation, of which I was Chairman, on the First Part of the First Regular Session of the General Assembly of the United Nations.

(Signed) P. FRASER

I. NATURE OF REPORT

THE report describes briefly the main decisions taken by the General Assembly, with special emphasis on the positions adopted by the New Zealand delegation. The relevant resolutions approved by the Assembly are appended.

II. GENERAL VIEW OF THE SESSION

THE Session opened in London on 10 January, 1946, and closed on 14 February, 1946. The Plenary meetings were held in the Central Hall, Westminster, and the Committee meetings either in the Central Hall or in Church House, Westminster, nearby.

It was natural that at its first meetings the principal task of the Assembly should be to adopt its Rules of Procedure, to play its assigned part in setting up the principal organs of the United Nations, and to constitute itself as a working body capable of performing its functions under the Charter.

The Assembly's discussions proceeded on the basis of a report drawn up by the Preparatory Commission which had been set up at the San Francisco Conference and which had met in London from 24 November, 1945, to 24 December, 1945. It had been expected by some that the Assembly would confine itself exclusively to the task of organization. However, by the mere force of circumstances it came to deal with a number of questions of political importance: refugees; atomic energy; trusteeship agreements. Certain questions primarily concerned with organization and procedure also assumed a political character—*e.g.*, the elections to the Councils, and the relations of the World Federation of Trade Unions and other non-governmental bodies to the United Nations.

The meeting was opened by the President of the Preparatory Commission, Dr Zuleta Angel (Colombia), who was followed by the Rt. Hon. Clement Attlee, Prime Minister and first delegate of the United Kingdom. Mr Attlee also spoke at the conclusion of the closing meeting. These speeches, preceded on the eve of the meeting by a State banquet at St. James's Palace at which His Majesty the King received the principal delegates, declared in clear terms the high place which is reserved for the United Nations in the policy of the United Kingdom.

III. DELEGATIONS

DELEGATES to the General Assembly were present from all the fifty-one United Nations. The delegation of New Zealand was composed as follows:—

Delegates—

The Rt Hon. PETER FRASER, C.H., M.P., Prime Minister.

Mr R. M. CAMPBELL, Acting High Commissioner in London.

Mr A. D. McINTOSH, Secretary of the Department of External Affairs.

Mr J. V. WILSON, Department of External Affairs.

Miss JEAN R. MCKENZIE, Official Secretary to the High Commissioner in Australia.

Advisers—

Mr C. A. KNOWLES, O.B.E., High Commissioner's Office, London.

Sir A. C. DAY, C.B.E., C.M.G., High Commissioner's Office, London.

Mr COLIN AIKMAN, Department of External Affairs.

Mr ROBIN T. MILLER, High Commissioner's Office, London.

Miss L. MCPHEE, High Commissioner's Office, London.

IV. CONSTITUTION OF ASSEMBLY

At the first meeting the Assembly proceeded to elect its President.

Before a ballot was taken, Mr Gromyko (Soviet Union) proposed that the Assembly should elect Mr Trygve Lie, first delegate of Norway. Mr Manuisky (Ukrainian S.S.R.), supporting this proposal, suggested that the election should take place by acclamation. The Assembly was consulted by its Acting President and decided that a secret ballot should be held in accordance with the Rules of Procedure. Mr Henri Spaak (Belgium) obtained 28 votes; Mr Trygve Lie (Norway) 23 votes. Mr Spaak took his place as President.

After the election, the Assembly agreed, on the motion of Mr Manuisky, to refer to its Sixth Committee the question of the use of nominations in future elections. (See page 37.)

Having adopted, subject to the later consideration of certain amendments, the provisional Rules of Procedure drawn up by the Preparatory Commission, the Assembly appointed a Credentials Committee under the Chairmanship of Mr Gustav Rasmussen (Denmark); adopted its Agenda (Appendix I); and set up six main Committees as follows:—

FIRST COMMITTEE. *Political and Security Questions.*

SECOND COMMITTEE. *Economic and Financial Questions.*

THIRD COMMITTEE. *Social, Humanitarian, and Cultural Questions.*

FOURTH COMMITTEE. *Trusteeship.*

FIFTH COMMITTEE. *Administrative and Budgetary Questions.*

SIXTH COMMITTEE. *Legal Questions.*

At a later meeting two other Committees were set up to deal respectively with the transfer of certain functions, activities, and assets from the League of Nations to the United Nations, and the Permanent Headquarters of the United Nations.

The Assembly elected as Vice-Presidents the first delegates of—

CHINA

UNITED KINGDOM

FRANCE

UNITED STATES OF AMERICA

UNION OF SOUTH AFRICA

VENEZUELA

SOVIET UNION

At separate meetings of the six Assembly Committees, which had been held in the meantime, their Chairmen had been elected as follows:—

COMMITTEE 1. Dr D. Z. Manuilsky (*Ukrainian S.S.R.*).

COMMITTEE 2. Mr Waclaw Konderski (*Poland*).

COMMITTEE 3. Rt Hon. Peter Fraser (*New Zealand*).

COMMITTEE 4. Dr R. E. MacEachen (*Uruguay*).

COMMITTEE 5. Mr Faris Al-Khoury (*Syria*).

COMMITTEE 6. Mr Roberto Jiminez (*Panama*).

The President of the Assembly, the seven Vice-Presidents, and the six Chairmen of the Assembly Committees together constituted the General Committee of the Assembly.

V. ELECTIONS

Security Council

At the meeting which was called for the election of the six non-permanent members of the Security Council, the delegate of the Soviet Union proposed a short adjournment in order to allow for further consultation between delegations. This was opposed by Mr Byrnes (United States) and by Mr Bevin (United Kingdom).

The proposed adjournment was supported by Mr Masaryk (Czechoslovakia) and by Mr Fraser (New Zealand) who, explaining that his reasons not only varied from but were opposed to those mentioned by Mr Gromyko, asked for practical application of the principle of "equitable geographical distribution" laid down in the Charter.

Mr. Fraser said:—

"I ask time for delegates to consider whether the important problems of the Pacific can possibly be adequately provided for, and the dangers that will arise there can be handled, without a voice on the Security Council from the South and South-west Pacific.

"I am asking for time for the delegates to consider whether Australia, a country that is a continent, that is a candidate, should not be considered. I am not going to canvass or ask any one to vote for Australia or any other country I am interested in, but I am going to ask for time for reflection and consideration; for a study of the conditions, and of the map; and for delegates to ask themselves, should not the principle of equitable geographical distribution be considered."

The motion was, however, defeated.

Mr Gromyko (Soviet Union) then asked for discussion of claims of the various candidates, and Mr Manuilsky suggested that New Zealand should be the Council member for the Pacific region. Mr Fraser said that New Zealand was not a candidate, but re-emphasized that there should be some member from the South Pacific and that the obvious choice was Australia.

On the first ballot, five States obtained the required two-thirds majority:—

BRAZIL	POLAND
EGYPT	NETHERLANDS.
MEXICO	

The next two candidates were Canada with 33 and Australia with 28 votes. On the second ballot Australia received 27, Canada 23 votes; and on the third Australia 28, Canada 23. The required two-thirds majority was not attained.

Before another ballot could be held, Mr St. Laurent of Canada made the following statement:—

"The Members of the Canadian delegation fully realize how embarrassing it must be to their fellow-delegates to go on balloting between two of the Dominions of the Commonwealth, with each of which they have always had such cordial and mutually satisfactory relations. I would therefore beg leave, Mr President, to propose that no further ballots be taken but that the election of Australia to the Security Council as the sixth non-permanent member thereof be made unanimous."

The Assembly acted on the above advice, and in the final ballot Australia was elected.

There followed ballots to determine which three of the six elected members should hold office for two years, the remainder holding office for one year only. This provision regarding the first election to the Council had been inserted in the Charter in order that elected members to the Council, who in future would be elected for two years, should retire from the Council three at a time and not six at a time, and thus ensure a proper measure of rotation. Brazil and Australia attained the necessary majority at the first ballot. The Netherlands and Poland were the runners-up. After a second ballot, in which they tied, lots were drawn, with a win for Poland.

Economic and Social Council

Of the eighteen members to the Economic and Social Council, seventeen were elected in the first ballot, having attained the necessary two-thirds majority.

CHILE	COLOMBIA
CHINA	FRANCE
NORWAY	INDIA
UNITED KINGDOM	BELGIUM
PERU	CZECHOSLOVAKIA
SOVIET UNION	UKRAINE
UNITED STATES OF AMERICA	CUBA
CANADA	GREECE.
LEBANON	

A second ballot was held to choose between the next two countries (New Zealand with 31 votes on the first ballot, and Yugoslavia with 27 votes). New Zealand now received 27 votes, while Yugoslavia received 24. As this did not give the requisite two-thirds majority a third ballot was held, but there was almost no change in the voting. To break the impasse, Mr Fraser suggested drawing from a hat. It was ruled that this was not in order as under the Charter a positive two-thirds majority must be obtained.

After an adjournment, the New Zealand delegate withdrew New Zealand's candidature. Mr Fraser said on this occasion:—

“I can see that if we went on voting indecisively and interminably, we would lose credit with the peoples of the world.

“Because of that and believing that I am interpreting the spirit of my country, I will ask you to allow New Zealand to withdraw at this moment from the election and to allow Yugoslavia to be elected.

“In doing that I realize that I am placing my country in a weak position; I realize that I shall be subjected to a considerable amount of adverse criticism; but the position of New Zealand will be one of realization that unity is more important than anything else in the position in which the world is placed at this moment.

“Therefore New Zealand retires on this occasion but will stand on some future occasion for a position which we value.”

This statement was received with applause. The United States delegate, Mr Connally, referred to New Zealand's "gracious and magnanimous action," and hoped that this generous spirit of collaboration would dominate the future actions of the United Nations. The Yugoslav delegate also thanked New Zealand, while for the United Kingdom Mr Noel-Baker said:—

"I want, if I may, to state the reasons why we voted for New Zealand and why we hope that she may become a member of the Council at an early election in the future.

"If we look at the past, New Zealand played a very great part in the conflict against nazism and fascism. New Zealand was in the war three minutes after Hitler's challenge was first taken up. New Zealand has among the highest, if not the highest, proportion of ascertainable casualties on the Allied side. New Zealand was on almost every battlefield in the world.

"Looking to the future, we think that it is desirable to have on the Council representatives of some countries which have been fortunate enough to make great social and economic progress, and I know that every one again will agree that New Zealand is among those countries.

"Take any test you like. New Zealand has the lowest infant mortality rate in the world, the lowest maternity mortality rate, the lowest overall death rate; the longest expectation of life, the least poverty, and the best—perhaps the very best—social security system. New Zealand out-Beveridged Beveridge before Beveridge began.

"For these reasons, His Majesty's Government think that it would be extremely valuable to have New Zealand in the Economic and Social Council in the early formative period of its work, and for that reason we hope that she may soon be elected."

In a final ballot Yugoslavia was elected as the eighteenth member.

In subsequent ballots the following six countries were elected for three years:—

CHINA	CHILE
PERU	CANADA
FRANCE	BELGIUM,

and the following for two years:—

SOVIET UNION	NORWAY
UNITED KINGDOM	CUBA
INDIA	CZECHOSLOVAKIA.

The term of office for the following six is consequently for one year:—

UKRAINIAN S.S.R.	UNITED STATES OF AMERICA
GREECE	COLOMBIA
NETHERLANDS	YUGOSLAVIA.

International Court of Justice

After a series of concurrent ballots between the General Assembly and the Security Council the following fifteen persons were elected as judges of the International Court of Justice. The first five will

serve for three years, the next five for six years, and the last five for nine years, the choice having been made by the drawing of lots:—

Dr MILOVAN ZORICIC (*Yugoslavia*)
Mr J. E. READ (*Canada*)
Mr BOGDAN WINIARSKI (*Poland*)
H. E. Dr AEDEL BADAWI PASHA (*Egypt*)
Dr Mo HSU (*China*)
Mr FABELA ALFARO (*Mexico*)
Dr HELGE KLAESTAD (*Norway*)
Dr CHARLES DE VISSCHER (*Belgium*)
Hon. GREEN H. HACKWORTH (*United States*)
Professor SERGEI KRYLOV (*Soviet Union*)
Professor JULES BASDEVANT (*France*)
Dr J. P. DE B. AZEVEDO (*Brazil*)
Dr JOSE GUERRERO (*El Salvador*)
Sir ARNOLD DUNCAN MCNAIR (*United Kingdom*)
Dr ALEJANDRO ALVAREZ (*Chile*)

During the election, considerable confusion resulted from differing interpretations of the articles in the Statute of the Court dealing with election procedure⁽¹⁾. It was suggested that the difficulty should be referred to the Court itself for an advisory opinion; but owing to its late submission the question was deferred for consideration by the legal Committee at the second part of the session in September.

Secretary-General

On the recommendation of the Security Council, the General Assembly decided to appoint Mr Trygve Lie⁽²⁾ as Secretary-General of the United Nations. The voting was 46 to 3, in secret ballot.

In the nearest approach to a ceremonial occasion achieved by the Assembly, Mr Trygve Lie took the oath of office⁽³⁾ and publicly assumed his functions on February 2, 1946.

⁽¹⁾ The point at issue was whether, in Articles 11 and 12 of the Statute, the word "meeting" meant a Plenary Meeting at which one ballot was held or a Plenary Meeting during which a number of ballots were held.

⁽²⁾ Details published in the Journal of the General Assembly: H. E. Mr Trygve Lie, Secretary-General of the Norwegian Labour Party, 1919-22; legal adviser to the Norwegian Labour Party, 1922-35; Minister of Justice, 1935-37; Minister of Commerce, 1937-39; Minister of Supply, 1939-41; since 1941 Minister for Foreign Affairs; Chairman of the Norwegian delegation at the San Francisco Conference.

⁽³⁾ "I, Trygve Lie, solemnly swear to exercise in all loyalty, discretion and conscience the functions entrusted to me as Secretary-General of the United Nations, to discharge those functions and regulate my conduct with the interests of the United Nations only in view, and not to seek or accept instructions in regard to the performance of my duties from any Government or other authority external to the Organization."

VI. GENERAL DEBATE

AFTER the elections to the Security Council and Economic and Social Council had taken place, the Assembly devoted the first days of its Session to a general debate on the report of the Preparatory Commission. Delegates from the following countries took advantage of this debate to state on broad lines the attitudes of their Governments to the United Nations:—

United States, Brazil, Chile, Iran, China, Denmark, Netherlands, El Salvador, Ecuador, Norway, Argentina, Colombia, Mexico, Poland, Haiti, United Kingdom, Peru, Bolivia, Czechoslovakia, Costa Rica, Yugoslavia, Union of Socialist Soviet Republics, Dominican Republic, Egypt, Canada, Greece, Uruguay, Venezuela, India, New Zealand, Byelorussian Socialist Soviet Republic, Australia, Luxembourg, Belgium.

Mr Fraser in his speech made the following points:—

On the League and the United Nations—

“The League of Nations, with its many great and beneficial achievements, failed to stop world-wide aggression at its initial stages, and finally collapsed. The fear in the minds of millions to-day—and we ought to realize it—is that the United Nations will tread the same disastrous path. Judging by some unfortunate signs of the times, there is, in many parts of the world, no evidence of undue haste to subordinate any particular national interests for the common good.”

On the Charter—

“A number of delegates have referred to, and rightly acknowledged, the admitted defects in the Charter. The most conspicuous of these defects is the failure to include as a positive aim of the Organization the preservation against external aggression of the territorial integrity and political independence of every member, and a pledge to resist collectively such aggression.

“Then of course the Veto remains, in my opinion, as a blot upon the Charter. However, I believe it is so bad, so completely bad, that it will not conceivably be used except as a last desperate throw of one of the large powers labouring under a sense of guilt, or complete lack of faith and trust in the combined fairness and sense of justice of the other members of the Security Council. In any case, its use would be such a shock to the nations as to endanger the whole structure of the United Nations.”

On Atomic Energy—

“In regard to the draft resolution concerning the establishment of the proposed commission to deal with the problem raised by the discovery of atomic energy, we are not completely satisfied that the procedure suggested in the resolution is the best possible. We think that better account would be taken of the many sided nature of the problem if the Commission were to work under the direction of the General Assembly.”

On the Economic and Social Council—

“New Zealand hopes to play her part in the fulfilment of the objectives of economic and social co-operation outlined in the Charter.”

On UNRRA—

“I am authorized by the New Zealand Government to state that, subject to the approval of Parliament, it will make available to UNRRA an additional contribution of one per cent. of her national income as called for in the draft resolution, amounting to some £2,600,000.”

On the Palestine Problem—

“I think the task is too great to be imposed upon one nation. This is a world problem and has got to be a world responsibility.”

On Trusteeship—

“Three steps are necessary for the setting-up of the trusteeship machinery described in the Charter. The first is that all the Powers having responsibility for the government of dependent peoples should announce their willingness to place their respective territories under trusteeship. The second is that trusteeship agreements should be concluded. The third is that the Trusteeship Council should be set up.

“The New Zealand Government has applied this reasoning to its own case. It is prepared to place under trusteeship the country known as Western Samoa, for which a mandate was conferred in 1920.

“We shall in due course submit a trusteeship agreement in respect of this territory. We shall then be ready to take our place on the Trusteeship Council.”

VII. FIRST COMMITTEE: POLITICAL AND SECURITY QUESTIONS

Officers

Chairman Dr D. Z. MANUILSKY (*Ukrainian S.S.R.*)

Vice-Chairman Mr JOSEPH BECH (*Luxembourg*)

Rapporteur Dr H. V. LAFRONTE (*Ecuador*)

New Zealand Representatives

Rt Hon. P. FRASER

Mr J. V. WILSON

Sir CECIL DAY

Atomic Energy

THE problem of atomic energy came before the General Assembly in the form of a resolution presented by the delegations of the Soviet Union, the United Kingdom, the United States of America, France, China, and Canada. Under this resolution (reproduced below) the General Assembly was to establish a Commission “to deal with the problems raised by the discovery of atomic energy and other related matters.” The Commission was to be composed of representatives of members of the Security Council together with Canada should Canada not be represented on the Security Council. The Commission was to report to the Security Council, which in

appropriate cases would transmit reports to the General Assembly and the Economic and Social Council. Specific proposals were to be made by the Commission—

(a) For extending between all nations the exchange of basic scientific information for peaceful ends:

(b) For control of atomic energy to the extent necessary to ensure its use only for peaceful purposes:

(c) For the elimination from national armaments of atomic weapons and of all other major weapons adaptable to mass destruction:

(d) For effective safeguards by way of inspection and other means to protect complying States against the hazards of violations and evasions.

In the general debate in the plenary meeting the representative of New Zealand, while welcoming the initiative of the Governments which had invited international co-operation in this matter, suggested that the control of the activities of the Commission should not be left exclusively to the Security Council. While the problem of atomic energy undoubtedly had important security aspects for which the Security Council was the competent organ, it had also aspects related to the opportunities which atomic energy afforded for the benefit of mankind. The co-ordination of the work of the Commission could more appropriately be performed by the General Assembly as the only body with general competence over the whole sphere of action of the United Nations.

The resolution of the six Powers was discussed by the First Committee at a meeting attended by virtually all the heads of delegations. The first delegate of New Zealand was unable to attend, as the Committee of which he was Chairman was sitting simultaneously with the First Committee. His substitute (Mr Wilson) recalled the arguments used by the New Zealand delegation in the general debate and asked for consideration of these and any other points that might be raised before a vote was taken, as was the invariable practice in United Nations Committees.

However, it was decided to take the vote forthwith, with the understanding that "every delegation retained the right to make objections and observations" at the following meeting. The New Zealand delegate did not feel that this unusual procedure would justify him in opposing a resolution which had much more good in it than bad, and therefore voted with the affirmative majority of forty-six.

Indeed, the oddities of the procedure merely reflected the fact that the resolution submitted by the six Powers was the product of difficult negotiations between them. Whatever the appearances, the General Assembly was being asked not to debate a proposal submitted to its own sovereign judgment, but to endorse in every particular an agreement between third parties. Undoubtedly the General Assembly felt that there

was advantage in so doing and there was no dissent from the verdict of the delegate of the Soviet Union when on the occasion of the final vote in the Plenary Assembly he said :—

“ This is the first important act of the joint efforts of the United Nations to secure peace and security in the world. Let this noble move achieve a fine and complete success.”

Resolution on Atomic Energy

Resolved by the General Assembly of the United Nations to establish a Commission, with the composition and competence set out hereunder, to deal with the problems raised by the discovery of atomic energy and other related matters :—

1. *Establishment of the Commission.*

A Commission is hereby established by the General Assembly with the terms of reference set out under Section 5 below.

2. *Relations of the Commission with the Organs of the United Nations.*

(a) The Commission shall submit its reports and recommendations to the Security Council, and such reports and recommendations shall be made public unless the Security Council, in the interest of peace and security, otherwise directs. In the appropriate cases the Security Council should transmit these reports to the General Assembly and the members of the United Nations, as well as to the Economic and Social Council and other Organs within the framework of the United Nations.

(b) In view of the Security Council's primary responsibility under the Charter of the United Nations for the maintenance of international peace and security, the Security Council shall issue directions to the Commission in matters affecting security. On these matters the Commission shall be accountable for its work to the Security Council.

3. *Composition of the Commission*

The Commission shall be composed of one representative from each of those States, represented on the Security Council, and Canada when that State is not a member of the Security Council. Each representative on the Commission may have such assistance as he may desire.

4. *Rules of Procedure*

The Commission shall have whatever staff it may deem necessary, and shall make recommendations for its rules of procedure to the Security Council, which shall approve them as a procedural matter.

5. *Terms of Reference of the Commission*

The Commission shall proceed with the utmost despatch and inquire into all phases of the problem, and make such recommendations from time to time with respect to them as it finds possible. In particular the Commission shall make specific proposals—

(a) For extending between all nations the exchange of basic scientific information for peaceful ends ;

(b) For control of atomic energy to the extent necessary to ensure its use only for peaceful purposes ;

(c) For the elimination from national armaments of atomic weapons and of all other major weapons adaptable to mass destruction ;

(d) For effective safeguards by way of inspection and other means to protect complying States against the hazards of violations and evasions.

The work of the Commission should proceed by separate stages, the successful completion of each of which will develop the necessary confidence of the world before the next stage is undertaken.

The Commission shall not infringe upon the responsibilities of any Organ of the United Nations, but should present recommendations for the consideration of those Organs in the performance of their tasks under the terms of the United Nations Charter.

Representation of World Federation of Trade Unions and other Non-governmental Organizations

The question of the representation of non-governmental bodies on the Economic and Social Council, which was also on the agenda of the First Committee, gave rise to the most prolonged and stubborn debate of the London meetings.

The matter first arose in the General Committee. At an early meeting note was taken of a letter addressed to the United Nations by the World Federation of Trade Unions (W.F.T.U.) concerning the representation of world labour in United Nations discussions. The sub-committee, including the first delegate of New Zealand (Mr Fraser) in his personal capacity as Chairman of the Third Committee and member of the General Committee, was appointed by the General Committee to receive representations of the Federation and to hear full details and explanations.

The representatives of the W.F.T.U. presented three specific requests to the sub-committee. These requests, which they based on the unique character, importance, and size of the organization (with its 65,000,000 members), emphasized the assistance which the organization might be able to give the United Nations in critical times. The requests were :—

(a) To have permanent representation in an advisory and consultative capacity, but without vote, in the General Assembly :

(b) To be brought into regular consultation, under the provisions of Article 71 of the Charter, with the Economic and Social Council :

(c) To be granted full participation in the work of the Economic and Social Council, with the right to vote.

The General Committee, to which the sub-committee reported this information, was unanimously of the opinion that there could be no question of granting to any non-governmental organization the right to vote in the various organs of the United Nations, since this would be equivalent to a modification of the Charter.

It was around the second of these three requests, that which concerned relations with the Economic and Social Council, that the discussion crystallized.

The New Zealand representative emphasized that the General Committee was empowered only to make recommendations as to what the General Assembly might discuss and the order in which matters should be discussed. He therefore took exception to a discussion of the substance of the question proceeding in the General Committee. However, the President ruled otherwise, and the discussion continued.

All the members agreed that the association of the W.F.T.U. with the Economic and Social Council, in some form, was desirable and was feasible under the Charter. The point of difference was whether a special resolution of the General Assembly was expedient, and especially whether the W.F.T.U. alone should be mentioned in such a resolution. The latter point assumed importance because the General Committee had received requests similar to that from the W.F.T.U. from the International Co-operative Alliance, the International Democratic Federation of Women, and, with the support of the United States delegation, the American Federation of Labour.

At this point Mr Fraser submitted the following draft resolution as a basis for discussion :—

“ That in regard to the application of the World Federation of Trade Unions for representation in an advisory capacity at the meetings of the General Assembly and of the Economic and Social Council, the General Committee agrees to place the following resolution before the General Assembly as a basis for discussion :—

‘ 1. That provision be made for representatives of the World Federation of Trade Unions, and such other international organizations as are willing and able to assist the United Nations Organization and which are approved, and accepted by the General Assembly, to be present as invited guests at the meetings of the General Assembly ; the privilege of addressing the General Assembly on any subject on which a particular international organization can speak with special knowledge, experience and authority, to be extended exclusively by the General Assembly at its discretion.

‘ 2. That the Economic and Social Council be requested to take the necessary and appropriate action to bring into early operation the arrangements provided in Article 71 for consultation with non-governmental organizations, and that full opportunities for such consultation be extended to the World Federation of Trade Unions and such other organizations whose applications are accepted by the Economic and Social Council.’ ”

This, and other suggested resolutions, came before a second sub-committee (on which New Zealand was again represented), but the attempt to draw up a text which would meet with general approval proved unsuccessful.

When the sub-committee brought before the General Committee an inconclusive report, the representative of the Soviet Union proposed the adoption of a resolution allowing the W.F.T.U. to take part for purposes of consultation in the work of the Economic and Social Council, its Commissions, and Committees. The New Zealand representative was in the small majority (seven to six) which supported this resolution. Although prepared to vote for a resolution which mentioned the W.F.T.U. alone, he could not withhold his assent from an amendment put forward by the representative of the United States of America adding the American Federation of Labour to the W.F.T.U. for the purposes of the Resolution. He could not but recognize that the Charter in its Article 71 expressly provides for consultation by the Economic

and Social Council with both international and national organizations. He felt that if this privilege were not to be accorded to the American Federation of Labour, it was difficult to see which organization, among national organizations, would be qualified to receive it. However, the addition of this amendment, which was approved by the Committee, resulted in the representative of the Soviet Union voting against the amended resolution, which was thus defeated.

The matter was then referred by the General Committee to the General Assembly, which placed it formally on its agenda and referred it to the First Committee.

Here the discussion was resumed, and turned, without agreement, round the same points. A sub-committee, on which New Zealand was represented, failed to reconcile the conflicting points of view. The motion, which was finally brought forward by the sub-committee to the full Committee and later by the Committee to the General Assembly, was based on a text submitted by the United States representative which he claimed to be in the nature of a compromise.

It was only at its last plenary meeting that the General Assembly was able to come to a decision on this question. After amendments presented by the delegates of the Soviet Union and the Ukraine had been defeated, the resolution below was adopted by 32 votes to 6, with 11 abstentions. The New Zealand delegate (Mr Fraser) voted with the majority.

The speech which he delivered at the meeting made the following points :

On the W.F.T.U.—

“ Now we are arrived at the position where it is possible for the World Federation of Trade Unions to come in. I think that is a big gain.”

On Consultation—

“ There is some doubt as to the basis. Now that doubt derives from the word ‘consultation,’ but that is the word used in the Charter and you cannot object to the Charter words being used in a resolution . . . But what does the word ‘consultation’ mean? If it means that they will only give an opinion when they are asked to give it, I am opposed to that.

“ . . . This is my definition and I would like it recorded. My definition of what ‘consultation’ means is this: it means that the body that is admitted to consultation not only can give an opinion when it is asked to give it, but can volunteer an opinion on any occasion on any matter whatever.”

On the International Co-operative Alliance—

“ . . . They must be recognized in the future, there is no doubt about that. It is just a question of whether we recognize them at the same time as we recognize the World Federation of

Trade Unions, or whether we postpone their recognition to another Assembly or let them apply to the Economic and Social Council between now and next September. So is it worth while arguing about this matter? Is it worth dividing and voting about? I submit that it is not."

On the American Federation of Labour—

" . . . They can apply, under the Charter, for representation in the Councils of the United Nations, and the only point is whether they are to be admitted to-night or some other time. Now why to-night? First because they are sponsored by one of our largest delegations . . .

"The other point I would make is this: if they were shut out to-day they could apply to-morrow, but they would have to go before the Economic and Social Council with the slur on them that the Assembly had turned them down. Fellow-delegates, you cannot do it. It cannot be done either with dignity or with honour or with justice.

"I want to see this Conference vote unanimously for all three to be admitted to a consultative position, which is an advisory position as well, with the common consent of this Assembly . . . To me, it would be a tragedy of the greatest description if we had to send word to any of these, but above all to the World Federation of Trade Unions, and say: 'You have offered your co-operation: we have rejected it.'"

Resolution on Admission of Non-governmental Organizations

In connection with the requests of the World Federation of Trade Unions, the American Federation of Labour, the International Co-operative Alliance, and other non-governmental organizations, that their representatives shall be allowed to take part in the work of the Economic and Social Council, and in accordance with Article 71 of the Charter providing for the carrying-out by the Economic and Social Council of appropriate consultations with non-governmental organizations,—

THE GENERAL ASSEMBLY RECOMMENDS—

(a) That the Economic and Social Council should as soon as possible adopt suitable arrangements enabling the World Federation of Trade Unions and the International Co-operative Alliance, as well as other international non-governmental organizations whose experience the Economic and Social Council will find necessary to use, to collaborate for purposes of consultation with the Economic and Social Council:

(b) That the Economic and Social Council should likewise adopt as soon as possible suitable arrangements enabling the American Federation of Labour, as well as other national and regional non-governmental organizations whose experience the Economic and Social Council will find necessary to use, to collaborate for purposes of consultation with the Economic and Social Council.

War Criminals

The Assembly added to its agenda and referred to the First Committee a proposal by the Byelorussian delegation concerning the extradition of war criminals. By this proposal, which was adopted with slight amendments, the General Assembly, "believing that war criminals continue to evade justice in the territories of certain States," urges both members of the United Nations and non-member States to arrest such persons and to send them back "to the countries in which their abominable deeds were done."

Languages

Conscious of the difficulties of arriving at an agreed solution of the language problem in the United Nations, the New Zealand delegation, in the meetings of the Preparatory Commission, had objected to the procedure which was then proposed of formulating separate language rules for the General Assembly and the Security Council. It asked for a single discussion with a view to establishing a standard United Nations practice. In due course, and after prolonged debate both by the Steering Committee of the Preparatory Commission and later by a sub-committee of the First Committee, a set of language rules was formulated and later unanimously adopted by the Assembly.

The core of the problem consists in the great practical disadvantages which would result from any increase in the number of the languages *into which* the proceedings of United Nations meetings are to be rendered. At the San Francisco Conference, as in the League of Nations, these languages were two, English and French. Delegates who spoke other important languages, and especially Spanish—which is the language of some two-fifths of all the members of the United Nations—showed an understandable reluctance to accept a less privileged position for their own language.

Even greater, however, was the reluctance of all delegates to increase by 50 per cent. the already considerable tedium of hearing everything said twice over; and as there was no willingness to replace either English or French by another language, these two were confirmed in their position under the name of "working languages." At the same time five languages were chosen as "official languages"—Chinese, English, French, Russian, Spanish. This means that a delegate may speak in any one of these five languages with the knowledge that his speech will be translated by a United Nations interpreter into the two working languages (but no other). A delegate speaking in any other language than one of the five must himself provide for the interpretation of his speech into English or French. Documents also are to be reproduced, in principle, into the five official languages.

By this compromise the United Nations has adopted a more liberal and politically wise language system than the League of Nations, which did little to facilitate the use of languages other than English and French. It is also, necessarily, a more costly system. The possibilities of simultaneous telephonic interpretation similar to that used at the Nuremberg trials are also to be examined.

VIII. SECOND COMMITTEE : ECONOMIC AND FINANCIAL QUESTIONS

Officers

Chairman MR WACLAW KONDRSKI (*Poland*)

Vice-Chairman MR PEDRO LOPEZ (*Philippine Commonwealth*)

Rapporteur MR EDUARDO DEL PORTILLO (*Bolivia*)

New Zealand Representatives

Rt Hon. P. FRASER

MR R. M. CAMPBELL

Miss J. R. MCKENZIE

THE Second Committee was asked to consider and report on a number of international economic and financial questions, of which the most immediately important was the means by which contributions to the fund of the United Nations Relief and Rehabilitation Administration could be expedited in order that the organization might be enabled to fulfil its urgent programme of relief in the liberated countries.

In addition, the Second Committee approved and passed on to the General Assembly the recommendations of the Preparatory Commission for the establishment at the first session of the Economic and Social Council of an Economic and Employment Commission and a Statistical Commission, and, at the earliest possible date, a Temporary Transport and Communications Commission and a Fiscal Commission.

At the request of the Assembly, a joint sub-committee of the Second and Third Committees met under the chairmanship of Mr Fraser (Chairman of the Third Committee) to discuss certain matters of joint concern to them: arrangements for the first meeting of the Economic and Social Council, the advisability of setting up a Co-ordination Commission, and the terms of reference and composition of the Commissions of the Council. The question of the relationship between the Council and existing or future specialized international agencies was also discussed, and the hope was expressed that the Council would be given the greatest liberty to consider and to propose any form of international machinery which it considered most effective for co-ordinating action on economic and social problems.

Most of the time of the Second Committee was devoted, however, to the drafting of the resolution on UNRRA. This was based on a proposal by the delegation of the United Kingdom that the General Assembly should urge States signatory to the UNRRA agreement to contribute with the least possible delay the further 1 per cent. of their national income as recommended in the UNRRA Council Resolution No. 80 of August, 1945; and that it should urge other peace-loving States to join the organization and make their contributions to its great humanitarian task. The United Kingdom proposal emphasized that the culminating stage, which was then beginning, of UNRRA's work was clearly the most critical.

General sympathy with the proposal was at once evident, and discussion centred on the most effective means by which its objective could be attained. After consulting the delegations of the United Kingdom, the Soviet Union, and Canada, the United States delegation submitted an alternative resolution (reproduced below) which after further debate was adopted by acclamation. Briefly, it recommended that the General Assembly should set up a committee which would make a direct approach to those signatory States which had not yet arranged to make their further contributions, and would also urge upon those non-signatory States which were, however, members of the United Nations to join UNRRA and help its work.

In his address to a plenary session of the General Assembly at an earlier date, the principal New Zealand delegate, Mr Fraser, had been able to announce that the New Zealand Government, subject to ratification by Parliament, had already agreed to make its second contribution to UNRRA. The discussion in the Second Committee disclosed, however, that only a few other countries had done so. Several delegates stressed the heavy obligations and the present economic difficulties of their countries, which prevented them from guaranteeing that their Governments would be able to make the full additional contribution. It was emphasized, however, that the resolution did not formally obligate Governments to make the contributions requested of them; it merely asked that each contribute what it could.

With the adoption of the resolution, the Second Committee also decided to recommend that the proposed special "Committee on UNRRA" should consist of the six members of the Central Committee of UNRRA (Canada, China, France, the Soviet Union, the United Kingdom, and the United States), together with the Dominican Republic and New Zealand as contributing countries and Greece, Poland, and Norway as representatives of the beneficiary countries.

When the Second Committee brought these recommendations to a plenary session of the General Assembly, they were adopted after a further discussion in which many tributes were paid to the work of UNRRA and much emphasis laid on the urgency of its tasks. For New Zealand, Mr Fraser drew attention also to the fact that since the resolution had been presented information of the most disturbing kind had reached them in regard to the world's food supplies, particularly the threat of famine in India as a result of the failure of the monsoon.

The resolution on UNRRA, he said, would be passed immediately, and he hoped that every delegation concerned would communicate at once with its Government and ask it to make the second contribution of funds without delay. But conditions in Europe and Asia were such that he feared that, creditable as was the resolution to the United Nations, it would not go far enough towards victory in the new war against famine. He hoped that an inquiry would be made at once into the existing food situation, and that the Assembly could be given a survey of the facts before it adjourned.

In conclusion Mr Fraser said :—

“ We, the free nations, combined in the war. We were threatened with a terrible soul-destroying tyranny and we, the big and little nations, the freedom-loving nations, got together and overthrew the tyrants. Here is another war, a war to save men, women and children. We should have the same organization, the same enthusiasm, and contribute in the same way to these new munitions of war, which means counteracting the threatened famine in many parts of the world. I believe I am speaking for every delegate and for every nation represented when I say we will be defeated unless we defeat this threat of starvation, that our United Nations will not be truly united unless we distribute this food to the world, solve the problems, estimate what food there is, and endeavour to go as far in the distribution of food as possible, organizing the transport, and doing all the other necessary things. For would not it be a tragedy if there were food piled up in many parts of the world and it could not reach starving people elsewhere? It is a big problem; it is a problem worthy of the United Nations. Let us see that we rise to the occasion and strike a great blow for God and man.”

The Assembly considered the impending world famine on another occasion, when it adopted a resolution on wheat and rice presented jointly by the delegations of China, France, the Soviet Union, the United Kingdom, and the United States (see page 49).

Resolution on UNRRA

RESOLVED THAT :

THE GENERAL ASSEMBLY, impressed with the imperative urgency that action to facilitate the final stages of the work of UNRRA be taken at the earliest possible date in view of the understanding of the Council of UNRRA that the work of that organization will be completed in Europe by 31 December, 1946, and in the Far East by March, 1947—

1. Establish a committee—

(a) To consult with States signatory to the UNRRA Agreement who have not made or arranged to make the further contributions to UNRRA recommended in Council Resolution No. 80 of August, 1945, and to urge upon them that they make such contributions with the least possible delay; and

(b) To urge upon members of the United Nations who are not signatories to the UNRRA Agreement to join that organization and thereby to make their contributions to this great humanitarian task.

2. Appoint as members of this committee the representatives of the following countries: Canada, China, Dominican Republic, France, Greece, New Zealand, Norway, Poland, Soviet Union, United Kingdom, United States, and instruct the committee to begin its work as soon as possible.

3. Instruct the Secretary-General to seek to make arrangements with the Director-General of UNRRA whereby the General Assembly may be furnished with full reports on the work of UNRRA and on the progress made towards economic rehabilitation in the countries being assisted by UNRRA.

IX. THIRD COMMITTEE: SOCIAL, HUMANITARIAN, AND CULTURAL QUESTIONS

Officers

Chairman Rt Hon. P. FRASER (*New Zealand*)

Vice-Chairman Mr SOTO HARRISON (*Costa Rica*)

Rapporteur Miss FRIEDA DALEN (*Norway*).

New Zealand Representatives

Rt Hon. P. FRASER

Miss J. R. MCKENZIE

Mr R. MILLER

Miss L. MCPHEE

THE Third Committee had within its scope of discussion and recommendation the social, humanitarian, and cultural aspects of the work of the Economic and Social Council. It was required to consider means of promoting international co-operation in the fields of culture, health, education, and social progress, and of giving effect to the Charter provisions in regard to human rights and fundamental freedoms.

At the first meeting of the Committee, the nomination of the Rt Hon. Peter Fraser as chairman was put forward by the Canadian representative, Mr. S. H. Knowles, M.P., and seconded by Mrs. Eleanor Roosevelt for the United States. It was supported also by Lt-Col W. R. Hodgson (Australia), M. Jan Stanczyk (Poland), Mr. A. Henderson, M.P. (United Kingdom), Mr. L. Egeland (South Africa), M. L. Jouhaux (France), Don Baron Castro (El Salvador) Miss M. Bernadino (Dominican Republic), and Sayid A. M. Abbass (Iraq). There were no other nominations and Mr. Fraser was elected unanimously by acclamation.

Giving unanimous approval to those sections of the report of the Preparatory Commission which were its concern, the Committee sent on to the General Assembly recommendations, which were subsequently adopted, for the establishment at the first session of the Economic and Social Council of a Commission on Human Rights, a Temporary Social Commission, and a Commission on Narcotic Drugs, and another concerning the desirability of establishing at an early date a Demographic Commission.

Two meetings were held, also under the chairmanship of Mr. Fraser, of a joint sub-committee of the Second and Third Committees, which discussed and approved those portions of the report of the Preparatory Commission concerning the date of the first meeting of the Economic and Social Council, the adoption of the provisional agenda and the provisional rules of procedure, the terms of reference and composition of the Commissions of the Council, and the means of bringing specialized agencies into relationship with the Council.

By far the most difficult and controversial matter which the Third Committee was asked to study, and to which it devoted seven sessions of full and frank discussion, was the problem of refugees. This matter was, in the first instance, the subject of a paper presented by the United Kingdom representative. It stated that the refugee problem was now, with the end of the war, assuming formidable dimensions, was one of great urgency, and must be approached on bold lines. The present machinery was clearly no longer adequate: the Inter-governmental Committee on Refugees imposed no real contractual obligation and it commanded neither sufficient resources nor organization, while UNRRA, the only other body which had recently been concerned with the problem, was a purely temporary institution and was not authorized to deal, except for a short period, with persons who for any reason could not return to their homes, or who had none to return to, or who no longer enjoyed the protection of their Governments.

The United Kingdom representative therefore proposed that the refugee problem should be referred to the Economic and Social Council for thorough examination in all its details and for early report.

The Yugoslav representative, however, touched off the controversy by submitting that the problem of displaced persons had ceased to be an important international question; the war was now over and therefore the basic reasons which had prevented the return of these persons to their own countries had disappeared. He declared that the only call for action on the part of the United Nations was in respect of war criminals and traitors, whose return to their countries of origin should be obligatory on each and every member of the United Nations.

This point of view, which was supported chiefly by the representative of the Soviet Union, aroused a flood of protests from many others, especially those of the western European nations, the United States, the United Kingdom, and the dominions. They were entirely in agreement that no action taken by the United Nations should be construed as or have the effect of affording protection to traitors and war criminals; but they insisted that outside of this "Quisling" group there existed a large number of persons whose care must be accepted as a responsibility of the United Nations.

In the course of the debate the New Zealand viewpoint was put forward by Miss J. R. McKenzie in the form of a reply to the main points of the Yugoslav delegate's contentions, particularly his claim that refugees other than war criminals and traitors should not be entitled to any international assistance if they declined to return to their own countries. Revolutionary situations such as those which had arisen in Europe over the last decades always produced numbers of exiles, the New Zealand representative said. What was new to-day, however, was the largeness of the numbers; the severity of the punishment which loss of identifiable status imposed upon the individual in an age of ration cards and work permits; and the burden which the presence of refugees placed upon the chief countries of refuge unless it was to some extent equalized by international action.

The League of Nations budget, including funds for refugee work, had been voted unanimously by all members, not excepting those States of which the refugees had been nationals, and the United Nations could hardly do less. If the United Nations supplied some aid—and from the point of view of the individual refugee such aid would be little enough—they would do so as an elementary human duty. In the Charter they had affirmed the worth and dignity of the human person, not merely of the politically co-operative person. They were now offered a practical opportunity of acting in that spirit.

At the outset of the debate the chairman (Mr Fraser) expressed the opinion that there was sufficient common ground between the two apparently contradictory viewpoints to form the basis of agreement; and this, after an extended discussion, proved to be so, even though the Yugoslav, Soviet Union, and some other representatives could not bring themselves to complete acceptance of it. Summing up the general debate, Mr Fraser said that there was universal agreement that a problem did exist and that it must be solved; but he had understood no one to suggest that it was a permanent problem, or that refugees, except those who were war criminals, quislings, or collaborators, should be coerced or compelled to go back to their own countries.

But as for the opinion that once a refugee had declined an opportunity to return to his country he was no longer entitled to any assistance, how could such a principle be applied in practice? Mr Fraser asked the Committee to consider the example of those members of the Polish Armed Forces who had fought with the United Nations in their common struggle and who had since declined the official and friendly invitation of the Polish Government to return to Poland. The United Nations had a responsibility towards them; and he for one could not be a party to presenting these men, who had risked their lives and whose comrades had died in the common cause, with the option of either returning to their own country or starving. It would be for the Economic and Social Council to give serious thought to the measure of assistance that should be given to people such as these who believed themselves to be antagonistic to the existing regimes in their own countries.

After further consideration by a sub-committee, the Third Committee adopted the text of a draft resolution referring the problem of refugees to the Economic and Social Council for thorough examination and early report and putting forward a number of principles which the Council should take into consideration. Of these the principal ones were, briefly, that refugees who had definitely made up their minds not to return to their countries of origin should not be compelled to do so and should become the concern of an international body; that those who wished to return should be encouraged and assisted in every possible way to do so; and that no action taken as a result of the resolution should be such as to interfere with arrangements for the surrender and punishment of war criminals and traitors.

The Committee also placed on record its sympathy with the Spanish Republican refugees and its strong view that the Economic and Social Council should examine their case with particular care.

Both in the committee stage and in the debate on the resolution which took place in a plenary session of the General Assembly, the Soviet Union and Yugoslav delegates, supported by a few others, made strenuous endeavours to modify some of the "guiding principles" set out in the resolution. They sought in the first place a stipulation that refugees not wishing to return to their own countries should be settled elsewhere only with the consent of their Governments; but on this proposal they accepted defeat in the committee stage. However, they carried to the floor of the Assembly the following additional proposals: that no propaganda should be permitted in refugee camps against the interests of the United Nations or against the return of refugees to their own countries; that the personnel of the camps should be comprised in the first place of representatives of the refugees' own countries; and that quislings, traitors, and war criminals hiding themselves under the guise of refugees should be returned to their countries at once.

It was left to the principal Soviet Union delegate, Mr Vyshinsky, to act as chief spokesman in support of these proposals, which gave rise to one of the outstanding debates of the session, with Mrs Eleanor Roosevelt, of the United States delegation, and the principal New Zealand delegate, Mr Fraser, taking the main parts in opposing them. The debate centred mainly on the anti-propaganda proposal, in which Mrs Roosevelt and Mr Fraser saw the danger of inroads being made into the fundamental rights of man, and freedom of expression in particular.

Mr Fraser emphasized the difficulty of defining the point at which propaganda changed in nature from free discussion to dangerous intrigue or conspiracy against any country. It was unthinkable to say to such persons as those members of the Polish Forces who did not wish to return to Poland that, now that they were refugees or displaced persons, their freedom of thought and opinion must be forsaken and forbidden to them. If in the operation of the principles which the resolution laid down it might be found that any refugee camp was a nest of intrigue and conspiracy against another country, it would be the plain duty of the responsible international body to put a stop to it.

But they could not stifle honesty of thought even in a dispossessed person, even in people who had left their own country and who dared to think in disfavour of the existing Government of that country and to believe that it could be replaced by a better one. That had been the privilege of refugees throughout the centuries—of such men as Garibaldi and Mazzini and Marx—and no country that had gloried in liberty could be a party to preventing the exercise by any human being of his claim to human rights.

Dealing with the proposal for the staffing of refugee camps of persons from the refugees' countries of origin, Mr Fraser declared that the conception that people who were opposed to the Government of their own country should be put under the control of those to whom they were

opposed did not bear a moment's examination. The most that could be granted was the right of the Government of the country of origin to send representatives into a camp to give the facts about conditions in the country concerned, and to convince the refugees, if they could, that they would be secure and happy if they returned.

The third proposal (for the immediate handing-over of war criminals and traitors) was in Mr Fraser's opinion unnecessary, since it was already United Nations policy that if traitors were discovered they were to be returned to the country which they had betrayed.

The three amendments were defeated, and the resolution as presented by the Third Committee was adopted without an opposing vote.

Resolution on Refugee Problem

THE GENERAL ASSEMBLY,

recognizing that the problem of refugees and displaced persons of all categories is one of immediate urgency and recognizing the necessity of clearly distinguishing between genuine refugees and displaced persons, on the one hand, and the war criminals, quislings, and traitors referred to in paragraph (d) below, on the other :

(a) DECIDES to refer this problem to the Economic and Social Council for thorough examination in all its aspects under Item 10 of the Agenda for the First Session of the Council and for report to the Second Part of the First Session of the General Assembly ;

(b) RECOMMENDS to the Economic and Social Council that it establish a special committee for the purpose of carrying out promptly the examination and preparation of the report referred to in paragraph (a) ; and

(c) RECOMMENDS to the Economic and Social Council that it take into consideration in this matter the following principles :—

(i) This problem is international in scope and nature ;

(ii) No refugees or displaced persons who have finally and definitely, in complete freedom, and after receiving full knowledge of the facts, including adequate information from the Governments of their countries of origin, expressed valid objections to returning to their countries of origin and who do not come within the provisions of paragraph (d) below, shall be compelled to return to their country of origin. The future of such refugees or displaced persons shall become the concern of whatever international body may be recognized or established as a result of the report referred to in paragraphs (a) and (b) above, except in cases where the Government of the country where they are established has made an arrangement with this body to assume the complete cost of their maintenance and the responsibility for their protection ;

(iii) The main task concerning displaced persons is to encourage and assist in every way possible their early return to their countries of origin. Such assistance may take the form of promoting the conclusion of bilateral arrangements for mutual assistance in the repatriation of such persons, having regard to the principles laid down in paragraph (c) (ii) above.

(d) CONSIDERS that no action taken as a result of this resolution shall be of such a character as to interfere in any way with the surrender and punishment of war criminals, quislings, and traitors, in conformity with present or future international arrangements or agreements ;

(c) CONSIDERS that Germans being transferred to Germany from other States or who fled to other States from Allied troops do not fall under the action of this declaration in so far as their situation may be decided by Allied Forces of occupation in Germany, in agreement with the Governments of the respective countries.

Notes

1. The following interpretations relating to paragraph (c) (ii) of the resolution were given by the Chairman following requests for information by the delegates for Belgium and Australia respectively :—

(a) In answering the delegate for Belgium, the Chairman stated that it was implied that the international body would judge what were, or what were not, "valid objections"; and that such objections clearly might be of a political nature :

(b) In answering the delegate for Australia, the Chairman stated that it was to be presumed that the information supplied to refugees or displaced persons from the Governments of their countries of origin would be made available through the responsible international body, in whatever way seemed most appropriate in view of the particular circumstances of the case.

2. The following expressions of opinion were put forward for inclusion in the report and in the hope that they might be taken into account by the Economic and Social Council :—

(a) The United States delegation urged the importance of existing international agencies maintaining their activities for the benefit of refugees pending the outcome of the proposed study and report :

(b) The delegation of Panama suggested that the Spanish Republican refugees should only return to Spain when a democratic regime able to assure their rights had been established there ; and that in the meantime they should be accorded special status by the countries of temporary residence, securing to them the same rights as men and workers as those enjoyed by the citizens of the country that had given them hospitality :

(c) The Bolivian delegation suggested that the possibility should be studied of raising the necessary funds and means of transport for the transfer to countries of immigration of *bona fide* refugees, or displaced persons, within the limits of the immigration quotas fixed by the countries concerned and communicated to the appropriate body.

X. FOURTH COMMITTEE : TRUSTEESHIP

Officers

Chairman Dr R. E. MACEACHEN (*Uruguay*)

Vice-Chairman Mr B. E. TEWELDE MEDHEN (*Ethiopia*)

Rapporteur Mr IVAN KERNO (*Czechoslovakia*)

New Zealand Representatives

Rt Hon. P. FRASER

Mr A. D. McINTOSH

Mr R. M. CAMPBELL

Mr R. MILLER

OF the "principal organs" of the United Nations, the Trusteeship Council is the only one that could not be established in the first part of the first session of the General Assembly. The reason for this is found in the Charter itself ; Article 86 provides that one-half of the members

of the Council shall be member States administering trust territories, and no such administering States can be named until trusteeship agreements have been concluded.

It had been recognized, however, at the meetings of the Preparatory Commission and of its Executive Committee that the trusteeship system, and with it the Trusteeship Council, should be brought into being with all possible speed, since otherwise the institutional framework of the United Nations would be incomplete.

The Charter names three categories of territories which may be placed under the trusteeship system: (a) territories now held under mandate; (b) territories which may be detached from enemy States as a result of the Second World War; and (c) territories voluntarily placed under the system by States responsible for their administration. In order to bring the system into being as rapidly as possible, the Preparatory Commission recommended that the General Assembly should call upon the mandatory member States "to undertake practical steps, in concert with the other States directly concerned, for the implementation of Article 79 of the Charter (which provides for the conclusion of agreements on the terms of trusteeship for each territory to be placed under the trusteeship system), in order to submit these agreements for approval preferably not later than during the Second Part of the First Session of the General Assembly."

In putting forward this recommendation the Preparatory Commission had rejected a majority proposal by its Executive Committee that a temporary trusteeship body should be set up to deal with trusteeship matters until the Trusteeship Council itself could be established. The New Zealand delegate to the Commission had been one of those who considered that no really useful purpose could be served by setting up a temporary organ, and in his address subsequently to a plenary session of the General Assembly the chairman of the delegation expressed his satisfaction that this proposal had been rejected. The trusteeship machinery described in the Charter, he said, could be set up in three steps: firstly, Powers having responsibility for the government of dependent peoples should announce their willingness to place the respective territories under trusteeship. Secondly, trusteeship agreements should be concluded. Thirdly, the Trusteeship Council should be set up.

This, in fact, proved to be the broad basis of the formula agreed upon by Committee Four of the General Assembly and adopted by the Assembly as a whole. The resolution which the Preparatory Commission had put forward, and by which the Assembly would have called upon the mandatory Powers to conclude trusteeship agreements in respect of their mandates, was actually anticipated by the action of mandatory member States in declaring their willingness (with initial reservations in two cases) to submit their mandates to the trusteeship system.

The New Zealand Government had taken the initiative in this regard by declaring, as early as December, 1945, their readiness to place under trusteeship the mandated territory of Western Samoa and to submit in

due course a draft trusteeship agreement for the approval of the United Nations. Similar declarations were made by the Governments of the United Kingdom, Australia, and Belgium in respect of territories held by them under mandate.

The delegates of France and South Africa also made statements before the General Assembly of the intentions of their Governments towards the territories held by them under mandate. They, however, expressed reservations which gave rise to considerable discussion in the early meetings of Committee Four. The South African delegate announced that his Government desired, with the expected agreement of the people of the territory concerned, to amalgamate their mandated territory of South-west Africa into the Union. The French delegate stated that his Government would study the terms under which her mandates in Togoland and the Cameroons could become trust territories, provided that the rights now enjoyed by the populations concerned "by reason of their integration into the French community" were protected.

The Chairman of the New Zealand delegation appealed strongly to the delegates of both countries to clarify the position of their Governments. He emphasized that when the principles of the trusteeship system were drawn up at the San Francisco Conference it had been agreed that Powers holding mandates and administering them under the authority of the League of Nations should and would in the first instance now recognize the authority of the United Nations and its Trusteeship Council. It had never at any time been suggested or recognized that mandated territories belonged to the mandatory Powers, or that any such Power could of its own volition annex to itself territory held under mandate. Whatever might be the merits of amalgamation in any particular case, the proper and the only way of bringing it about was for the State concerned to acknowledge the authority of the United Nations and its Trusteeship Council by declaring its readiness and taking steps to transfer its mandate to the trusteeship system, and then, and only then, to place before the United Nations its proposal for amalgamation.

At the next meeting of Committee Four the South African delegate elaborated the arguments of his Government in favour of the amalgamation of South-west Africa with the Union, but he emphasized that no steps would be taken in that direction until all the necessary evidence had been gathered. He now stated also that their proposal would then be submitted to the judgment of the General Assembly.

After a delay which coincided with a change of regime, the French Government made an unqualified declaration of their intention to transfer the French mandates to the trusteeship system.

The position of all six mandatory member States having thus been clarified, Committee Four turned to a detailed examination of the most effective practical means of implementing the provisions of the Charter on trusteeship. A large number of proposals were put forward, and a sub-committee on which the New Zealand delegation was represented

drafted a resolution which was agreed to with few changes by the full Committee and subsequently adopted unanimously by the General Assembly.

The resolution takes account of, and welcomes, the "declarations of willingness" of the mandatory Powers. It proceeds then to invite them to take the further step of negotiating trusteeship agreements in concert with the other States directly concerned and submitting them for approval, preferably not later than during the Second Part of the First Session of the Assembly. The resolution leaves undefined the term "States directly concerned"; but this matter was the subject of long debate in Committee Four, with some delegations, notable those of Middle Eastern countries, pressing strongly for immediate definition of the term. The majority of delegations, including the delegation of New Zealand, however, inclined to the view that it should best be considered on an *ad hoc* basis in the case of each territory to be placed under trusteeship.

At the instigation in the first place of the United States delegation the resolution makes reference not only to the implementation of Chapters XII and XIII of the Charter (which deal with the international trusteeship system and the Trusteeship Council), but also to the principles laid down in Chapter XI (the declaration regarding non-self-governing territories). In this regard it draws the attention of all members of the United Nations which have dependent territories—whether or not these will be submitted to the trusteeship system proper—to their acceptance under the Charter of certain obligations in administering these territories. It reminds them that the fulfilment of these obligations need not wait upon the conclusion of trusteeship agreements or the establishment of the Trusteeship Council, but that they are in fact already in full force. Accordingly, the resolution goes on to ask the Secretary-General to include in his annual report a statement summarizing such information as nations with dependent territories may have transmitted to him in conformity with Article 73 (e) of the Charter.

Resolution on Non-self-governing Peoples (Chapters XI, XII, and XIII of the Charter)

The United Nations, meeting in its First General Assembly, is keenly aware of the problems and political aspirations of the peoples who have not yet attained a full measure of self-government and who are not directly represented here.

Chapters XI, XII, and XIII of the Charter recognize the problems of the non-self-governing peoples as of vital concern to the peace and general welfare of the world community.

By Chapter XI, all the members of the United Nations which have or assume 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. They accept, as a sacred trust, the obligation to promote to the utmost the well-being of the inhabitants of these territories. To

that end they accept certain specific obligations, including the obligation to develop self-government and to assist the inhabitants in the progressive development of their free political institutions.

By Chapters XII and XIII, the Charter provides for the establishment of an international trusteeship system, the basic objectives of which are, among others, to promote the political, economic, social, and educational advancement of the inhabitants of trust territories, and to promote their progressive development towards self-government or independence.

The General Assembly regrets that the Trusteeship Council cannot be brought into being at this First Part of the First Session, not because of any lack of desire to do so but because, before the Trusteeship Council can be established, trusteeship agreements must be concluded.

The General Assembly holds the view that any delay in putting into effect the system of international trusteeship prevents the implementation of the principles of the trusteeship system, as declared in the Charter, and deprives the populations of such territories as may be brought under the trusteeship system of the opportunity of enjoying the advantages arising from the implementation of these principles.

With a view to expediting the conclusion of these agreements and the establishment of the Trusteeship Council, the Preparatory Commission recommended that the General Assembly should call on those Members of the United Nations which are now administering territories held under mandate to undertake practical steps, in concert with the other States directly concerned, for the implementation of Article 79 of the Charter.

Without waiting for the recommendation of the Preparatory Commission to be considered by the General Assembly, the members of the United Nations administering territories held under mandate took the initiative in making declarations in regard to these territories.

THEREFORE

With respect to Chapter XI of the Charter, the General Assembly—

(1) Draws attention to the fact that the obligations accepted under Chapter XI of the Charter by all members of the United Nations are in no way contingent upon the conclusion of trusteeship agreements or upon the bringing into being of the Trusteeship Council and are, therefore, already in full force :

(2) Requests the Secretary-General to include in his annual report on the work of the Organization, as provided for in Article 98 of the Charter, a statement summarizing such information as may have been transmitted to him by members of the United Nations under Article 73 (e) of the Charter relating to economic, social, and educational conditions in the territories for which they are responsible other than those to which Chapters XII and XIII apply.

With respect to Chapters XII and XIII of the Charter, the General Assembly—

(3) Welcomes the declarations, made by certain States administering territories now held under mandate, of an intention to negotiate trusteeship agreements in respect of some of those territories and in respect of Trans-Jordan to establish its independence :

(4) Invites the States administering territories now held under mandate to undertake practical steps, in concert with the other States directly concerned, for the implementation of Article 79 of the Charter (which provides for the conclusion of agreements on

the terms of trusteeship for each territory to be placed under the trusteeship system), in order to submit these agreements for approval, preferably not later than during the Second Part of the First Session of the General Assembly.

In conclusion, the General Assembly—

(5) Expects that the realization of the objectives of Chapters XI, XII, and XIII will make possible the attainment of the political, economic, social, and educational aspirations of non-self-governing peoples.

XI. FIFTH COMMITTEE : ADMINISTRATIVE AND BUDGETARY QUESTIONS

Officers

Chairman Mr FARIS AL-KHOURY (Syria)

Vice-Chairman Dr ALES BEBLER (Yugoslavia)

Rapporteur Mr THANASSIS AGHNIDES (Greece)

New Zealand Representatives

Rt Hon. P. FRASER

Mr J. V. WILSON

Mr C. A. KNOWLES

Miss J. R. MCKENZIE.

Terms of Appointment and Emoluments of Secretary-General

In order that the Assembly might proceed to the appointment of the Secretary-General, an early report was submitted by the Fifth Committee on the Secretary-General's terms of appointment and emoluments. The report, which was adopted by the Assembly, provides that the "first Secretary-General shall be appointed for five years, the appointment being open at the end of that period for a further five-year term." The salary of the Secretary-General was fixed at "an amount sufficient to bring him in a net sum of 20,000 United States dollars per annum, together with representative allowance of 20,000 United States dollars per annum." In addition, he is to be provided with a furnished residence.

Organization of Secretariat, and Budgetary and Financial Arrangements

The two main reports submitted by the Fifth Committee concern respectively the organization of the Secretariat, and the budgetary and financial arrangements of the Organization. The Committee took as its basis the extensive preparatory work which had been performed by the Preparatory Commission and in most cases endorsed its proposals.

The report on the organization of the Secretariat deals with the division of the Secretariat into departments; the supply of information concerning the work of the United Nations; the recruitment and promotion of staff; the rights and obligations of the staff (as to which provisional staff regulations were adopted); problems of taxation; the classification, salaries, and allowances of the staff; duration and termination of appointments; and retirement benefits.

On some of these questions the Assembly contented itself with presenting suggestions for the consideration of the Secretary-General; on others it issued instructions. In one form or the other, the general principles regarding the Secretariat of the United Nations laid down in Article 100 of the Charter were filled out into a series of workable administrative arrangements, full account being taken of the experience of the League of Nations and the International Labour Organization.

Taxation Equalization

Of these various matters, the most controversial proved to be that of taxation equalization.

The Assembly accepted the general principle that "exemption from national taxation for salaries and allowances paid by the Organization is indispensable to the achievement of equality among its members and equity among its personnel." It was clear, however, from statements made by the representatives of the United States of America that no promise of such tax exemption could be held out in that country—where the headquarters of the Organization were to be and which would therefore supply a large proportion of the officials—unless and until Congress should so decide. To remedy resulting inequalities of treatment among the personnel, the Assembly agreed that, pending the necessary action to be taken by members to exempt from national taxation the salaries and allowances paid out of the budget of the Organization, the Secretary-General was authorized to reimburse staff members required to pay such taxes.

A proposal that an amount corresponding to the sums deducted should be added to the contribution due to the United Nations by the taxing member was watered down into an instruction to the Secretary-General "to explore with the member concerned methods of ensuring as soon as possible the application of the principle of equality among all members."

In the Committee discussion the New Zealand representative drew attention to the fact that the Government of the United Kingdom, as provisional host of the League of Nations in 1919 and 1920, the Swiss Government as permanent host of the League of Nations and the I.L.O., and the Canadian Government as the wartime host of the I.L.O., had all accorded tax exemption. He expressed the hope that the United Nations would not retreat from decisions taken up by earlier institutions, and made a formal reservation (which is reproduced in the Rapporteur's report) that the decision to authorize the Secretary-General to compensate taxed officials is not to be regarded as a permanent commitment.

Working Capital Fund

In adopting its report on budgetary and financial arrangements the General Assembly took, among others, the following decisions :—

It established a Working Capital Fund of \$25,000,000 with the object—in the words of the report—

“(a) Initially in order to meet the expenditures of the provisional budget ; and

“(b) After the permanent amount of the Fund has been established by the General Assembly at its September, 1946, Session, to provide moneys to meet expenditures voted by the General Assembly, and to provide adequate cash reserves against the receipt of the contributions of members who may be unable to remit their contribution when requested, due to legislative delays or other financial problems.”

Advances to the Fund were to be called for immediately from members in accordance with the provisional scale, “which is merely a matter of convenience and is in no sense a precedent for the assessment of contributions.” The provisional scale, which is a compromise between the first and second years’ scales of assessment for the Food and Agriculture Organization, shows New Zealand’s share as 0.994 per cent. (United States \$248,500). The figure at which the Fund is to be maintained permanently is to be decided later.

Provisional Budget for 1946

Though it is from the Working Capital Fund that the initial expenses of the Organization are to be drawn, the advances to it are not offset against members’ contributions to the first annual budget. Therefore, in addition to the Fund, the Assembly voted a provisional budget for the year 1946. This budget will be converted into a definitive first annual budget at the September meeting of the Assembly and the contributions of members will thereupon be asked for. (At the same meeting the Assembly will vote the second annual budget—for 1947—and thus institute the regular series of annual budgets.)

The estimates for the provisional budget brought before the Committee were United States \$24,978,000, and it did not escape the notice of delegates that the first annual budget of the United Nations amounted to rather more, in United States dollars, than the early League of Nations budgets had amounted in Swiss francs, and was therefore over five times as heavy. There are obvious reasons for some increase : first, the general rise in prices ; secondly, the more ambitious programme of the United Nations, especially in economic and social fields ; thirdly, the consequences of the decision to locate the headquarters of the Organization in the United States of America. Also, in the case of the League, there was probably too much financial cheese-paring. However, even making allowance for all these factors, the New Zealand delegation was among those which thought the budget estimates too high. Its representative on the Committee said :—

“The New Zealand delegation are conscious of the great difficulties involved in framing the first estimate for the expenses of the United Nations. They must, however, confess to a feeling of disappointment that the total is as high as it is.

“To provide the required contributions in United States dollars will be for New Zealand by no means a negligible burden, especially when there must be added the substantial contributions to other international agencies established outside the framework of the United Nations.

“New Zealand will not, of course, grudge the payment of her share of the costs of peace, whatever they may be. Moreover, if it appears on the evidence before us that the policies we have adopted in the General Assembly require the proposed amount of expenditure, we shall draw the consequences. We therefore do not adopt an attitude of opposition on principle. But we must retain our liberty of appreciation when the various items of the budget come up for consideration; and we express the strong hope that it will prove possible to keep the actual expenditure in the first year well below the budget total.

“In particular we hope that the Secretary-General will be in no hurry to appoint staff up to the suggested maximum of 2,470 officials. This seems to us a very large number indeed. It seems very doubtful whether the Secretary-General will be able to recruit within a short period a sufficient number of officials of high quality from States outside the United States to maintain the desired balance between the different nationalities. If, therefore, the staff is to be both of high quality and widely representative, as it is intended to be under Article 101, paragraph 3, of the Charter, considerable time will be necessary for recruitment. It is of the greatest importance that the Secretary-General should aim at quality rather than number in the appointment of the staff, even at the cost of a little delay. We want an administration which is efficient but not over-elaborate.”

In keeping with these remarks the New Zealand representative supported various motions for a reduction of the estimates, which were finally reduced (largely under pressure from the delegation of the Soviet Union) to United States \$21,500,000.

It will be realized that these estimates, though they provide for the International Court of Justice, do not include the expenses of the International Labour Organization, the Food and Agriculture Organization, and various other international organizations set up outside the United Nations. The cost of the new premises and buildings of the United Nations will also have to be added.

Advisory Administrative and Budgetary Committee and Contributions Committee

The recommendations of the Preparatory Commission for the establishment of a standing Advisory Committee on Administrative and Budgetary Questions and of a Committee on Contributions were adopted.

The *Advisory Committee* was designed to replace the Advisory Group of experts responsible for the provisional budget and other financial and administrative planning. Its functions, in the terms of a resolution adopted later by the assembly, were—

(a) To examine and report on the Budget submitted by the Secretary-General to the General Assembly :

(b) To advise the General Assembly concerning any administrative and budgetary matters referred to it :

(c) To examine on behalf of the General Assembly the administrative budgets of specialized agencies and proposals for financial arrangements with such agencies.

(d) To consider and report to the General Assembly on the auditor's reports on the accounts of the United Nations and the specialized agencies.

The task of the *Contributions Committee* is to prepare a detailed scale of the apportionment of expenditures for consideration at the September meeting of the Assembly. The principles on which the Committee is to act have been formulated thus :—

“ The expenses of the United Nations should be apportioned broadly according to capacity to pay. It is, however, difficult to measure such capacity merely by statistical means, and impossible to arrive at any definite formula. Comparative estimates of national income would appear, *prima facie*, to be the fairest guide. The main factors which should be taken into account in order to prevent anomalous assessments include the following :—

(a) Comparative income per head of population :

(b) Temporary dislocation of national economies arising out of the Second World War :

(c) The ability of members to secure foreign currency.

Two opposite tendencies should also be guarded against : some members may desire unduly to minimize their contributions, whereas others may desire to increase them unduly for reasons of prestige. If a ceiling is imposed on contributions, the ceiling should not be such as seriously to obscure the relation between a nation's contributions and its capacity to pay. The Committee should be given discretion to consider all data relevant to capacity to pay and all other pertinent factors in arriving at its recommendations. Once a scale has been fixed by the General Assembly it should not be subjected to a general revision for at least three years or unless it is clear that there have been substantial changes in relative capacities to pay.”

The Preparatory Commission proposed that these Committees should each consist of seven members. An amendment in the Fifth Committee that the membership of the Advisory Committee should be increased to twelve was resisted by the New Zealand representative on the ground that a smaller body would be more efficient ; it was hoped, also, that if the Committees were kept small it might be possible to include only two or three of the permanent members of the Council and thus establish a precedent whereby the five permanent members are not automatically made members of every Assembly Committee, irrespective of their particular aptitudes. The compromise number agreed for the Advisory Committee, the members of which are to be appointed at the September meeting, was nine.

The membership of the Contributions Committee was fixed at ten and nationals of all the permanent members of the Council appointed.

Travelling-expenses

It was agreed that the expenses incurred by five of the representatives or alternate representatives of each member in travelling to and from the meetings of the General Assembly should be borne by the budget of the United Nations. This decision was taken in order that the opportunities of members to participate in the activities of the United Nations should be "equalized as far as possible," and should be of benefit to New Zealand as a distant member.

Financial Regulations

Provisional financial regulations were adopted by the Assembly.

XII. SIXTH COMMITTEE: LEGAL QUESTIONS

Officers

Chairman MR ROBERTO JIMENEZ (*Panama*)
Vice-Chairman MR PER FEDERSPIEL (*Denmark*)
Rapporteur MR JOHN READ (*Canada*)

New Zealand Representatives

Rt HON. P. FRASER
MR R. M. CAMPBELL
Sir CECIL DAY
MR C. C. AIKMAN

Rules of Procedure

THE Committee devoted a number of meetings to a consideration of certain proposed amendments to the Rules of Procedure. The New Zealand representative on two occasions voted with the minority: once against the inclusion in Rule 33, which deals with the General Committee, of the sentence "It shall not, however, decide any political question," and a second time against the proposal that there should be no nominations of candidates for election by the General Assembly. This latter proposal was carried by 22 votes to 21, and upheld by the Assembly, after much debate.

Terms of Office of Members of Councils

It was generally understood at the time of the elections to the Economic and Social Council and to the Security Council that those members elected for one year would hold office for eight months only, those for two years for twenty months, &c. This anomaly arose from the fact that the elections had taken place in January and not, as would be the case in future, in September.

After the elections had been held the Egyptian representative on the Committee proposed that Rule 78⁽¹⁾ of the Provisional Rules of Procedure be amended, and Supplementary Rule S⁽²⁾ deleted. The amendment, which read,

“ The term of office of each member shall begin immediately on election by the General Assembly, provided the seat to which such member has been elected is vacant, or, if the election takes place before the expiry of the term of office of the member previously elected, immediately it becomes vacant.”

would, if accepted, enable members elected for one-year or longer terms to hold office for exactly the period specified. Thus a member elected on 12 January, 1946, for a one-year term would hold office until 12 January, 1947. Elections would still take place in September, 1946, but those members elected would not take up their offices until January, 1947.

The arguments for the Egyptian proposal were that the provisions of Articles 23, 61, and 86 of the Charter must be strictly applied ; that where the Charter said one year it meant one year ; and that consequently the eight-month term contemplated at the time of the elections was unconstitutional. Sir Hartley Shawcross, for the United Kingdom, led the opposition to the Egyptian proposal and argued that the elections had taken place on the basis of the eight-months period, that the arguments for the proposal called for too rigid an interpretation of the Charter, and that the “ lame duck ” period of four months was dangerous.

The Egyptian proposal was carried by 26 votes to 16.

The United Kingdom delegation were unhappy about the result because of the “ lame duck ” period, and Sir Hartley Shawcross spoke in this sense when the General Assembly considered the Committee’s report embodying the Egyptian proposal. He suggested that the difficulty would be avoided if members elected for eight months should hold office for twenty months, &c. This meant that there would not be another election until September, 1947. Such a suggestion was facilitated by the decision of the General Assembly to adopt the recommendation of the General Committee that the second regular session of the Assembly should not take place until September, 1947 ; the meeting to be held in September, 1946, would be known as the second part of the first regular session. Sir Hartley Shawcross was therefore able to point out that the rejection of the report would leave Rule 78 and Supplementary Rule S as they were and his object of a twenty-months’ term would be attained without further amendment.

(1) *Rule 78*: “ The term of office of each member shall begin immediately on election by the General Assembly and shall end on the election of a member for the next term.”

(2) *Supplementary Rule S*: “ The term of office of members of Councils elected for one, two, and three years shall end on the day of the elections held at the second, third, and fourth regular sessions respectively of the General Assembly.”

Mr Fraser spoke strongly against the United Kingdom suggestion and in favour of the one-year term. In view of the decision as to the second session of the General Assembly, he moved as an amendment to the report of the Sixth Committee that the deleted Supplementary Rule S be replaced by the following supplementary rule :

“ The provisions of Rule 82⁽¹⁾ and Rule 85⁽²⁾ shall be suspended in their application to the first regular session of the General Assembly in order to permit the election of three non-permanent members of the Security Council, and six members of the Economic and Social Council in the second part of the first regular session of the General Assembly.”

He argued in support of this amendment that :—

(1) The adoption of any terms other than those laid down in Articles 23, 61, and 86 of the Charter would be unconstitutional, in that it would amount to an amendment of the Charter which had not been made in the approved manner :

(2) The dangers of the “ lame duck ” period had been over-emphasized :

(3) The report of the General Committee had insisted that its decision as to the next session of the Assembly was not to conflict with the conclusions of Committee Six on the question of terms of office of members of Councils.

Later when the matter was discussed by the General Committee Mr Fraser referred to the breach of faith involved in the extension of term to twenty months, and he pointed out that New Zealand had withdrawn in favour of Yugoslavia on the basis of the eight-month term.

The vote, when taken, resulted in a majority of 22 to 21 against the Committee's report, and confused discussion took place as to what was the effect of this vote and as to whether a two-thirds majority was required. Finally, the question was referred to the General Committee for clarification.

Before the General Committee, Mr Fraser received the support of the United States delegation, and finally it was decided that the issue—eight, twelve, or twenty months—should be put clearly before the Assembly. The General Committee's report was approved by a small majority, including the United Kingdom delegate, but it was understood that the New Zealand delegate would move in the Assembly an amendment substituting twelve for twenty months in the resolution proposed. This the New Zealand delegation subsequently did, and after a Uruguayan amendment in favour of eight months had been rejected (New Zealand voting against) the New Zealand amendment was

(1) *Rule 82* : “ The General Assembly shall each year, in the course of its regular session, elect three non-permanent members of the Security Council for a term of two years.”

(2) *Rule 85* : “ The General Assembly shall each year, in the course of its regular session, elect six members of the Economic and Social Council for a term of three years.”

accepted—as was a complementary amendment enabling the next election to take place at the second part of the first session of the Assembly in September next.

International Court of Justice

The Committee brought forward reports concerning—

- (a) The convening of the International Court of Justice :
- (b) Emoluments of Judges (the Secretary-General, in consultation with the Registrar of the Court, is to develop a pension plan for Judges, Registrar, and staff) :
- (c) The election of Judges.

Treaties and International Agreements

The proposal of the Preparatory Commission that non-members should be invited to send, on their own initiative, treaties, &c., for registration came in for some criticism because of the position of Spain. An endeavour was made by some delegates to restrict the invitation to approved States, but it was not found possible to evolve a satisfactory definition of those States. In the end the Secretary-General was authorized “to receive from the Governments of non-member States, treaties and international agreements,” and in the preamble to the resolution it is said “these arrangements should not, however, extend to treaties or international agreements transmitted by any non-member State such as Spain,” the Government of which does not “possess qualifications necessary to justify membership in the United Nations.”

The Special and General Conventions

After much discussion in various sub-committees, two connected draft agreements came before the Sixth Committee:—

- (a) A draft treaty between the United Nations and the United States as its host :
- (b) A draft convention on privileges and immunities.

When the final drafts of these two documents (which came to be known as the Special Convention and the General Convention respectively) came to be discussed there was considerable pressure for the Committee to complete its work. Consequently, short shrift was given to suggestions made from the full Committee ; as a result, the drafts were approved with one small amendment only.

The *Special Convention* as finally drafted deals under separate articles with—

- The United Nations zone (location and purchase) :
- Law and authority within the zone :
- Communications and transit to and from the zone :
- Resident representatives to the United Nations :
- Police protection of the zone :
- Public services and amenities.

A special article relates this convention to the General Convention.

There was little discussion on the Special Convention, the redraft of which contained substantially all the points pressed by the New Zealand representative during the meetings of the Preparatory Commission. Nevertheless, the document is not yet entirely satisfactory. Article III in particular, dealing with law and authority in the zone, will require reconsideration in the light of the place and size of the area finally chosen. It was, however, emphasized that the draft was intended only as a basis for negotiations with the United States Government to be conducted by the Secretary-General with the assistance of a special Committee.

The purpose of the *General Convention* was to implement Articles 104 and 105 of the Charter, which provide that the United Nations shall enjoy such legal capacity and such privileges and immunities as are necessary for the exercise of its functions. By it the Organization is given full juridical personality and immunity from judicial process; its premises and archives are to be inviolable; it is to be exempt from direct taxation and Customs duties; and diplomatic privileges are to be accorded to delegates of member States and to officials of the Organization.

The New Zealand representative raised three points on the drafting of the General Convention which were not altogether satisfactorily answered by the Rapporteur. He also proposed that Section 28 of the General Convention should be broadened to enable specialized agencies to be brought within the ambit of the Convention.

In the circumstances of the discussion it did not prove possible to do this, and the New Zealand representative expressed the hope that, so far as practicable, the privileges of specialized agencies would be co-ordinated with those of the United Nations so that there would be an integrated regime of privileges and immunities.

At the Preparatory Commission stage the New Zealand representative had raised the question of the privileges and immunities to be accorded to Directors and had reserved the right to seek the inclusion of Directors among those entitled to the diplomatic privileges accorded by Section 19 of Article V of the General Convention.

He did not raise the matter before this Committee, since there appeared no likelihood that such a suggestion would receive general support.

The report of the Sixth Committee on the privileges of the United Nations as presented to the General Assembly contains the final drafts of these two conventions and, in addition, deals with the privileges and immunities of the International Court of Justice, the co-ordination of the privileges and immunities of the United Nations and specialized agencies, insurance of motor-cars against third-party risks, and the preservation of accrued pension rights of officials of member States who are working with the United Nations.

XIII. LEAGUE OF NATIONS COMMITTEE

Officers

Chairman Mr ERIK COLBAN (*Norway*)

Vice-Chairman Sheikh HAFIZ WAHBA (*Saudi Arabia*)

Rapporteur Mr H. T. ANDREWS (*Union of South Africa*)

New Zealand Representatives

Rt Hon. P. FRASER

Mr J. V. WILSON

Mr C. KNOWLES

THE Committee had before it Chapter XI of the report of the Preparatory Commission, dealing with League of Nations questions. The recommendations of the Preparatory Commission under the headings "Functions and Powers belonging to the League of Nations under International Agreements" and "Non-political Functions and Activities of the League of Nations other than those mentioned in Section 1" were approved by the Committee and adopted *mutatis mutandis* as draft resolutions to be presented to the Assembly.

The third section dealt with the transfer of the assets of the League to the United Nations. The Preparatory Commission had set up a Committee on League of Nations Assets, consisting of delegations from Chile, China, France, Poland, South Africa, the Soviet Union, the United Kingdom, and the United States of America, to enter into discussions with the League Supervisory Commission for the purpose of establishing a common plan for the transfer. The report of this Committee, together with the Common Plan, was laid before the League of Nations Committee.

The Common Plan, which was jointly formulated by the United Nations Committee and the Supervisory Commission, consulting where necessary with representatives of the International Labour Office, made provision for the transfer of all the material assets of the League to the United Nations on or about 1 August, 1946. The total credit thus established was to be divided between States entitled to participate in accordance with percentages to be laid down by the League at its next Assembly. The purposes to which these credits should be applied by members of the United Nations and the dates on which they should be so applied were to be a matter for the United Nations General Assembly to decide. Before the transfer, the interests of the International Labour Organization in the assets of the League were to be separated. Any ex-officials of the League of Nations subsequently engaged by the United Nations should enter service under conditions of employment established by the United Nations, and it would be for the League of Nations to take the necessary steps to make this possible.

The Chairman of the Committee on League of Nations assets explained the principles on which this plan had been drawn up. One was that the settlement should, so far as possible, be a clean sweep, excluding all questions that might lead to later complications. The second was that the financial settlement especially should be definite and final. Thirdly, the settlement should be both "just and convenient," as the Committee's terms of reference had laid it down.

He pointed out that the evaluation of the assets had been made on a cost basis, as neither market nor use value could be fixed. In connection with the responsibility assumed by the United Nations for deciding on the application and availability of credits, he emphasized that this only extended to the claims of member States; the United Nations would have nothing to do with the claims of League members who were not members of the United Nations.

There was no debate on the report, although there were requests for the elucidation of various points. The New Zealand representative wished to be assured that the provision regarding transfer of staff would not debar the League from retaining such staff as might be necessary for the execution of the Common Plan. The chairman noted that this was understood; the text indicated only that the League would adopt a helpful attitude in the matter.

The Assembly adopted the report as approved by the Committee without debate.

Resolution on Transfer of Functions, Activities, and Assets of the League of Nations

I.—FUNCTIONS AND POWERS BELONGING TO THE LEAGUE OF NATIONS UNDER INTERNATIONAL AGREEMENTS

Under various treaties and international conventions, agreements, and other instruments, the League of Nations and its organs exercise, or may be requested to exercise, numerous functions or powers for the continuance of which after the dissolution of the League it is, or may be, desirable that the United Nations should provide.

Certain members of the United Nations, which are parties to some of these instruments and are members of the League of Nations, have informed the General Assembly that at the forthcoming session of the Assembly of the League they intend to move a resolution whereby the members of the League would, so far as this is necessary, assent and give effect to the steps contemplated below.

THEREFORE

1. The General Assembly reserves the right to decide, after due examination, not to assume any particular function or power, and to determine which organ of the United Nations or which specialized agency brought into relationship with the United Nations should exercise each particular function or power assumed:

2. The General Assembly records that those members of the United Nations which are parties to the instruments referred to above assent by this resolution to the steps contemplated below and

express their resolve to use their good offices to secure the co-operation of the other parties to the instruments so far as this may be necessary :

3. The General Assembly declares that the United Nations is willing, in principle and subject to the provisions of this resolution and of the Charter of the United Nations, to assume the exercise of certain functions and powers previously entrusted to the League of Nations, and adopts the following decisions, set forth in A, B, and C below.

A. Functions pertaining to a Secretariat

Under certain of the instruments referred to at the beginning of this resolution, the League of Nations has, for the general convenience of the parties, undertaken to act as custodian of the original signed texts of the instruments, and to perform certain functions, pertaining to a secretariat, which do not affect the operation of the instruments and do not relate to the substantive rights and obligations of the parties. These functions include : the receipt of additional signatures and of instruments of ratification, accession, and denunciation ; receipt of notice of extension of the instruments to colonies or possessions of a party or to protectorates or territories for which it holds a mandate ; notification of such acts to other parties and other interested states ; the issue of certified copies ; and the circulation of information or documents which the parties have undertaken to communicate to each other. Any interruption in the performance of these functions would be contrary to the interests of all the parties. It would be convenient for the United Nations to have the custody of those instruments which are connected with activities of the League of Nations and which the United Nations is likely to continue.

THEREFORE

The General Assembly declares that the United Nations is willing to accept the custody of the instruments and to charge the Secretariat of the United Nations with the task of performing for the parties the functions, pertaining to a secretariat, formerly entrusted to the League of Nations.

B. Functions and Powers of a Technical and Non-political Character

Among the instruments referred to at the beginning of this resolution are some of a technical and non-political character which contain provisions, relating to the substance of the instruments, whose due execution is dependent on the exercise, by the League of Nations or particular organs of the League, of functions or powers conferred by the instruments. Certain of these instruments are intimately connected with activities which the United Nations will or may continue.

It is necessary, however, to examine carefully which of the organs of the United Nations or which of the specialized agencies brought into relationship with the United Nations should, in the future, exercise the functions and powers in question, in so far as they are maintained.

THEREFORE

The General Assembly is willing, subject to these reservations, to take the necessary measures to ensure the continued exercise of these functions and powers, and refers the matter to the Economic and Social Council.

C. Functions and Powers under Treaties, International Conventions, Agreements, and other Instruments having a Political Character

The General Assembly will itself examine, or will submit to the appropriate organ of the United Nations, any request from the parties that the United Nations should assume the exercise of functions or powers entrusted to the League of Nations by treaties, international conventions, agreements, and other instruments having a political character.

II.—NON-POLITICAL FUNCTIONS AND ACTIVITIES OF THE LEAGUE OF NATIONS OTHER THAN THOSE MENTIONED IN I

1. The General Assembly requests the Economic and Social Council to survey the functions and activities of a non-political character which have hitherto been performed by the League of Nations in order to determine which of them should, with such modifications as are desirable, be assumed by organs of the United Nations or be entrusted to specialized agencies which have been brought into relationship with the United Nations. Pending the adoption of the measures decided upon as the result of this examination, the Council should, on or before the dissolution of the League, assume and continue provisionally the work hitherto done by the following League departments: The Economic, Financial, and Transit Department, particularly the research and statistical work; the Health Section, particularly the epidemiological service; the Opium Section and the secretariats of the Permanent Central Opium Board and Supervisory Body.

2. The General Assembly requests the Secretary-General to make provision for taking over and maintaining in operation the Library and Archives and for completing the League of Nations Treaty Series.

3. The General Assembly considers that it would also be desirable for the Secretary-General to engage for the work, referred to in paragraphs 1 and 2 above, on appropriate terms, such members of the experienced personnel by whom it is at present being performed as the Secretary-General may select.

III.—TRANSFER OF THE ASSETS OF THE LEAGUE OF NATIONS TO THE UNITED NATIONS

The General Assembly having considered the report of the Committee set up by the Preparatory Commission to discuss and establish with the Supervisory Commission of the League of Nations a Common Plan for the transfer of the assets of the League of Nations, approves of both the report of the Committee set up by the Preparatory Commission and of the Common Plan submitted by it.

IV.—APPOINTMENT OF A NEGOTIATING COMMITTEE

The General Assembly approves of the setting-up of a small negotiating Committee to assist the Secretary-General in negotiating further agreements in connection with the transfer of certain assets in Geneva, and in connection with the premises in the Peace Palace in the Hague. This Committee shall consist of one representative designated by the delegations, if they so desire, of each of the same eight members as previously constituted the Committee created by the Preparatory Commission: Chile, China, France, Poland, South Africa, the Soviet Union, the United Kingdom, and the United States of America.

XIV. PERMANENT HEADQUARTERS COMMITTEE

Officers

Chairman DR EDUARDO ZULETA ANGEL (*Colombia*)

Vice-Chairman MR L. D. WILGRESS (*Canada*)

Rapporteur MR NASROLLAH ENTEZAM (*Iran*)

New Zealand Representatives

RT HON. P. FRASER

MR R. M. CAMPBELL

MR J. V. WILSON

THE starting-point for this Committee's work was a recommendation of the Preparatory Commission that the permanent headquarters of the United Nations should be located in the east of the United States of America. The specific site was to be determined by the General Assembly at its First Session on the basis of recommendations to be prepared by an Interim Committee established by the Preparatory Commission.

The Interim Committee had set up an Inspection Group to examine two approved areas, the environs of Boston and New York: it was also to consider the most suitable arrangements for an *interim* headquarters, preferably near the site chosen for the permanent headquarters. The recommendation of this group was for the establishment of permanent headquarters in the North Stamford—Greenwich district, near to New York City. Facilities for interim headquarters might, they reported, be found in New York City itself; the buildings available were adequate, although rather widely dispersed.

While this report was under discussion in the General Headquarters Committee, the Legal Committee recommended that the Secretary-General, assisted by a Committee composed of representatives of Australia, Belgium, Bolivia, China, Cuba, Egypt, France, Poland, the United Kingdom, and the Soviet Union, should be authorized to negotiate on behalf of the United Nations with the competent authorities in the United States, as host State, the arrangements made necessary by the establishment of the permanent seat in that country. It drew up a draft Convention to provide a basis for the negotiation, the result of which the Secretary-General would communicate to the General Assembly. (See page 40.)

In the General Headquarters Committee itself, the recommendations of the Interim Committee on the exact location of the site evoked a vigorous and protracted discussion. Objections raised included the failure of the Interim Committee to report on more than two areas; the climate of the area selected; opposition on the part of the inhabitants; and the enormous expense of the land. The proximity of a city of the size of New York seemed undesirable to some delegates. The French representative proposed that the decision on

the permanent site be deferred till the September meeting of the Assembly; meantime, the Secretary-General should consider the question.

The Netherlands representative, on the other hand, advocated that the Interim Committee's recommendation on the permanent site should be approved, with the proviso that the Planning Commission, the establishment of which had been proposed, should consider as soon as possible the exact location within the agreed area and obtain estimated costs of sites covering 2, 5, 10, 20, and 40 square miles respectively. On the basis of this information the next meeting of the Assembly should make a final decision on the exact location and the exact area required.

Speaking to this proposal, the New Zealand representative said that his delegation now felt it was in possession of a document which gave enough facts to enable the Committee to reach some decision. Such troublesome problems should not be adjourned. The location, but certainly not the extent of the territory, should be decided on; with that understanding he would support the Netherlands proposal.

When the French amendment came to be voted on, nineteen countries supported, and an equal number (including New Zealand) opposed it. This was ruled to be a rejection of the amendment.

The Netherlands amendment, with some minor alterations, was passed by a small margin; New Zealand voted with the majority. This meant acceptance of the Interim Committee's recommendations on the permanent site.

At this stage the Secretary-General wrote to the Chairman deprecating any proposal that the responsibility for choosing either the permanent or the interim site should rest with him. He also expressed the hope that the Committee would come to a decision as soon as possible, so that the Secretariat might be speedily established in suitable interim headquarters.

These latter the Australian delegate desired to locate at San Francisco. This was opposed, amongst others, by the United Kingdom and New Zealand delegates. The latter pointed out the serious practical disadvantages of having the interim headquarters very far removed from the permanent site. Although from a personal point of view his delegation might have preferred San Francisco, the decision to have a permanent headquarters near New York had already been made, and it involved as a necessary consequence the choice of the east coast for the interim headquarters.

The Australian proposal was narrowly defeated.

The recommendation of the Interim Committee that the temporary headquarters of the United Nations should be located in New York City was then adopted by a large majority, and, on the suggestion of the Australian delegate, it was agreed that the decision should be made unanimous.

It was pointed out that the Netherlands amendment concerning the Planning Commission, which the Committee had adopted, substantially changed and increased the duties of that body. After a lengthy discussion it was decided that experts alone, as originally provided for, would not have the authority from a political point of view to choose the exact area of the permanent headquarters, but that Governments should also be represented; that countries represented on the Commission should be appointed now, and that the name of the Commission should be changed from "Planning Commission" to "Site Commission."*

To meet the objections of the residents in the areas designated for the permanent site, the Uruguayan delegate made the following proposal, which was approved by the Committee after being amended:—

"Considering that appropriate assurance should be given to the residents and neighbours of the site finally chosen as the permanent headquarters of the United Nations in the United States to the effect that this selection will not cause injustice to be done to them, it is resolved that the United Nations shall give all due and friendly consideration to any problems that may arise in connection with the possible displacement of residents, or with tax revenue and other problems affecting the localities involved, when a final decision is taken with regard to the exact site of the permanent headquarters of the United Nations."

The Assembly adopted the report of the Committee with no discussion other than a speech by the delegate for the Philippine Commonwealth in which he opposed the report on the grounds that the United Nations should not go where it was not wanted. The United States delegate, who throughout the proceedings had refrained from voting or expressing any opinion other than that the United States would provide all possible assistance for the scheme, now said:—

"On behalf of the people and Government of my country, I wish to express our appreciation for the great honour that is bestowed upon the United States."

Resolution on Permanent Headquarters, Interim Headquarters, and Headquarters Commission

The General Assembly resolves that—

I. PERMANENT HEADQUARTERS

(a) The permanent headquarters of the United Nations should be established in Westchester (New York) and/or Fairfield (Conn.) Counties—*i.e.*, near to New York City.

(b) A Headquarters Commission shall proceed as soon as possible to the region mentioned in (a) above with a view to carrying out an exhaustive study thereof and making recommendations to the General Assembly in the Second Part of its First Session regarding the exact location to be selected within the aforementioned general region.

* When the report of the Committee was drafted, this title was again changed to "Headquarters Commission."

(c) The Headquarters Commission shall draw up plans based on the assumption that the United Nations will acquire approximately :

- (i) 2 square miles :
- (ii) 5 square miles :
- (iii) 10 square miles :
- (iv) 20 square miles :
- (v) 40 square miles :

with details in each case of the approximate cost of acquiring the land and buildings within these areas.

(d) The Headquarters Commission shall ascertain what measures the Federal, State, and county authorities in the United States are prepared to take in order to control development in the territory adjacent to the zone.

(e) On the basis of the information thus provided, the General Assembly at the Second Part of its First Session shall make a final decision as to—

- (i) The exact area required ; and
- (ii) The exact location of the permanent headquarters within the aforementioned Westchester-Fairfield region.

(f) This resolution does not imply any financial commitments of the United Nations (other than the expenses of the Headquarters Commission) and does not impose any financial obligations on its members, and the Assembly remains free to decide these questions at the Second Part of its First Session according to Article XVII, paragraphs 1 and 2, and Article XVIII, paragraph 2, of the Charter.

II. INTERIM HEADQUARTERS

The interim headquarters of the United Nations should be located in New York City.

III. HEADQUARTERS COMMISSION

(a) A Headquarters Commission composed of representatives of Australia, Uruguay, China, France, Iraq, Netherlands, United Kingdom, Soviet Union, and Yugoslavia shall be set up to carry out the tasks entrusted to it under the first part of this resolution regarding the permanent headquarters.

(b) The Headquarters Commission may be assisted by experts, including planning engineers, lawyers, real-estate experts, financial advisers, and other appropriate experts who, at the request of the Secretary-General, shall be designated by the Government of the United States of America.

(c) The Secretary-General shall consult with the Headquarters Commission or the experts assisting it, as he may deem necessary or appropriate, on problems which may arise in connection with the temporary installation of the various organs of the United Nations in the United States, the material arrangements for the holding of the Second Part of the First Session of the General Assembly in September, 1946, and the housing of the delegates, secretariat, and other personnel who may be required to reside for longer or shorter periods near the temporary headquarters of the Organization.

(d) The Secretary-General is authorized to pay the expenses of the members of and to compensate the experts attached to the Headquarters Commission on such basis and in such form as may appear to him most appropriate.

(e) The Headquarters Commission shall submit its final report on all matters referred to it to the General Assembly at the Second Part of its First Session.

(f) The General Assembly during the course of the Second Part of its First Session shall give consideration to the appointment of a Planning Commission of experts as recommended in Chapter X, Section 3, in the report of the Preparatory Commission.

XV. GENERAL COMMITTEE : MISCELLANEOUS QUESTIONS

THROUGH its General Committee the Assembly was apprised of a number of questions which were either not referred to the main Committees or were so referred only after preliminary consideration by the General Committee. Incidentally, the General Committee, of which the first delegate of New Zealand was a member in his personal capacity as Chairman of the Third Committee, had a particularly full programme owing to the length of the discussion on certain subjects—particularly the relationship of the W.F.T.U. and other non-governmental bodies to the United Nations—dealt with elsewhere in this report.

Resolution on Wheat and Rice

Thus, as the news regarding the world food situation became increasingly grave, an important debate took place in the Assembly on a resolution on wheat and rice submitted by the delegates of China, France, the Soviet Union, the United Kingdom, and the United States. The facts of the increasing menace of famine which have since become so tragically familiar were exposed by the authors of the draft resolutions and by various other speakers, especially representatives of producing countries, and earnest appeals made for international co-operation. Particularly striking, and particularly terrible in its message, was the speech of the delegate of India, Sir Ramaswami Mudaliar. As the delegate of New Zealand had occasion to speak before the Assembly earlier on the threat of world famine (see the report on the Second Committee), he did not participate in this particular debate.

This was the text of the resolution which the Assembly unanimously adopted :—

“ The damage caused by war and the dislocation of agricultural production resulting from the shortage and dislocation of labour, the removal of draught animals, the shortage of fertilizers, and other circumstances connected with the war have caused a serious fall in world production of wheat. In addition, a large number of countries, including some of those which are normally the largest producers of grain, have suffered serious droughts and have therefore reaped abnormally small crops. The supply of rice is also so short as to threaten a famine in certain areas. There is, moreover, a serious risk of grain production in the coming season being insufficient to prevent continuing hunger. For these reasons the world is faced with conditions which may cause widespread suffering and death and consequently set back all plans for reconstruction.

“ THE GENERAL ASSEMBLY THEREFORE,

“ 1. Urges all Governments and peoples to take immediate and drastic action, both directly and through the international organizations concerned, to conserve supplies, by securing adequate collection of crops from the producers, by saving food and avoiding waste, and to ensure the maximum production of grain in the coming season :

“ 2. Notes that several of the United Nations have recently announced measures to reserve grain supplies for direct human consumption and to secure increased production :

“ 3. Urges all Governments to publish as full information as possible regarding their own supplies and requirements of cereals and the steps they have taken or are prepared to take to achieve the objectives expressed in paragraph 1 :

“ 4. Requests the international organizations concerned with food and agriculture to publish full information in their possession on the world food position and the future outlook, and to intensify efforts to obtain as full information as possible on this subject, in order to assist Governments in determining their short term and long term agricultural policy.”

Reconstruction of Countries devastated by the War

The Assembly decided to place on its Agenda a proposal by the delegate of Poland concerning the reconstruction of countries devastated by the war. A resolution was adopted transmitting the question for examination to the Economic and Social Council with a view to a report being presented to the next session of the Assembly.

Participation of Women in the Work of the United Nations

The Assembly received with interest and with various expression of support a speech by Mrs Eleanor Roosevelt introducing a declaration, signed by all the women delegates to the Assembly, on the participation of women in the work of the United Nations. The text of this declaration, which is in the form of an “ open letter to the women of the world,” is appended. Mr Fraser, on the occasion of its presentation to the Assembly, said that women had already won the battle for intellectual equality, and in most countries for political equality. But there was also the social and economic status of women to be considered ; the solution of problems attendant on this question was an obligation upon the United Nations and particularly upon the Economic and Social Council. Mr Fraser then read the following statement of what had already been done by the Council :—

“ The Economic and Social Council has been keenly aware of the importance of establishing a sub-commission on the status of women.

“ The Committee of the Economic and Social Council on the Organization of the Council has instructed its drafting sub-committee to submit a draft providing for the establishment by the Economic and Social Council of a sub-commission of the Commission on Human Rights to deal with the question of the status of women. This drafting sub-committee is now preparing a draft on this subject incorporating the recommendations made by the Committee of the Council.

“ It is proposed that the sub-commission on the status of women be established by the Council at its present session, and that it initially consist only of a nucleus of a few members. This initially constituted sub-commission would, among other things, be called upon to make recommendations to the Council concerning the definitive composition of the sub-commission and its terms of reference.”

Resolution on Spain

The Assembly adopted by 45 votes to 2 the following recommendation on the Franco regime in Spain introduced by the delegate of Panama :—

“ 1. The Assembly recalls that the San Francisco Conference adopted a resolution according to which paragraph 2 of Article 4 of Chapter II of the United Nations Charter ‘ cannot apply to States whose regimes have been installed with the help of armed Forces of countries which have fought against the United Nations so long as these regimes are in power.’

“ 2. The Assembly recalls that at the Potsdam Conference the Governments of the United Kingdom, the United States of America, and the Soviet Union stated that they would not support a request for admission to the United Nations of the present Spanish Government ‘ which, having been founded with the support of the Axis Powers, in view of its origins, its nature, its record, and its close association with the aggressor States, does not possess the necessary qualifications to justify its admission.’

“ 3. The Assembly, in endorsing these two statements, recommends that the members of the United Nations should act in accordance with* the letter and the spirit of these statements in the conduct of their future relations with Spain.”

Columbus Lighthouse Memorial

The Assembly took note of a declaration by various Latin-American delegations concerning the construction of the Columbus Lighthouse Memorial.

International Press Conference

It was decided to place on the Agenda of the Second Part of the First Regular Session a proposal by the delegation of the Philippine Commonwealth concerning the convocation of an international Press Conference.

Nuremberg Tribunal

The delegation of Uruguay brought before the General Committee a draft resolution “ expressing the hope that the Nuremberg Tribunal will not impose the death penalty on war criminals.” The members of the General Committee, especially the delegates of the Soviet Union and the Ukrainian S.S.R., received the proposal without enthusiasm, and declined to recommend it to the Assembly.

* The words “ act in accordance with ” were substituted for the original words “ take into account ” by an amendment substituted by the Norwegian delegation and adopted by the Assembly by 35 votes to 3.

APPENDIX I

PROVISIONAL AGENDA FOR THE FIRST PART OF THE FIRST SESSION OF THE GENERAL ASSEMBLY

1. Opening of the Session by the temporary Chairman.
2. Election of the President.
3. Authorization of the Executive Secretary and his staff to perform the functions of the Secretary-General and Secretariat, pending the appointment of the Secretary-General.
4. Presentation of the report of the Preparatory Commission.
5. Adoption of provisional rules of procedure and supplementary provisional rules of procedure (Chapter I, Section 3).
6. Appointment of the Credentials Committee (the Committee's report will be considered as soon as presented to the General Assembly).
7. Adoption of the Agenda.
8. Establishment of Committees.
9. Election of Vice-Presidents.
10. Adoption of regulations governing the appointment of the temporary staff during the transition period.
11. Election of the non-permanent members of the Security Council.
12. Election of the members of the Economic and Social Council.
13. Consideration of recommendations, if any, from the Security Council relating to the admission of new members to the United Nations.
14. Appointment of the Secretary-General (as soon as the recommendation is received from the Security Council).
15. Discussion on those sections of the report which the General Assembly may decide to consider.
16. Reference to Councils or Committees of certain questions arising from the discussion.
17. Matters of urgent importance, including the problem of refugees.
18. Consideration of the reports of the Committees, including reports on the following subjects, if referred to Committees :—
 - (a) Rules of Procedure ;
 - (b) Implementation of the provisions of the Charter relating to trusteeship ;
 - (c) The possible transfer of certain functions, activities, and assets of the League of Nations ;
 - (d) The organization of the Secretariat ;
 - (e) The site of the permanent headquarters of the United Nations ;
 - (f) The material arrangements for the General Assembly ;
 - (g) The relation between the General Assembly and the Economic and Social Council ;
 - (h) The relationship between the specialized agencies and the United Nations ;
 - (i) The provisional budget, financial organization, and methods of assessing and collecting contributions from members.
19. Election of the members of the International Court of Justice.
20. Consideration of the date and place of the Second Part of the First Session of the General Assembly.
21. Consideration of other items.

SUPPLEMENTARY LIST OF ITEMS

A.

Draft Assembly resolution on UNRRA (presented by the delegation of the United Kingdom).

B.

Item 5 on the Agenda.

Suggested amendments to the rules of procedure of the General Assembly (submitted by the delegation of Cuba).

C.

Proposal by the delegation of Cuba for the inclusion in the Agenda of the following two questions :—

1. The declaration of the international duties and rights of man.
2. The declaration of the duties and rights of nations.

D.

Resolution presented by the delegations of the Union of Soviet Socialist Republics, the United Kingdom, the United States of America, France, China, and Canada to establish a Commission to deal with the problems raised by the discovery of atomic energy and other related matters.

NOTE.—The Assembly decided on January 14, 1946, to add items A and D of the above Supplementary List to the Agenda of the First Part of the First Regular Session.

In the course of the session it added the following items to the Agenda for the First Part of the First Regular Session :—

(1) Draft resolution on the reconstruction of countries belonging to the United Nations devastated by war, submitted by the delegation of Poland.

(2) Declaration on the participation of women in the United Nations Conference.

(3) Draft resolution on wheat and rice, submitted by the delegations of the United Kingdom, the United States, France, China, and the Soviet Union, and a letter from the Director-General of UNRRA.

(4) Draft resolution on Spain submitted by the delegation of Panama.

(5) Declaration concerning the construction of Columbus Lighthouse Memorial by delegations of the Dominican Republic, Brazil, Chile, Colombia, Costa Rica, Cuba, Honduras, Mexico, Nicaragua, and Panama.

(6) Report of the General Committee on applications from nationals of non-member States for permanent employment with the Secretariat.

(7) Draft resolution on the extradition and punishment of war criminals, submitted by the delegation of the Byelorussian S.S.R.

(8) Various resolutions on the representation of non-governmental bodies on the Economic and Social Council.

APPENDIX II

“ An open letter to the women of the world from the woman delegates and advisers at the first Assembly of the United Nations :—

“ This first Assembly of the United Nations marks the second attempt of the peoples of the world to live peacefully in a democratic world community. This new chance for peace was won through the joint efforts of men and women working for common ideals of human freedom at a time when need for united effort broke down barriers of race, creed, and sex. In view of the variety of tasks which women performed so notably and valiantly during the war, we are gratified that seventeen women delegates and advisers, representing eleven member States, are taking part at the beginning of this new phase of international effort. We hope their participation in the work of the United Nations Organization may grow and may increase in insight and in skill. To this end we call on the Governments of the world to encourage women everywhere to take a more active part in national and international affairs, and on women who are conscious of their opportunities to come forward and share in the work of peace and reconstruction as they did in war and resistance.

“ We recognize that women in various parts of the world are at different stages of participation in the life of their community, that some of them are prevented by law from assuming full rights of citizenship, and that they therefore may see their immediate problems somewhat differently. Finding ourselves in agreement on these points, we wish as a group to advise the women of all our countries of our strong belief that an important opportunity and responsibility confronts the women of the United Nations: first, to recognize the progress women have made during the war, and participate actively in the effort to improve the standards of life in their own countries and in the pressing work of reconstruction, so that there will be qualified women ready to accept responsibility when new opportunities arise; second, to train their children, boys and girls alike, to understand world problems and the need for international co-operation, as well as the problems of their own countries; third, not to permit themselves to be misled by anti-democratic movements now or in the future; fourth, to recognize that the goal of full participation in the life and responsibilities of their countries and of the world community is a common objective towards which the women of the world should assist one another.”

Approximate Cost of Paper.—Preparation, not given; printing (570 copies), £75

By Authority: E. V. PAUL, Government Printer, Wellington.—1946.

Price 1s. 3d.]

