

GEK-1032-H
No paraphrase necessary.
(Restricted)

London via War

Dated September 17, 1945

Rec'd 11:05 a.m., 17th.

Secretary of State,

Washington.

9538, September 17

COPRE 105

A summary of PC/EX/SC/5, note by United Kingdom representative concerning organization of MSC (Military Staff Committee) follows:

Draft resolution to establish MSC (Military Staff Committee) and lay down its composition and duties should be ready for approval by SC (Security Council) at its first meeting. (Reference COPRE-100) There should also be prepared a draft order or directive by which SC (Security Council) could give MSC (Military Staff Committee) its first tasks. EXCOM (Executive Committee) should at once invite five powers concerned to appoint military representatives to form an additional committee to draft these documents for submission to EXCOM (Executive Committee) and later to first meeting of SC. (Security Council). Proposed new committee should be instructed to coordinate its work with that of Committee 2 and with Committee 4 as regards strategic area under trusteeship.

Chief duties of MSC (Military Staff Committee) should be: (1) advising and assisting SC (Security Council) on military questions (2) advising SC (Security Council) on nature and content of special agreements between SC (Security Council) and member states (3) advising SC (Security Council) on employment of forces, and strategic direction of such forces, under SC (Security Council) (4) advising SC (Security Council) on military aspects of regional arrangements (5) Assistance to SC (Security Council) in formulating plans for regulation of armaments (5) advising SC (Security Council) on proposals for designation of territory under international trusteeship as "strategic areas". Signed Stettinius.

MESSAGE UNSIGNED

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DCG-907-W
No paraphrase necessary.
(RESTRICTED)

London via War

Dated September 15, 1945

Rec'd 10:30 a.m., 16th

Secretary of State,
Washington.

9520, September 15, 6 p.m.

COPRE-100 FOR HISS FROM GERIG

At first meeting of Committee 2, SC (Security Council) Secretariat was requested to prepare, under chairman's supervision, a synthesis of three papers which figured in the committee's discussion of its agenda and methods of work. These papers are (1) most recent version of committee 1's draft agenda for the GA; (General Assembly) (2) Secretariat draft of provisional agenda for the SC; (Security Council) and (3) United States draft of provisional agenda for SC (Security Council) sent via airtouch. United States draft contains eight items as follows: (1) opening of meeting by temporary chairman; (2) adoption of provisional rules of procedure for purpose of initial organization; (3) election of president of SC (Security Council) (4) nomination of SYG; (Secretary General) (5) election of judges of ICJ; (International Court of Justice) (6) adoption of directive to MSC (Military Staff Committee) to meet at a given place and date; (7) appointment of subcommittee to examine provisional rules of procedure and report; (8) other business. Secretariat draft of provisional agenda is much fuller and contains at least five questionable items as follows: Recommendation to the GA (General Assembly) regarding admission of new members; notification to the GA (General Assembly) of matters relative to the maintenance of international peace and security to be dealt with during the present session; establishment of the MSC; (Military Staff Committee) initiation of negotiations regarding the special agreements for the provision of armed forces; and formulation of plans for the regulation of armaments. Secretariat explained that last four (repeat last four) items should have been bracketed to indicate doubt as to the propriety of their (repeat their) inclusion. Back of Hasluck's suggestion that draft GA (General Assembly) agenda be considered was his and Escott Reid's belief that several items necessary for the organization of the GA (General Assembly) already tentatively agreed to in committee 1 might prove to be necessary for SC (Security Council) agenda also. In the brief debate over the Secretariat and our draft agenda for the SC (Security Council), Roschin expressed preference for ours while Webster, Hasluck, and Reid preferred Secretariat's. On this matter the French

representative

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representative was silent and there was no Chinese representative present.

United Kingdom representative is submitting a paper on the organization of the MSG (ABR unknown) which Webster told Blaisdell privately will also suggest establishment of a committee of military people to sit simultaneously with committee 2 and with semi-autonomous status. Pending receipt of the paper, it is impossible to say more but what is now (repeat now) known indicates sharp difference between United Kingdom and ourselves on this matter.

Stettinius was elected chairman of committee 2 in his personal capacity, Blaisdell vice chairman. Signed Stettinius.

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UNO Dec 8PC/EX/SC/5
14 September, 1945.

PREPARATORY COMMISSION OF THE UNITED NATIONS

Committee 2.

Organization of the Military Staff Committee.

(Note by the U. K. representative)

During the discussion of the terms of reference of committee 2 of the Security Council (PC/EX/12 page 7 and PC/EX/14 page 12), the U. K. Representative undertook to circulate a paper regarding the procedure for the establishment of the Military Staff Committee.

2. A suggested summary of the functions of the Military Staff Committee, as laid down or implied in the Charter, is annexed to the present paper. It appears from this summary that the functions of the Military Staff Committee are essentially those of advisers and assistants to the Security Council.

The one executive function assigned by the Charter to the Committee, namely the strategical direction of armed forces placed at the disposal of the Security Council, is also subject to the qualification that the Committee responsibility shall be "under the Security Council."

3. On the other hand, the Military Staff Committee is a vital part of the new international machinery and its successful operation is essential if the United Nations Organization is to keep the peace and effect a proper regulation of armaments. In particular, the Military Staff Committee must play the main part in formulating arrangements to give effect to the general policy of the Security Council on military matters, and it will have to advise upon the nature and content of the special military agreements to be concluded under article 43 of the Charter.

The Charter does not lay down exactly how the Military Staff Committee is to be set up, but it is implied that this should be done by a resolution of the Security Council, although the General Assembly would no doubt have to make the necessary budgetary arrangements. It therefore seems desirable that a draft resolution to establish formally the Military Staff Committee and to lay down its composition and duties should be ready for approval by the Security Council at its first meeting. It would also be desirable for a draft order or directive to be ready by means of which the Security Council could give the Military Staff Committee its first task or tasks. The drafting of these documents should be put in hand at once.

5. This work will be closely connected with that of Committee 2 on the Security Council. The position of the Military Staff Committee is, however, a special one owing to the technical character of its work and the fact that its permanent membership is confined, under Article 47 (2) of the Charter, to the five permanent members of the Security Council. It is suggested therefore that the most practical method of preparing the necessary documents would be for the Executive Committee to invite the five Powers concerned to appoint military representatives to form an additional Committee, which would draft them for submission by the Executive Committee to the Preparatory Commission and eventually to the Security Council at its first meeting. The proposed new Committee should, it is suggested be instructed to co-ordinate its work and generally keep in close touch with Committee 2, and also with Committee 4 as regards "strategic areas" under trusteeship (see last sub-para. of Annex.)

TC/SC/5
ANNEX

SUMMARY OF THE FUNCTIONS OF THE MILITARY STAFF COMMITTEE
AS LAID DOWN, OR IMPLIED, IN THE CHARTER.

Article 47 (ii) of the Charter lays down that the Military Staff Committee shall be composed of the Chief of Staff of the five permanent members of the Council. Other United Nations are to be associated with the five permanent members when "the efficient discharge of the Committee's responsibilities" requires their participation in the Committee's work. The Charter gives the Military Staff Committee very wide functions, but these are to be exercised under the authority of the Security Council and as its agent.

In addition to the general advisory and executive duties given to the Military Staff Committee by the key article 47, the Charter in certain other articles lays specific duties upon it. Other duties, though not expressly mentioned, are implicit in the fact that the Committee are to have the general function of advisers to the Security Council on military matters (Article 47 (i)). The following is a summary of these various functions of the Military Staff Committee:--

(i) General duty of advising and assisting the Security Council on all military questions arising out of the Security Council's responsibility for maintaining international peace and security and for using the forces of Member States for this purpose.

(ii) Following upon the general duty in (i), advice to the Security Council in negotiations for the special agreements to be made between the Security Council and Member States whereby the latter would make available at the call of the Security Council (armed forces, assistance and facilities, including rights of passage necessary for the purpose of maintaining international peace and security."

(iii) Advice

PC/EN/SC/5
ANNEX
page 2.

(iii) Advice and assistance to the Security Council on the employment and command of forces placed at the latter's disposal and assumption of the strategic direction of such forces, under the Security Council. The duty of "strategic direction" of the forces under the Council would presumably mean that the Military Staff Committee would be responsible for both advising upon and carrying out the Council military action to maintain international peace and security, including demonstrations, blockade and other operations by land, sea or air, as referred to in article 42 of the Charter.

(iv) Although not mentioned by name in articles 42-44, the Military Staff Committee is clearly intended to act as the Security Council's adviser on the military aspect of regional arrangements or agencies formed by the United Nations within the framework of the Charter, especially the use of such regional bodies for enforcement action. This is implied by article 47 (iv), which allows the Military Staff Committee, with the authorization of the Security Council, and after consultation with the appropriate regional agencies, to establish regional sub-committees.

(v) Assistance to the Security Council in formulating plans for the regulation of armaments and "a possible disarmament", a duty which is specially laid on the Security Council by the Charter (cf. articles 26 and 47 (i)).

(vi) Although not mentioned specifically, it is clear that the Military Staff Committee would also be the appropriate body to advise the Security Council upon proposals for the designation of territory under international trusteeship as "strategic areas", under the supervision of the Security Council in accordance with articles 82 and 83.

DCG-1868-H
No paraphrase necessary
(SECRET)

London via Army

Undated

Rec'd September 13, 1945
11:10 a.m.

Secretary of State,
Washington.
9385, Undated

FOR HISS FROM BLAISDELL COPRE-33

Regarding questions listed under security heading in your PRECO-2, Blaisdell's letters to Johnson will have already supplied partial answers to 2 and 3. We know of no matters that must be dealt with prior to first meeting of the SC (Security Council) which should not be put on agenda of EXCOM (Executive Committee) and PRECO outside of obvious one of five-power candidate for post of SYG. (abbreviation unknown). PRECO may wish to prepare in some detail for organization of MSC (abbreviation unknown) as part of the desire of the 9 EXCOM (Executive Committee) members not permanent members of the SC (Security Council) to participate in the shaping of its organization and procedure. Hence pressure may be anticipated in SC (Security Council) Subcommittee to have PRECO make detailed recommendations regarding directive to MSC (abbreviation unknown) and organization of its work. There is some indication that UK delegation will aid or even inspire such a movement. No information is available as regards question 3. Limited staff for SC (Security Council) Subcommittee suggests that few papers on these matters will be prepared in the Secretariat. Signed Stettinius.

WINANT

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SECRETUSPC Gen 4 (Rept 3)
September 12, 1945SUMMARY OF EXECUTIVE COMMITTEE TELEGRAMS:
INSTRUCTIONS TO U.S. REPRESENTATIVE
DECISIONS OF EXECUTIVE COMMITTEEINSTRUCTIONS TO U.S. REPRESENTATIVE

The Department is in favor of limiting the provisional work program for the first meetings of the Security Council to the following items:

- (1) The temporary organization of the Security Council to enable it immediately to elect the judges of the International Court of Justice and to nominate the Secretary-General;
- (2) The adoption of rules of procedure, including the method of electing its President;
- (3) The election of its President;
- (4) The organization of its staff and, possibly, the creation of subsidiary organs other than the Military Staff Committee; and
- (5) The issuing of a directive to the Military Staff Committee to meet at a certain time and place in order to proceed with its own organization, to formulate recommendations relating to the negotiation of the military agreements, and to carry out its other functions under the Charter.

It is the view of the Department that the Executive Committee might appropriately deal with the temporary organization of the Security Council and its rules of procedure, except the method of electing its President. The rules of procedure should not be drawn up in detail and should be provisional in character.

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The United States Representative was informed of the view of the SMCC subcommittee that the Military Staff Committee should organize itself. The duty of the Preparatory Commission, as outlined in the Interim Arrangements, to make recommendations relative to the Military Staff Committee would be fulfilled, in the view of the Department, by making a simple recommendation that the Security Council should issue the above proposed directive immediately after its organization. However, the Department has no objection to keeping open the possibility of future consideration by the Executive Committee or the Preparatory Commission of matters relating to the Military Staff Committee, provided such matters are not included in the terms of reference of the Security Council Subcommittee.

The Department suggests that the Security Council Subcommittee work with the Trusteeship Council Subcommittee on the preparation of recommendations relative to the role of the Security Council in trusteeship matters and its relationship with the Trusteeship Council. However, it considers that trusteeship matters should not be placed on the first provisional work program of the Security Council.

The Department has also forwarded a detailed list of topics for discussion in the other Subcommittees of the Executive Committee. Among the questions which should be discussed by the General Assembly Subcommittee are the agenda of the first meeting of the General Assembly, the organization of the General Assembly, its relationship with other organs, and its committee structure, including the establishment of a committee on security and political questions.

The Department has informed the United States Delegation that it has not received a reply to a question previously asked regarding the appointment of Army and Navy officers on the staff of Delegations to the Preparatory Commission. Two other questions have not been answered in full, namely, what matters which should not be placed on the agenda of the Executive Committee and the Preparatory Commission and whether papers on security questions would be prepared by the staff of the Executive Secretary.

Decisions

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Decisions of Executive Committee

The Executive Committee has set itself the goal of completing its work by October 15 or November 1, at the latest, with the understanding that the Preparatory Commission would be convened promptly thereafter.

The Executive Committee has discussed, but has not reached a conclusion on, the proposals of the United States Representative for the first meeting of the General Assembly. Mr. Stettinius suggested that a brief organizational meeting of the General Assembly be held on November 15, immediately following the meeting of the Preparatory Commission. The Assembly would take the necessary steps at that time to bring into being the Security Council, the Economic and Social Council and the Secretariat. Under this plan the first regular meeting of the General Assembly would be held next spring.

The Executive Committee reached agreement on the terms of reference of the Subcommittees as previously reported with minor modifications. The terms of references of the Security Council Subcommittee were approved substantially as previously agreed upon. The Executive Committee decided that although the presence of observers at its meeting would be subject to prior agreement, its Subcommittees should make use of the special knowledge and experience of qualified international organizations, national organizations, and individuals.

The various Subcommittees have started to meet regularly with the exception of Subcommittee 2 on the Security Council, Subcommittee 4 on the Trusteeship Council and Subcommittee 7 on Financial Arrangements. The latter Subcommittees will start to function as soon as arrangements for their secretariat have been completed.

Subcommittee 1 on the General Assembly has tentatively approved eight items for the agenda of the first meeting of the General Assembly, including the discussion

and adoption

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and adoption of rules of procedure and the election of the non-permanent members of the Security Council, the judges of the International Court of Justice and the members of the Economic and Social Council. Subcommittee 3 on the Economic and Social Council has discussed its program of work. The British Delegate indicated that he was relying on the United States Delegate to submit a memorandum on the subject of a central statistical service under the secretariat of the Economic and Social Council. Subcommittee 5 on the International Court of Justice has reached agreement on a draft resolution which would call upon the Executive Secretary to take the necessary steps for immediately issuing invitations for the nomination of candidates for judges of the International Court of Justice. Various problems relating to the staff of the Secretariat have been discussed by Subcommittee 6 on the Secretariat. Subcommittee 8 on Specialized Agencies agreed to draw up a provisional report outlining the broad principles to govern relationships between the specialized agencies and the United Nations. Alternative plans for the transfer of the treaty functions of the League to the United Nations are being considered by Subcommittee 9 on the League of Nations. Subcommittee 10 on General Questions is discussing the question of making use of the United Nations Information Office in New York and London for informational services.

Mr. Buchrig

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SWNCC/MS
UNO Doc. 5
September 11, 1945REGIONAL SUBCOMMITTEES OF THE
MILITARY STAFF COMMITTEE.

(Paragraph from a statement on the San Francisco Conference released by the Mexican Foreign Office, July 21, 1945.)

"It was also a result of the efforts of the Mexican delegation and of other delegations that regional sub-committees, which will be created under the Military Staff Committee, will be established by means of consultation with the corresponding regional organizations. In other words, a country within the American Continent which has to negotiate with the Security Council will not be alone in doing it, but will do it together with the entire 21 American Republics through the organizations of the Pan American system."

SECRETSWNCC/MS
UNO DOC 3
September 4, 1945.PROGRAM OF WORK ON MILITARY AND SECURITY FUNCTIONS OF
THE UNITED NATIONS ORGANIZATION

I. The estimated time schedule for establishment of the United Nations Organization, based on prospects of ratification and subject to completion by the Preparatory Commission of its work is as follows:

1. Necessary ratifications will have been deposited by October 1, of this year.
2. The first meeting of the General Assembly will be held between November 1 and December 1 and that body should proceed immediately to elect the six non-permanent Members of the Security Council.
3. The Security Council should, therefore, be able to meet early in December.
4. The Military Staff Committee should be organized and able to function by January, 1946.

II. It is believed that the first program of work of the Security Council should be:

1. Temporary organization of the Security Council for the purpose of nominating the Secretary-General and electing judges to the International Court of Justice.
2. The nomination of a Secretary-General and the election of judges to the International Court of Justice.
3. Adoption of rules of procedure, including method of selecting a President.
4. The election of a President.
5. Directive to the Military Staff Committee concerning the time and place of its first meeting

and

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and instructing it to proceed with its organization, to make recommendations regarding the preparation and negotiation of agreements for the provision of armed forces, facilities and assistance, and to undertake its other duties under the Charter.

6. The organization of the Security Council's staff, and possible establishment of subsidiary organs other than the Military Staff Committee.

III. It is considered that the State Department should prepare recommendations with respect to items (1) through (4) of II.

IV. With respect to item 5 of (II):

- (1) There is no objection either to the discussion of this topic by the Executive Committee or the Preparatory Commission or to placing it on the provisional initial program of work of the Security Council; but no substantive recommendations should be made by either the Committee or the Commission. There need be only a brief recommendation to the Security Council that it issue the directive.
- (2) When the position of this Government has been formulated with respect to the organization of the Military Staff Committee it would be desirable to exchange views informally with the other five permanent Members preparatory to the organization of the Military Staff Committee.
- (3) With regard to the agreements, the United States position on at least the following topics should be formulated:
 1. What should be the sequence of steps in the negotiation of the agreements?
 2. What will be the place of the small nations in the general scheme?
 3. What will be the place of regional arrangements in the general scheme?
 4. Will

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4. Will military forces to be made available be defined by numbers or units of each arm, or on a percentage basis of the countries' military establishment -- or on some other basis, perhaps a combination of these two systems?
5. Whatever the system, what would be the extent of military forces which the United States would be prepared to provide?
6. Should there be any restrictions as to the use of national contingents, and if so, what would be the basis of such restrictions?
7. How about the time element, in providing forces?
8. How meet the special provisions of the Charter as to readiness of air contingents?
9. Will facilities be provided on a specific or general basis, and on what basis will we choose them?
10. Will facilities be constantly available or only when called for in connection with enforcement action?
11. Will it be possible and if so, desirable, to stipulate in detail in the agreements what "assistance" will be furnished, or shall such commitments be in general terms?
12. What effect if any will recent new weapon developments have on the Charter's concept of enforcing security?

V. With reference to item (6) of II an immediate study needs to be made as a basis for establishing the United States position on the staff functions, other than military, which will be required by the Security Council, and on the means by which they should be performed.

VI. In addition, the United States position needs to be formulated on interim arrangements.

Mr. Bushing

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SECRETUSPC Gen 4 (Rept 2)
August 29, 1945

SUMMARY OF EXECUTIVE COMMITTEE TELEGRAMS:
INSTRUCTIONS TO U.S. REPRESENTATIVE
DECISIONS OF EXECUTIVE COMMITTEE

INSTRUCTIONS TO U.S. REPRESENTATIVE

Organization of Executive Committee

The Department opposes the creation of a separate subcommittee to draft uniform rules of procedure for the principal organs of the United Nations, maintaining that the subcommittee concerned with the principal organs should act individually. It likewise opposes the creation of a subcommittee composed of the deputies to the chief representatives on the Executive Committee, although it considers that ad hoc drafting subcommittees might be useful on occasion. A subcommittee of deputies for a preliminary examination of proposals would not be necessary if the discussions of the Executive Committee were carried out in an atmosphere of informal and free discussion. The meetings of the Executive Committee should be closed to the press so that discussions may proceed on a frank basis.

Five-Power Consultations

The Department considers that informal consultations on certain questions among the representatives of the five principal powers is the best means for reaching five-power unanimity. Agreement among the five powers is desired by other nations, who would be embarrassed if forced to choose between conflicting views held by the great powers. As part of the procedure of consultation, it might be desirable to hold informal meetings of the deputies to the representatives of the five powers to discuss questions of detail and drafting matters.

DECISIONS OF EXECUTIVE COMMITTEE

Organization and Scope of Work of Executive Committee

The Executive Committee decided that when necessary it would constitute itself as a Committee of the Whole to permit an informal exchange of ideas. Both delegates and their deputies might attend such meetings.

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The decision was reached that the rules concerning voting would follow the practice established in the Executive Committee at San Francisco, that is, that substantive questions would be decided by a two-thirds majority and procedural questions by a simple majority. However, there was general agreement that "no objection" method of agreement should be followed as far as possible.

After some discussion, it was decided that a chairman would be elected every two weeks. This arrangement was in no way to constitute a precedent for the future functioning of the Organization. Dr. Wellington Koo of China was elected first Chairman. Mr. Jebb of the United Kingdom was chosen Executive Secretary, and was entrusted with making certain arrangements regarding the Secretariat. The Executive Committee decided that its meetings would be open to the press whenever possible, but that the meetings of subcommittees and drafting committees would always be held in private.

There was general agreement that the Executive Committee should concentrate on performing the minimum number of tasks necessary to bring the United Nations promptly into existence. A goal for the completion of the work of the Preparatory Commission in two months, if possible, was set.

Organization and Terms of Reference of Subcommittees

The Executive Committee decided to establish ten subcommittees initially on which each member might be represented. It deferred a decision as to whether a subcommittee on procedure should be set up to prepare uniform draft rules of procedure. The subcommittees were to begin functioning about August 28, with the exception of the subcommittees on the Security Council, the Trusteeship Council, and Financial Arrangements, whose first meetings were postponed.

It was decided that Subcommittee 1 on the General Assembly should devote its attention to the organizational steps and procedures necessary for the General Assembly to establish itself and to fulfill its initial obligations under the Charter. It was generally felt that future developments would determine the extent to which the Subcommittee should make recommendations on political or

substantive

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substantive matters.

The terms of reference of Subcommittee 2 on the Security Council were agreed to reluctantly by certain members and may be the subject of future discussion. It was finally decided that the Subcommittee was to prepare the provisional agenda and necessary documents for the first meeting of the Security Council, and was to draw up recommendations on procedural and other matters which the Security Council would have to decide immediately in order to establish itself as a functioning organ. A difference of views developed as to whether the Subcommittee should consider matters relating to the Military Staff Committee; the United States and Netherlands delegates opposed such consideration and the British, Soviet and Australian delegates favored leaving the possibility open.

General agreement was reached on the terms of reference of Subcommittee 3 on the Economic and Social Council. Subcommittee 4 on the Trusteeship Council is to prepare recommendations on various questions, including the role of the General Assembly and the Security Council in trusteeship matters and the relationship of these organs to the Trusteeship Council. Subcommittee 5 on Arrangements for the Secretariat and Other International Officials is to prepare a detailed draft of arrangements for the Secretariat and is to study the problem of the status of international officials appointed as experts by the United Nations organs.

The Executive Committee agreed that Subcommittee 6 on Financial Arrangements was to consider questions relating to the budget and to contributions from member states. Subcommittee 7 on Relations With Specialized Agencies will concern itself with problems involved in establishing relations between the various specialized agencies and the United Nations.

Subcommittee 8 on The League of Nations is to formulate recommendations concerning the possible transfer of certain functions, activities, and assets of the League. Subcommittee 9 on the International Court of Justice and League Problems is to study the problems involved in establishing the Court and such other legal matters as may be referred to it.

Subcommittee 10

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Subcommittee 10 on General Questions will be responsible for maintaining continuity with the work of the San Francisco Conference, for making recommendations on the location of the seat of the Organization, and for making arrangements for the first meeting of the General Assembly.

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SECRETSWNCC/MS
UNO Doc 4 Prel.
August 28, 1945

12

Interim Report of the Working Subcommittee of the
SWNCC Subcommittee on Military and Security Functions
of the United Nations Organization

I. Organization of the Military Staff Committee

Four principal problems need to be met:

1. The organization of the Military Staff Committee itself.
2. The relationship between the Military Staff Committee and the Security Council.
3. Relationships between the U.S. members on the two bodies.
4. Determination of relationships which should exist between the U.S. representatives on the Security Council and the Military Staff Committee and the appropriate agencies of the United States Government in Washington.

II. Functions of the Military Staff Committee

The Military Staff Committee should be organized to perform the following five functions:

1. Assist in the negotiation of the military agreements.
2. Assist in the formulation of plans for the application of armed force by the United Nations.
3. Exercise of the strategic direction of armed forces.
4. Assist the Security Council in regard to the regulation of armaments and possible disarmament.
5. Consider problems involved in the establishment of regional subcommittees.

III. Recommendation

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III. Recommendation for Organization of the Military Staff Committee

1. Initially the Military Staff Committee should be organized to perform the first two of the above-mentioned functions.
2. The Chiefs of Staff should attend the initial meetings of the Military Staff Committee and such subsequent meetings as may appear desirable.
3. When the Chiefs of Staff are present, the Military Staff Committee would consist of all Chiefs of Staff of each of the five powers.
4. One of the U.S. Chiefs of Staff or their representatives may be designated as head of the U.S. delegation.
5. The Military Staff Committee should have its headquarters at the seat of the Organization and be authorized to meet elsewhere, as appears desirable.
6. The Chairmanship of the Military Staff Committee should rotate among the delegations on a quarterly basis. The chairman should be no more than a presiding officer who would also sign on behalf of the Military Staff Committee any documents emanating from it. It will be clearly understood that he would sign such documents only under the direction of the Committee and would have no independent status.
7. The Military Staff Committee should have a military secretariat comprising in combination secretaries appointed by the several national delegations.

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August 23, 1945

SUMMARY OF PRECO TELEGRAMS

Scope of Executive
Committee's work

The Department takes the position that the Executive Committee's activities should be limited to the minimum necessary to bring the United Nations Organization into being. In general, it should concentrate on organizational steps and procedures necessary to enable the General Assembly, the Security Council and other organs to begin to function. However, detailed recommendations should be made concerning arrangements for the Secretariat.

The Executive Committee should deal only with matters of an organizational character on the agenda of the principal organs (with the exception of substantive matters on the agenda of the Economic and Social Council). It should be left to the Preparatory Commission to recommend what political or substantive matters should be placed on the agenda. However, neither the Executive Committee nor the Preparatory Commission should make detailed recommendations regarding the organization or the agenda of the Security Council. Likewise the rules of procedure of the Security Council should not be made a subject of debate in the Executive Committee.

Until common agreement has been reached thereon by the representatives of the five permanent members no formal action should be taken on the following questions: the location of the seat of the United Nations, the choice of the Secretary-General, the admission of new members and the relationship of particular specialized organizations to the United Nations.

The organization of the Military Staff Committee and questions relating to the military agreements envisaged under Article 43 should not be considered until the Security Council is set up. For the moment, the Executive Committee should not deal with the question of the choice of non-permanent members of the Security Council or of members of the Economic and Social Council.

Organization

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Organization of
Executive Committee

The Department considers as satisfactory the organization of the Executive Committee in the eight subcommittees proposed (on the General Assembly, Security Council, Economic and Social Council, Trusteeship Council, Secretariat, Budget, Transfer of League's Activities, and Specialized Agencies). It was recommended, however, that a separate subcommittee also be established on the International Court of Justice.

As to the chairmanship of the Executive Committee, the Department expressed its preference for a single chairman, the representative of the United Kingdom as host government. The Department was prepared to support the British proposal that the chairmanship should rotate among China, France, U.S.S.R., United Kingdom and the United States at fixed intervals and in alphabetical order. It was also willing to accept a proposal that the chairmanship should rotate among the representatives of all fourteen members. No preference was held as to the period during which an incumbent should hold office. The United States Representative was authorized to vote against any proposal calling for a presidium of five chairmen.

It was felt that the Executive Secretary should be a British national.

Procedure of
Executive Committee

The Department takes the position that the rules of procedure of the Executive Committee and its organization are not to be regarded in any way as a model for the Security Council. The procedures of the Executive Committee should be kept extremely flexible. Formalized and detailed rules of procedure should be avoided if possible. Negotiation and "no objection" method of agreement are to be preferred to formal voting. On the other hand, it is felt that the organization and procedures of the Preparatory Commission should be similar to those of the General Assembly.

Trusteeship

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Trusteeship Matters

The Department considers that it would be desirable to create a temporary committee of the General Assembly to deal with trusteeship matters rather than to establish immediately either a permanent or a provisional Trusteeship Council, as proposed by the British. The committee should be composed of the five permanent members of the Trusteeship Council, Australia, Belgium, New Zealand, South Africa, and three other members to be elected by the General Assembly, thus establishing a balance between mandatory and non-mandatory states.

The Executive Committee should consider certain procedural aspects of trusteeship arrangements, but should not discuss the question of territories to be placed under trusteeship nor trusteeship agreements (except the procedure for their approval).

Postponement of
First Meeting

The Department insisted strongly that the first meeting of the Executive Committee be postponed until August 16 at the earliest, with the initial meetings until the end of the month being devoted to routine organizational and administrative tasks.

Personnel

Various officers of the Department have been assigned to the staff of the United States Representative, and to the Secretariat, including Benjamin Gerig as Principal Advisor to the United States Delegation and Donald C. Blaisdell as Advisor and representative for the United States on the Security Council Subcommittee.

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SECRETSWNCC/MS
UNO DOC 1 Prel.

August 21, 1945

12

INTERIM MACHINERY FOR BIG FIVE CONSULTATION ON THE
MAINTENANCE OF INTERNATIONAL PEACE AND SECURITY

DISCUSSION

1. A matter requiring urgent consideration and decision is the problem of establishing interim Big Five consultative methods for the maintenance of international peace and security.
2. Paragraph 5 of the Moscow Declaration provides that the signatories will consult with one another and, as occasion requires, with other members of the United Nations with a view to joint action on behalf of the community of nations. Article 106 of the Charter of the United Nations, which will come into force perhaps in two or three months, provides that, pending the coming into effect of the special agreements for provision of armed forces, facilities and assistance, these four powers and France shall consult with one another and as occasion requires with other United Nations with a view to joint action on behalf of the Organization for the purpose of maintaining international peace and security.
3. Thus not only is there a double commitment as among the Big Four, but they and France have assumed a commitment vis-a-vis the other United Nations which will become binding as soon as the Charter becomes effective. Moreover, there will certainly be many problems arising in the near future relating to the
maintenance

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maintenance of international peace and security, separate from those involved in the control of Germany and Japan. They will be problems of the type with which the Security Council is designed to deal.

4. It is apparent, therefore, that on the assumption the basic concept of the International Organization is correct, interim machinery will be required to perform the functions of the Security Council and Military Staff Committee pending their actual assumption of prescribed functions.

5. The Council of Foreign Ministers appears to furnish a better instrument for consultation in the interim period than any possible alternative such as (1) the consultation among the Foreign Ministers of the U.S.S.R., the U.K., and the U.S. provided for at Yalta, (2) a new ad hoc body, or (3) ordinary diplomatic channels. The Council is to be at a high level and in continuous session, and will consist of representatives of all five permanent members of the Security Council. Moreover, in dealing with some problems of the peace settlement, such as those involving future boundaries between two or more United Nations, it will be touching on problems relating to the future maintenance of international security. In addition, although Article 107 of the Charter leaves to the victorious powers the enforcement of the peace settlements against the enemy states, it is certainly anticipated that eventually matters relating

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to those states will be brought within the scope of the Organization. Thus the Council of Foreign Ministers will be ^{directly} dealing with matters which will affect the development of the Charter and the operations of the Security Council.

6. It appears that the scope of the Council of Foreign Ministers could be readily expanded to permit it to function as an "Interim Security Council." An assisting Military Group organized to perform all prescribed functions of the Military Staff Committee with the exception of matters relating to the special military agreements between the Security Council and Member nations, would complete the necessary machinery for the interim maintenance of international peace and security.

RECOMMENDATIONS

7. It is recommended that:

a. The United States take the initiative at an early date in proposing to the other four powers that the Council of Foreign Ministers to be set up in London be made the instrument for carrying out the pledge of the Moscow Declaration and the obligation assumed under Article 106 of the Charter.

b. At the first session of the Council of Foreign Ministers, the United States Secretary of State propose to the other four governments that the scope of this Council be expanded to include the functions of an "Interim Security Council."

c. Soon

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c. Soon after the actual establishment of the Security Council the matter be reviewed for the purpose of deciding whether future consultation under Article 106 should be through the Council of Foreign Ministers or through the representatives on the Security Council of the Five Powers.

d. A Military Group be set up to function as an "Interim Military Staff Committee", organized to perform all functions of the Military Staff Committee except matters relating to the special agreements provided for in Article 43 of the Charter.

e. The preparation of papers be undertaken at once representing U.S. views regarding implementation of a and d above.

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PROVISIONAL INITIAL PROGRAM OF WORK
FOR THE SECURITY COUNCIL

It is recommended that the following items, and only the following items, constitute the provisional initial program of work for the Security Council and that the United States Representative on the Preparatory Commission and on the Executive Committee thereof be so instructed. The United States Representative should be further instructed to endeavor to postpone discussions of, and in no case to make substantive comment on, items 4, 5 and 6 pending further instructions.

1. Adoption of rules of procedure, including methods of selecting a President.
2. The election of a President.
3. The nomination of a Secretary-General.
4. The organization of the Military Staff Committee.
5. Organization of staff and possible establishment of other subsidiary organs.
6. Directive to the Military Staff Committee to make recommendation regarding the preparation and negotiation of agreements for the provision of armed forces.

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PROGRAM OF WORK ON MILITARY AND SECURITY FUNCTIONS OF
THE UNITED NATIONS ORGANIZATION.

I. The estimated time schedule for establishment of the United Nations Organization is as follows:

1. Necessary ratifications will have been deposited by October 1, of this year.
2. The first meeting of the General Assembly will be held between November 1 and December 1 and that body should proceed immediately to elect the six non-permanent Members of the Security Council.
3. The Security Council should, therefore, be able to meet early in December at the latest.
4. The Military Staff Committee should be organized and able to function by January, 1946.

II. It is believed that the first program of work of the Security Council should be:

1. Adoption of rules of procedure, including methods of selecting a President.
2. The election of a President.
3. The nomination of a Secretary-General.
4. The organization of the Military Staff Committee.
5. The organization of staff and possible establishment of other subsidiary organs.

6. Directive

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6. Directive to the Military Staff Committee to make recommendations regarding the preparation and negotiation of agreements for the provision of armed forces.

III. With respect to items (1), (2), and (3) of II, it is recommended that the State Department prepare recommendations.

IV. With respect to item (4) of II, the following questions need to be answered:

1. What work should the Preparatory Commission and the Executive Committee do in this regard?
 - a. Should they themselves prepare recommendations or should that be left to the five permanent Members?
2. Should there be an informal exchange of views preparatory to the first meeting of the Security Council?
 - a. If the answer is "yes", then when we have thoroughly examined the subject from the United States point of view, it would be desirable to exchange views informally with the other four permanent Members, with a view to facilitating later agreement, after the Security Council and Military Staff Committee are set up.

3. If

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3. If U.S. position papers are needed, on what topics and by whom should they be prepared?

V. With reference to item (5) of II:

1. What provisions are to be made for servicing the Security Council with intelligence, military, economic, political?

a. What staff will be required?

b. What committees?

2. What other staff functions need to be provided for and by what means?

VI. With regard to item (6) of II, U.S. position papers will be required on at least the following topics:

1. Will military forces to be made available be defined by numbers or units of each arm, or on a percentage basis of the countries' military establishment--or on some other basis, perhaps a combination of these two systems?

2. Whatever the system, about what proportion of our military establishment will we be prepared to provide?

3. Will there be, and should there be, any restrictions as to the use of our contingents--political, geographical, etc.?

4. How about the time element, in providing forces?

5. How

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5. How meet the special provisions of the Charter as to readiness of air contingents?
6. Will facilities be provided on a specific or general basis, and on what basis will we choose them?
7. Will facilities be constantly available or only when called for in connection with enforcement action?
8. Will it be possible and if so, desirable, to stipulate in detail in the agreements what "assistance" will be furnished, or shall such commitments be in general terms?
9. What will be the place of the small nations in the general scheme?
10. What effect if any will recent new weapon developments have on the Charter's concept of enforcing security?

VII. In addition, the United States position needs to be formulated on the following:

1. Military and security matters arising out of peace settlements and the trusteeship system.
2. National (and international) bases.
3. Interim arrangements.

File
SWNCCSECRETSECRETMINUTES OF THE MEETING OF THE SUBCOMMITTEE
FOR MILITARY INFORMATION CONTROL

July 23, 1946

Present: Mr. Frederick Exton, MD, State, Chairman; Captain J. F. Walsh, Security Section, ONI, USN; Colonel Harry H. Mole, Chief, Information Control Branch, Security Group, ID WDGS; Lieutenant Colonel H. B. Houston, Counter Intelligence Branch, AAF; Lieutenant Colonel Edward H. Wynn, Research and Engineering Division, AAF; Mr. J. Howard Jones, Security Section, Division of Naval Intelligence, USN; Major Gordon T. Sowers, Research and Engineering Division, AAF; General James K. Crain, A-H, State; Mr. E. T. Cummins, S, State; Mr. John P. Gardiner, EUR, State; Mr. Charles D. Martin, MD, State; Mr. Joseph J. Moriarty, MD, State, Secretary.

Meeting Place: Room 45, Department of State.

FORMULATION OF NATIONAL POLICY WITH RESPECT TO FOREIGN TRADE IN
RELATION TO NATIONAL SECURITY (SWNCC 314/1)

An ad hoc committee has been appointed to study and report on SWNCC 314 and this committee and MIC are to coordinate their findings on this topic. General Crain is a member of the SWNCC ad hoc committee and states that body is working on a report of its findings. MIC is to consider the export control of technological information and invention and in this connection Colonel Mole submitted a redraft of SWNCC 305 for the consideration of MIC.

ORGANIZATION AND PROCEDURE OF SWNCC

Mr. Gardiner, a member of the Secretariat of SWNCC, was invited to the meeting to present the views of SWNCC in regard to forming closer liaison between the subcommittees and SWNCC. He requested members of MIC to make any suggestions they could which would improve the handling of SWNCC matters. The following suggestions were made by MIC members: (1) quarterly preparation of a bibliography of SWNCC papers which would include papers approved, papers rejected, and papers pending; (2) publication of the terms of reference for each subcommittee; (3) simplification of system whereby every agency numbers the paper according to its numbering system; (4) adoption of system whereby anyone obtaining a paper may ascertain its status. In regard to simplification of the numbering system, Colonel Mole suggested a list of cross references be made and Colonel Wynn suggested that various numbers be put in brackets following the number given the paper by a designated body. Regarding the fourth suggestion, Mr. Gardiner said SWNCC issues a slant paper to designate the approval of a paper but it was pointed out that it is not always possible to have together the paper and the slant paper denoting its status. It was suggested that the bibliography contain the

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status, however the same difficulty as is encountered with the slant papers would be encountered in this case. To the suggestion that secretaries in the various offices should be responsible for marking the status on the paper, Mr. Gardiner stated he believed SWNCC should have the responsibility of notifying the committees of the status of papers. Mr. Gardiner requested all suggestions be put in writing and forwarded to SWNCC for its consideration.

JOINT RESEARCH AND DEVELOPMENT BOARD

Mr. Exton read to members of MIC a memorandum dated July 11, 1946, concerning the organization of the new Joint Research and Development Board which has been formed to coordinate research and development between the Army and Navy. Accompanying the memorandum was a charter of the new organization. Discussion of the Board led to comments on guided missiles which will be covered in a following paragraph.

REQUEST BY AMTORG FOR LARGE QUANTITY OF RELEASES -

Mr. Exton presented to the Committee a redraft of a letter from Mr. John Green of the Publication Board of the Department of Commerce to AMTORG with regard to AMTORG's request for all the releases of the Board. This letter will be circulated for the information of members of MIC.

UNRESTRICTED DISSEMINATION OF SCIENTIFIC AND TECHNICAL DATA BY THE PUBLICATION BOARD (C-3)

Mr. Exton stated that General Crain has requested that MIC temporarily withhold any action in regard to this paper. Committee agreed to do so.

US REPRESENTATION ON LONDON CENTRAL COORDINATING COMMITTEE ON GUIDED AND PROPELLED MISSILES AND PROJECTILE.

As previously stated, comments on the Joint Research and Development Board led to a discussion of the question of guided missiles. Mr. Exton presented to the Committee a memorandum from SWNCC requesting advice as to when MIC's reply may be expected. Previously it had been suggested by the Joint New Weapons Committee that a split report be made by MIC if no decision could be reached among its members. The Navy and Ordnance are desirous of acceptance of the British invitation. The AAF is now willing to accept but raised the point that British would have to be accorded similar representation on the American committee dealing with guided missiles if they requested it. Should the United States accept the British offer, it is certain the British will ask for representation on the American committee and Colonel Wynn feels the AAF will object to future British representation on such a committee. The Committee felt that the question of whether the British

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should be invited to sit on the U.S. committee was no longer within the purview of MIC but should be handled by the new Joint Research and Development Board. This Board is headed by Dr. V. Bush and will attempt to coordinate the research policies of the Army and Navy. This Board will represent AAF, Navy and G-2. Its spokesman will speak for all three and will have access to all information and data of the three branches on the subject of guided missiles. Colonel Wynn stated AAF feels this board will handle information which will not be of concern to the British and they should therefore not have representation on this Board. It was suggested that a reply be sent the British to the effect that we will accept the British invitation and send a U.S. representative, but that nothing should be said about British representation. Captain Walsh urged further postponement of a reply until Secretary Forrestal and Admiral Inglee return from Great Britain with a survey of the situation in that country and this was agreed to. In connection with the problem, Colonel Wynn submitted for the information of the Committee a letter from General Crawford dated July 17, 1946 concerning United States-British relationship re exchange of military technical information. This letter points out the difficulty encountered in obtaining information from the British. Colonel Wynn also presented to the Committee a memorandum from Hq., AAF, dated July 19, 1946, signed by General Crawford and addressed to MIC re release of technical information to Canada. The letter and memo are to be circulated to members of the Committee. At the conclusion of the discussion, it was the consensus of members of the Committee that the United States should accept the British proposal.

BRITISH REQUEST FOR REPRESENTATION ON JOINT COMMUNICATIONS BOARD

Informal representations have been made to the Department that the expert who was sent over here to represent the British on the Joint Communications Board has not been invited to assist at the deliberations of the Board. It was brought out that the Board has no objection to the British representation, but that this Board is also being absorbed by the new Joint Research and Development Board and that manufacturers have been represented on the Communications Board and they have not desired having the British sitting in on the meetings and obtaining information valuable to the manufacturers. It was suggested that an express view of the Joint Development and Research Board be obtained in the matter.

CASES CONSIDERED

(Any Action taken by the Subcommittee is based solely on considerations of military security.)

- * (1) Request by Houdry Process Corporation for their representative to take certain reports to the Soviet Union in regard to the Houdry cracking units installed under Lend-Lease.

For the information of the Committee, Mr. Martin read a letter from the Army-Navy Petroleum Board stating it would not have sufficient time to determine the classification of the material requested but would reopen the case if requested by MIC. A request has been made that the case be reopened.

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- * (2) Bureau of Ordnance request for free exchange of information with Canadian Armaments Research and Developments Establishment on gun ammunition and rocket components in the propellant and ignition system categories. Case deferred pending arrival of reply from Colonel Mole.
- * (3) Request by Canadian Joint Staff for publication "Radio and Electrical Equipment for Naval Aircraft."
The Bureau of Aeronautics still maintains the position that the request should be denied because it contains information on the complete post-war development program for electronics. Other members of the Committee felt that the request cannot be denied in light of the 34th and 35th Recommendations which were instituted to facilitate engaging in combined research. Captain Walsh said the case had been referred to the Division of Electronics for its views and action on the case was deferred.
- * (4) Spanish request for certain specifications (devices for litter assemblies, etc.)
This request had previously been approved pending State Department consideration. Mr. Martin stated that the request is to be denied on political grounds. There was no objection.
- (5) Request for release of information, engineering and chemical advice and data, formulas, etc., on the manufacturing of silice gel by the Jungli Chemical Industries, Incorporated. (Ltr., Mason, Priestly and Burke, Madison, Wisc., July 15, 1946, Burke.)
Committee decided the information required pertains to a commercial product and therefore was not within the purview of MIC.
- (6) Request by Australian Air Mission re technical information on jet engines. (Memo, OCNO, July 18, 1946, Walsh.)
Committee approved refusal of this request on ground Australians were not technologically advanced in this field and did not have need of the information. M.I.T. is to be warned by the Navy against future unauthorized releases of information to visiting foreigners.
- (7) British Government request for Naval Research Laboratory 1947 Interim Program Study. (Memo, OCNO, July 18, 1946, Walsh.)
Certain projects in the program are still in the development stage and are not releasable from the standpoint of military security. Committee rejected request.
- (8) Request by Australian Government for information on N.O.T.S., Inyokern, Project Report (Memo, OCNO, July 17, 1946, Walsh.)
This project is still in the experimental stage and the Committee rejected the request on the grounds that the project should be completed and evaluation made before any information is released.

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- (9) French Air Mission request for publications pertaining to the aircraft industry. (Memo, Hq., AAF, Crawford.) Items "a" through "d" were approved for release by the Committee on recommendations from AAF and Bureau of Aeronautics. Objections to the release of items "e" and "f" were interposed by the Aircraft Industries Association of America, Incorporated, because these publications show relative standings of members of the Aircraft Industry and it is considered that it may have a direct influence on exports and contracts with foreign countries. Request for items "e" and "f" therefore was rejected.
- (10) Visit of Vanadium Corporation engineers to Norway, Sweden, England and France to study technical processes. (Ltr., ID WDGS, July 23, 1946, Mole.) War Department interposes no objection to release provided no information classified higher than Restricted is released and reports of information received having military significance are forwarded to that Department. Final action deferred at the request of Captain Welsh and Colonel Wynn.
- (11) Czech request for release of classified captured enemy technical intelligence. (Ltr., ID WDGS, July 23, 1946, Mole.) Previous requests for enemy technical intelligence have been denied except request from the United Kingdom where it aided in the exploitation of such intelligence. Colonel Mole stated G-2 has not had sufficient time to exploit the material to the fullest and have it declassified. Such information should be placed at the disposal of the United States Government, science and industry for exploitation. Colonel Wynn recommended that the following statement be regarded as a matter of policy in regard to these requests: It is recommended that a general policy be established by MIC that no classified captured enemy documents of a technical nature or classified information obtained therefrom be released to foreign countries with the exception of the United Kingdom. It was requested that a survey of SWNCC documents be made to determine that no conflict results from this statement. (See SWNCC 229/2).
- (12) British request for Army Service Forces Catalogue. (Ltr., ID WDGS, July 23, 1946, Mole.) Colonel Mole stated that G-2 is refusing to grant requests for catalogues and is insisting that specific requests for information be submitted instead. He suggested that a statement of policy to that effect might relieve the Committee of some of its work. A majority of the Committee felt that all refusals should be forwarded to MIC for final disposition rather than having MIC issue such a statement of policy. The British request was rejected.

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- (13) Colonel Mole presented a British request for information regarding wire communication equipment and development program. This is a post-war development program and the Signal Corps has interposed objections since the program is still in the experimental stage. Request rejected.
- (14) Colonel Mole reported that the French are seeking a reopening of the case in which their request for Battle Order of the United States Army had been turned down. Liaison Office in the War Department stated the information has been published in the newspapers and that this is an item of *quid pro quo*. Colonel Wynn expressed the view that information released to France would probably be forwarded to Russia. Colonel Mole requested that members reconsider the request and dispatch replies by courier to Mr. Exton for coordination with State Department policy.
- (15) A request by the British Supply Office to discuss jet propulsion and turbine engines was presented to the Committee by Captain Welsh. It was his opinion that release of the information would aid the Naval mission now in England. Members of the Committee felt the mission in England at present had sufficient material for bargaining. The British in their request desire to inspect Westinghouse Electric plants and it was agreed that the request was too broad in nature and allowed too much freedom for obtaining information at Westinghouse. The Committee suggested further consideration be given the request.

* For references please refer to previous minutes of MIC meetings.