

Membership of Principal Organs of the
United Nations



The General Assembly

The General Assembly consists of representatives of all states Members of the United Nations. As of December 31, 1946 these states were:

Afghanistan ¹	Lebanon
Argentina	Liberia
Australia	Luxembourg
Belgium	Mexico
Bolivia	Netherlands
Brazil	New Zealand
Byelorussian Soviet Socialist Republic	Nicaragua
Canada	Norway
Chile	Panama
China	Paraguay
Colombia	Peru
Costa Rica	Poland
Cuba	Republic of the Philippines
Czechoslovakia	Saudi Arabia
Denmark	Siam ²
Dominican Republic	Sweden ¹
Ecuador	Syria
Egypt	Turkey
El Salvador	Ukrainian Soviet Socialist Republic
Ethiopia	Union of South Africa
France	Union of Soviet Socialist Republics
Greece	United Kingdom of Great Britain and Northern Ireland
Guatemala	United States of America
Haiti	Uruguay
Honduras	Venezuela
Iceland ¹	Yugoslavia
India	
Iran	
Iraq	

¹ Admitted Nov. 19, 1946.

² Admitted Dec. 15, 1946.

The Security Council

PERMANENT MEMBERS:

China
France
Union of Soviet Socialist Republics
United Kingdom of Great Britain and Northern Ireland
United States

NON-PERMANENT MEMBERS:³*Term Expires December 31, 1948:*

Belgium
Colombia
Syria

Term Expires December 31, 1947:

Australia
Brazil
Poland

The Economic and Social Council⁴

TERM EXPIRES DECEMBER 31, 1949:

Byelorussian Soviet Socialist Republic
Lebanon⁵
New Zealand
Turkey
United States⁵
Venezuela

TERM EXPIRES DECEMBER 31, 1948:

Canada
Chile
China
France

³ Three non-permanent members are elected each year for terms of two years. At the first election of the non-permanent members Egypt, Mexico, and the Netherlands were elected for a special initial term of one year; their terms expired Dec. 31, 1946.

⁴ Six members are elected each year for a term of three years. At the first election the following states were elected for the special initial term of one year: Colombia, Greece, Lebanon, Ukrainian Soviet Socialist Republic, United States, and Yugoslavia.

⁵ Re-elected at Second Part of First Session of the General Assembly to normal term of three years.

Netherlands⁶

Peru

TERM EXPIRES DECEMBER 31, 1947:⁷

Cuba

Czechoslovakia

India

Norway

Union of Soviet Socialist Republics

United Kingdom of Great Britain and Northern Ireland

The Trusteeship Council

STATES ADMINISTERING TRUST TERRITORIES:

Australia

Belgium

France

New Zealand

United Kingdom

STATES NOT ADMINISTERING TRUST TERRITORIES:

Members by Virtue of Being Permanent Members of the Security Council:

China

Union of Soviet Socialist Republics

United States

Elected at Second Part of First Session of the General Assembly to Three-Year Term Expiring December 31, 1949:

Iraq

Mexico

⁶ Elected at Second Part of First Session of the General Assembly to unexpired term of Belgium, which resigned.

⁷ Elected at First Part of First Session of the General Assembly to the special initial term of two years.

*The International Court of Justice*⁸

TERM EXPIRES 1955:

M. Jules Basdevant (France)
H. E. Dr. José Gustavo Guerrero (El Salvador)
Sir Arnold Duncan McNair (United Kingdom)
Dr. Alejandro Alvarez (Chile)
Dr. José Philadelpho de Barros Azevedo (Brazil)

TERM EXPIRES 1952:

Lic. Isidro Fabela Alfaro (Mexico)
Dr. Helge Klaestad (Norway)
M. Charles de Visscher (Belgium)
Mr. Green Hackworth (United States of America)
Prof. Sergei Borisovich Krylov (Union of Soviet Socialist Republics)

TERM EXPIRES 1949:

Dr. Milovan Zoricic (Yugoslavia)
Mr. John E. Read (Canada)
Dr. Bogdan Winiarski (Poland)
H. E. Dr. Abdel Hamid Badawi Pasha (Egypt)
Dr. Hsu Mo (China)

⁸ Following election of the Judges, lots were drawn to determine the three-, six-, and nine-year terms of office of the members of the Court under art. 13 of the Statute of the Court. Future elections will be for the normal nine-year term of office.

PART II

Supplement

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DOCUMENTS

1. Major Resolutions Adopted at the Second Part of the First Session of the General Assembly



Principles Governing the General Regulation and Reduction of Armaments

[In this resolution the General Assembly recommends that the Security Council consider the formulation of practical measures for the general regulation and reduction of armaments and armed forces and that it expedite steps toward the prohibition of the major weapons of mass destruction and the control of atomic energy. The resolution includes certain accepted principles to be observed in the course of these activities. It also contains recommendations with respect to the withdrawal of armed forces stationed outside the territories of the nations under whose flags they are serving and with respect to the allocation of armed forces for security purposes under article 43 of the Charter. Action by the General Assembly on the problem of the regulation of armaments was originally suggested by the U. S. S. R., but the final resolution, which is based on a draft submitted by the United States, represents the work of a special subcommittee of 20 members including the United States. The General Assembly adopted the resolution by unanimous vote on December 14, 1946.]

1. In pursuance of Article 11 of the Charter and with a view to strengthening international peace and security in conformity with the Purposes and Principles of the United Nations,

THE GENERAL ASSEMBLY,

RECOGNIZES the necessity of an early general regulation and reduction of armaments and armed forces.

2. Accordingly,

THE GENERAL ASSEMBLY,

RECOMMENDS that the Security Council give prompt consideration to formulating the practical measures, according to their priority, which are essential to provide for the general regulation and reduction of armaments and armed forces and to assure that such regulation and reduction of armaments and armed forces will be generally observed by all participants and not unilaterally by only some of the participants.

The plans formulated by the Security Council shall be submitted by the Secretary-General to the Members of the United Nations for consideration at a special session of the General Assembly. The treaties or conventions approved by the General Assembly shall be submitted to the signatory States for ratification in accordance with Article 26 of the Charter.

3. As an essential step towards the urgent objective of prohibiting and eliminating from national armaments atomic and all other major weapons adaptable now and in the future to mass destruction, and the early establishment of international control of atomic energy and other modern scientific discoveries and technical developments to ensure their use only for peaceful purposes,

THE GENERAL ASSEMBLY,

URGES the expeditious fulfilment by the Atomic Energy Commission of its terms of reference as set forth in Section 5 of the General Assembly Resolution of 24 January 1946.

4. In order to ensure that the general prohibition, regulation and reduction of armaments are directed towards the major weapons of modern warfare and not merely towards the minor weapons,

THE GENERAL ASSEMBLY,

RECOMMENDS that the Security Council expedite consideration of the reports which the Atomic Energy Commission will make to the Security Council and that it facilitate the work of that Commission, and also that the Security Council expedite consideration of a draft convention or conventions for the creation of an international system of control and inspection, these conventions to include the prohibition of atomic and all other major weapons adaptable now and in the future to mass destruction and the control of atomic energy to the extent necessary to ensure its use only for peaceful purposes.

5. THE GENERAL ASSEMBLY,

FURTHER RECOGNIZES that essential to the general regulation and reduction of armaments and armed forces is the provision of practical and effective safeguards by way of inspection and other means to protect complying States against the hazards of violations and evasions. Accordingly,

THE GENERAL ASSEMBLY,

RECOMMENDS to the Security Council that it give prompt consideration to the working out of proposals to provide such practical and effective safeguards in connection with the control of atomic energy and the general regulation and reduction of armaments.

6. To ensure the adoption of measures for the early general regulation and reduction of armaments and armed forces, for the prohibition of the use of atomic energy for military purposes and the elimination from national armaments of atomic and all other major weapons adaptable now or in the future to mass destruction, and for the control of atomic energy to the extent necessary to ensure its use only for peaceful purposes,

THERE SHALL BE ESTABLISHED,

within the framework of the Security Council, which bears the primary responsibility for the maintenance of international peace and security, an international system, as mentioned in paragraph 4, operating through special organs, which organs shall derive their powers and status from the convention or conventions under which they are established.

7. THE GENERAL ASSEMBLY, regarding the problem of security as closely connected with that of disarmament,

RECOMMENDS the Security Council to accelerate as much as possible the placing at its disposal of the armed forces mentioned in Article 43 of the Charter;

IT RECOMMENDS the Members to undertake the progressive and balanced withdrawal, taking account of the needs of occupation, of their armed forces stationed in ex-enemy territories, and the withdrawal without delay of armed forces stationed in the territories of Members without their consent freely and publicly expressed in treaties or agreements consistent with the Charter and not contradicting international agreements;

IT FURTHER RECOMMENDS a corresponding reduction of national armed forces, and a general progressive and balanced reduction of national armed forces.

8. Nothing herein contained shall alter or limit the resolution of the General Assembly passed on 24 January 1946, creating the Atomic Energy Commission.

9. THE GENERAL ASSEMBLY,

CALLS upon all Members of the United Nations to render every possible assistance to the Security Council and the Atomic Energy Commission in order to promote the establishment and maintenance of international peace and collective security with the least diversion for armaments of the world's human and economic resources.

Voting Procedure in the Security Council

[This resolution requests the permanent members of the Security Council to seek to insure that the use of their special voting privileges does not impede the Council in reaching decisions promptly, and recommends that the Security Council adopt practices and procedures which will assist in this endeavor. Both Australia and Cuba placed this problem on the agenda of the General Assembly, and the resolution adopted is a modified version of an Australian proposal. The Assembly approved the resolution on December 13, 1946, by 36 votes against 6, with 9 abstentions. The United States voted in the affirmative.]

THE GENERAL ASSEMBLY,

MINDFUL of the purposes and principles of the Charter of the United Nations, and having taken notice of the divergencies which have arisen in regard to the application and interpretation of Article 27 of the Charter;

EARNESTLY REQUESTS the permanent members of the Security Council to make every effort, in consultation with one another and with fellow members of the Security Council, to ensure that the use of the special voting privilege of its permanent members does not impede the Security Council in reaching decisions promptly;

RECOMMENDS to the Security Council the early adoption of practices and procedures, consistent with the Charter, to assist in reducing the difficulties in the application of Article 27 and to ensure the prompt and effective exercise by the Security Council of its functions; and

FURTHER RECOMMENDS that, in developing such practices and procedures, the Security Council take into consideration the views expressed by Members of the United Nations during the second part of the first session of the General Assembly.

Relations Between Spain and the United Nations

[In this resolution the General Assembly recommends that the Franco Government be barred from membership in international agencies established by or brought into relationship with the United Nations, and that Members recall their ambassadors and ministers plenipotentiary from Madrid. The United States abstained in the vote on one paragraph in the resolution suggesting that the Security Council consider measures to be taken to remedy the Spanish situation if a democratic Spanish Government is not established within a reasonable time. This paragraph was approved by a vote of 29 to 8, with 11 abstentions. The resolution as a whole was adopted on December 12, 1946, 34 to 6, with 13 abstentions, the United States voting for the resolution.]

The peoples of the United Nations, at San Francisco, Potsdam and London condemned the Franco regime in Spain and decided that as long as that regime remains, Spain may not be admitted to the United Nations.

The General Assembly, in its resolution of 9 February 1946, recommended that the Members of the United Nations should act in accordance with the letter and the spirit of the declarations of San Francisco and Potsdam.

The peoples of the United Nations assure the Spanish people of their enduring sympathy and of the cordial welcome awaiting them when circumstances enable them to be admitted to the United Nations.

The General Assembly recalls that in May and June 1946, the Security Council conducted an investigation of the possible further action to be taken by the United Nations. The Sub-Committee of the Security Council charged with the investigation found unanimously:

“(a) In origin, nature, structure and general conduct, the Franco regime is a Fascist regime patterned on, and established largely as a result of aid received from Hitler’s Nazi Germany and Mussolini’s Fascist Italy.

“(b) During the long struggle of the United Nations against Hitler and Mussolini, Franco, despite continued Allied protests, gave very substantial aid to the enemy Powers. First, for example, from 1941 to 1945, the Blue Infantry Division, the Spanish Legion of Volunteers and the Salvador Air Squadron fought against Soviet Russia on the Eastern front. Second, in the summer of 1940, Spain seized Tangier in breach of international statute, and as a result of Spain maintaining a large army in Spanish Morocco large numbers of Allied troops were immobilized in North Africa.

“(c) Incontrovertible documentary evidence establishes that Franco was a guilty party with Hitler and Mussolini in the conspiracy to wage war against those countries which eventually in the course of the world war became banded together as the United Nations. It was part of the conspiracy that Franco’s full belligerency should be postponed until a time to be mutually agreed upon.”

THE GENERAL ASSEMBLY,

CONVINCED that the Franco Fascist Government of Spain, which was imposed by force upon the Spanish people with the aid of the Axis Powers and which gave material assistance to the Axis Powers in the war, does not represent the Spanish people, and by its continued control of Spain is making impossible the participation of the Spanish people with the peoples of the United Nations in international affairs;

RECOMMENDS that the Franco Government of Spain be debarred from membership in international agencies established by or brought

into relationship with the United Nations, and from participation in conference or other activities which may be arranged by the United Nations or by these agencies, until a new and acceptable government is formed in Spain.

FURTHER DESIRING to secure the participation of all peace-loving peoples, including the people of Spain, in the community of nations,

RECOMMENDS that if, within a reasonable time, there is not established a government which derives its authority from the consent of the governed, committed to respect freedom of speech, religion and assembly and to the prompt holding of an election in which the Spanish people, free from force and intimidation and regardless of party, may express their will, the Security Council consider the adequate measures to be taken in order to remedy the situation;

RECOMMENDS that all Members of the United Nations immediately recall from Madrid their ambassadors and ministers plenipotentiary accredited there.

THE GENERAL ASSEMBLY FURTHER RECOMMENDS that the States Members of the Organization report to the Secretary-General and to the next session of the Assembly what action they have taken in accordance with this recommendation.

Treatment of Indians in the Union of South Africa

[This resolution requests the Government of India and the Government of the Union of South Africa to report at the next session of the General Assembly the measures adopted to assure that the treatment of Indians in the Union of South Africa is in conformity with the international obligations under the agreements concluded between the two Governments and with the Charter. The resolution was adopted by the General Assembly on December 8, 1946 by a vote of 32 to 15, with 7 abstentions. The United States voted in the negative, favoring instead a proposal to refer the question whether any international obligations were involved to the International Court of Justice for an advisory opinion. An amendment to this effect failed to receive the necessary majority in the General Assembly.]

THE GENERAL ASSEMBLY,

HAVING taken note of the application made by the Government of India regarding the treatment of Indians in the Union of South Africa, and having considered the matter:

1. STATES that, because of that treatment, friendly relations between the two Member States have been impaired, and unless a satis-

factory settlement is reached, these relations are likely to be further impaired;

2. IS OF THE OPINION that the treatment of Indians in the Union should be in conformity with the international obligations under the agreements concluded between the two Governments and the relevant provisions of the Charter;

3. THEREFORE REQUESTS the two Governments to report at the next session of the General Assembly the measures adopted to this effect.

World Shortage of Cereals and Other Foodstuffs

[This resolution requests the Members to take certain steps to alleviate world food shortages in 1947 and to facilitate the equitable allocation and prompt distribution of available food supplies. The General Assembly unanimously approved the resolution on December 11, 1946.]

At its thirty-third plenary meeting on 14 February 1946, the General Assembly adopted a resolution urging action both directly by Governments and through the international organizations concerned, to alleviate the anticipated serious shortage of bread-grains and rice.

The General Assembly has learned with satisfaction of the extent to which the position in 1946 was improved, particularly with respect to bread-grains, by the common effort of the United Nations, thus saving millions of lives during the critical months before the 1946 harvest.

The General Assembly recognizes, however, that the food situation is still unsatisfactory. A number of countries have not yet overcome the devastating results of the enemy occupation to which they were subjected and are obliged on this account to continue emergency imports of grains, fats and other foodstuffs. A severe shortage of these foodstuffs exists in many European countries, even in some of those which before the war were themselves exporters. In a number of countries of Asia the shortage of cereals and other foodstuffs has led to undernourishment and even famine, resulting in heavy loss of human lives, as in the case of India and China. There is also a widespread shortage of livestock.

The General Assembly notes, moreover, that in 1945 and 1946 some countries of Europe and Asia were affected by drought and bad harvest, resulting in still further deterioration of their food situation. Some countries which were not under enemy occupation have even introduced bread rationing for the first time, for instance, the United Kingdom. In addition, some countries of Latin America are experiencing food shortages and are obliged to import grain.

The General Assembly has learned with concern that expected supplies of bread-grains, rice, fats and oils, dairy products, meat and sugar appear to be substantially inadequate to meet minimum requirements for human consumption in 1947. Many countries, especially those which have suffered from enemy occupation and those which do not produce sufficient foodstuffs to meet their own requirements, need agricultural supplies such as machinery, implements, fertilizers, pesticides and seeds.

In addition, international payment difficulties on the part of certain importing countries, as well as transport and other difficulties, threaten to prevent the utilization of such food supplies as may be available. At the same time, there is a tendency in some countries to reduce the areas under cultivation of cereals and other foodstuffs, which may cause unwarranted price increases and still further aggravate the food situation. Inflationary prices, and other price factors, in many cases constitute another obstacle to the production and distribution of food supplies to those in need.

THEREFORE

THE GENERAL ASSEMBLY

URGES the Governments and international agencies concerned to adopt or continue measures designed to overcome the deficit during 1947 in bread-grains, rice, fats and oils, dairy products, meat and sugar and to achieve the equitable allocation and prompt distribution of the available supplies free from political considerations, and in particular

RECOMMENDS

1. Food producing countries to take all practicable steps
 - (a) to increase the output and collection of foodstuffs to the maximum extent;
 - (b) to prevent reduction and encourage an increase of areas under grain cultivation;
 - (c) to improve transportation facilities for cereals and other foodstuffs;
 - (d) to increase exports to countries suffering from a shortage of foodstuffs;
 - (e) to continue and strengthen international efforts and machinery with a view to utilizing exportable food supplies with due consideration for the urgency of the food requirements in the needy countries;
 - (f) to take measures against any unwarranted increase in the price of grain and other foodstuffs, especially such as would be detrimental to the interests of consumers and would mainly favor speculative interests without resulting in any real advantages to the farming population.

2. Countries which are largely industrial and produce transportation equipment, agricultural implements, machinery, spare parts and supplies for the construction of workshops for manufacturing and repairing the essential categories of such materials, or which produce fertilizers, pesticides, seeds, and animal feeding stuffs, to take all appropriate and practicable measures for expanding production, increasing export, and facilitating transportation of such supplies to countries in urgent need of them, and for facilitating the construction in these countries of small factories and workshops for the manufacture and repair of the most essential agricultural machines, implements and spare parts, for increasing food production.

3. All countries to carry out as far as practicable appropriate and necessary measures to regulate consumption, including the maintenance of high extraction rates, the dilution of flour, restrictions on usage of bread-grains for beverages and other non-essential purposes, and restrictions on the feeding of bread-grains to animals.

4. Governments and international agencies concerned to continue and expand publication of the fullest possible information on supplies and requirements of foodstuffs and materials mentioned in paragraphs 1 and 2 above and on action taken to carry out the recommendations contained in this resolution in order that future action may be guided by full knowledge of the relevant facts.

5. That attention continue to be given to the need for measures necessary to enable importing countries to overcome international payment difficulties in order that the above recommendations may be rendered effective in improving the food situation.

Relief Needs After the Termination of UNRRA

[In this resolution the General Assembly recognizes that certain countries will continue to require assistance in 1947 to provide for imports of food and other basic essentials; establishes a special Technical Committee composed of financial and foreign trade experts to determine by January 15, 1947 the amount of financial assistance required for relief purposes in 1947, and calls upon Members of the United Nations to assist in the furnishing of relief when and where needed during the year. The resolution was unanimously adopted by the General Assembly on December 11, 1946.]

THE GENERAL ASSEMBLY,

TAKING NOTE of the UNRRA Council Resolution (No. 100) of 16 August 1946, and of the related resolution adopted by the Economic and Social Council of 3 October 1946;

RECOGNIZING that certain countries will need financial assistance in 1947 to provide for imports of food and other basic essentials of life;

TAKING NOTE that this need for assistance may not, in all cases, be entirely met by international institutions and other public and private agencies available for this purpose;

RECOGNIZING that, in some countries, if such assistance is not provided, there will be hunger, privation and suffering during the winter, spring and early summer of next year;

TAKING NOTE of the urgent necessity of meeting this residual relief need promptly, and of the expressed willingness of Members of the United Nations to do their part in attaining this end;

RECOGNIZING the desirability of meeting this need without wasteful duplication of effort;

CONSIDERING that one of the purposes of the United Nations is to be a center for harmonizing the actions of nations in the attainment of their common ends, including international cooperation in solving international problems of an economic and humanitarian character;

REAFFIRMING the principle that at no time should relief supplies be used as a political weapon, and that no discrimination should be made in the distribution of relief supplies because of race, creed, or political beliefs;

1. ESTABLISHES a Special Technical Committee whose functions shall be:

(a) to study the minimum import requirements of the basic essentials of life, particularly food and supplies for agricultural production of countries which the Committee believes might require assistance in the prevention of suffering or of economic retrogression which threatens the supply of these basic essentials;

(b) to survey the means available to each country concerned to finance such imports;

(c) to report concerning the amount of financial assistance which it believes may be required in the light of (a) and (b) above.

2. DECIDES that the Committee shall consist of 10 experts in the field of finance and foreign trade to be designated by the Governments of Argentina, Brazil, Canada, China, Denmark, France, Poland, United Kingdom, United States of America, and Union of Soviet Socialist Republics to serve in their individual capacities and not as representatives of the Governments by which they are designated; and urges each Government to select a person of outstanding competence to serve on the Committee.

3. DIRECTS the Secretary-General to transmit to the Committee the information called for in the third paragraph of the above-mentioned resolution of the Economic and Social Council.

4. DIRECTS the Committee to submit its report to the Secretary-General for submission to Member Governments as soon as possible, but in any event not later than 15 January 1947.

5. CALLS UPON all Members of the United Nations to assist in the furnishing of relief when needed and where needed during the ensuing year, by developing their respective programs with the greatest possible speed and, in appropriate cases, by extending special credit facilities to the needy countries.

6. RECOMMENDS that all Members of the United Nations keep the Secretary-General informed concerning their plans for assisting in meeting relief needs in 1947, and concerning the progress of their relief activities in this respect.

7. DIRECTS the Secretary-General

(a) to make available to all Members of the United Nations the information received pursuant to paragraph 6 above, in order that this information, together with that transmitted pursuant to paragraph 4 above, may be used by the Members of the United Nations to facilitate the coordination, without wasteful duplication of effort, of their respective relief programs and activities;

(b) to facilitate informal consultation among Governments concerning their relief plans and programs; and to arrange for such consultation among Governments whenever, in his opinion, the purpose of this resolution would be promoted thereby;

(c) to furnish, within the limitations of available staff and funds, such technical assistance in respect of the 1947 relief programs as Governments may request.

8. (a) DIRECTS the Secretary-General to consider the ways and means of collecting and utilizing contributions, from persons, organizations and peoples all over the world, equivalent to the earnings of one day's work, for the purpose of helping to meet relief needs during 1947; and to report on the results of such consideration to Member Governments and to the Economic and Social Council at the earliest possible date;

(b) REQUESTS the Economic and Social Council to study the report made by the Secretary-General and to take whatever action it may deem appropriate in regard to this matter.

9. DIRECTS the Secretary-General to report at each session of the Economic and Social Council on the activities being carried out under this Resolution.

Economic Reconstruction of Devastated Areas

[In this resolution the General Assembly expresses its approval of the action of the Economic and Social Council in connection with the survey of the economic reconstruction of devastated areas in Asia and the Far East, urges the Members to take all possible steps which may lead to the early solution of the problems of economic reconstruction of devastated areas, and requests further study of the problems involved by the Economic and Social Council and its Commissions. The resolution was unanimously adopted by the General Assembly on December 11, 1946.]

THE GENERAL ASSEMBLY,

TAKING NOTE of the Preliminary Report of the Temporary Sub-Commission on Economic Reconstruction of Devastated Areas (document A/147), and of the relevant resolution of the Economic and Social Council of 3 October 1946 (document A/126), and recognizing the urgent need for international cooperation in the reconstruction of devastated areas:

1. APPROVES the General Resolution of the Economic and Social Council, the resolution on Survey of the Economic Reconstruction of Devastated Areas in Asia and the Far East, and the resolution for continuing the work of the Sub-Commission on Devastated Areas in Europe (document E/245);
2. URGES the Members of the United Nations, the Economic and Social Council, and the specialized agencies and intergovernmental organizations concerned, to take all possible steps, within their respective fields of activity, which may lead to the early solution of the problems of economic reconstruction of devastated areas;
3. DIRECTS the Secretary-General to transmit to the International Bank for Reconstruction and Development the opinion of the General Assembly that, if the economic reconstruction of devastated areas is not to be unduly delayed, the International Bank should come into full effective operation at the earliest possible date so that, in accordance with the special functions laid down for the Bank in its articles of Agreement, it may be able, early in 1947, to make the fullest possible contribution toward the needs of economic reconstruction;
4. RECOMMENDS that the Economic and Social Council and its Commissions consider undertaking as soon as possible, in cooperation with the specialized agencies concerned, a general survey of raw material resources needed for the economic reconstruction of devastated areas, with a view to recommending the adoption of the necessary measures to increase and promote production and to facilitate

transportation of those materials from the producing areas to the devastated areas;

5. **FURTHER RECOMMENDS** that, in order to give effective aid to the countries devastated by war, the Economic and Social Council at its next session give prompt and favorable consideration to the establishment of an economic commission for Europe and an economic commission for Asia and the Far East.

*Consultative Arrangements of the Economic and
Social Council With Non-Governmental
Organizations*

[The first of the two resolutions on this subject recommends that the Economic and Social Council give to the World Federation of Trade Unions the same rights as specialized agencies to submit to the Council items for inclusion in its provisional agenda. This proposal was adopted on December 15, 1946, 25 to 22, with 6 abstentions, the United States voting against this resolution. The second resolution provides that all non-governmental organizations in the same category as the WFTU should receive equal treatment in respect of consultative arrangements with the Council. It was adopted on December 15, 1946, 34 to 11, with 8 abstentions. The United States voted for this resolution.]

I. REQUEST OF THE WORLD FEDERATION OF TRADE UNIONS

THE GENERAL ASSEMBLY,

HAVING CONSIDERED the request of the World Federation of Trade Unions, dated 12 November 1946, for the establishment of a closer connection with the Economic and Social Council, and taking into account the decision of the Council of 21 June 1946 "that most close consultative connection should be established with the World Federation of Trade Unions";

RECOMMENDS to the Economic and Social Council that it give to the World Federation of Trade Unions the right to submit to the Economic and Social Council questions for insertion in the provisional agenda, in accordance with the procedure now applicable to specialized agencies.

II. CONSULTATIVE ARRANGEMENTS WITH NON-GOVERNMENTAL ORGANIZATIONS

THE GENERAL ASSEMBLY,

HAVING CONSIDERED the report of the Economic and Social Council (document A/125) concerning arrangements for consultation with non-governmental organizations,

TAKES NOTE of the action of the Council to place certain non-governmental organizations in category (a);

EXPRESSES agreement with the general principle that all non-governmental organizations in category (a) should receive equal treatment in respect of consultative arrangements with the Council.

Agreements With Specialized Agencies

[In this resolution the General Assembly gives its approval to the agreements bringing the International Labor Organization, the Food and Agriculture Organization of the United Nations, the International Civil Aviation Organization, and the United Nations Educational, Scientific and Cultural Organization into relation with the United Nations. The Economic and Social Council is requested to follow carefully the progress of collaboration under the agreements and to report to the Assembly within three years so that the Council and the General Assembly may, if necessary, and after consultation with the specialized agencies, formulate suitable proposals to improve such cooperation. The resolution was adopted on December 14, 1946 by a vote of 44 in favor, including the United States, with 5 abstentions.]

THE GENERAL ASSEMBLY,

WHEREAS Agreements entered into by the Economic and Social Council with certain specialized agencies are now before the General Assembly for approval,

RESOLVES to approve the Agreements with the International Labor Organization, the United Nations Educational, Scientific and Cultural Organization, the Food and Agriculture Organization of the United Nations and the International Civil Aviation Organization, provided that, in the case of the Agreement with the International Civil Aviation Organization, that Organization complies with any decision of the General Assembly regarding Franco Spain;

FURTHERMORE, considering it essential that the policies and activities of the specialized agencies and of the organs of the United Nations should be coordinated,

REQUESTS the Economic and Social Council to follow carefully the progress of such collaboration;

INSTRUCTS the Economic and Social Council to report on this question to the General Assembly within the space of three years so as to keep the Assembly informed and in order that the Council and the General Assembly may, if necessary, and after consultation with the said agencies, formulate suitable proposals for improving such collaboration.

*Transfer to the United Nations of Powers Exercised
by the League of Nations Under the Interna-
tional Agreements, Conventions, and
Protocols on Narcotic Drugs*

[This resolution transfers to the United Nations and its Commission on Narcotics, under the direction of the Economic and Social Council, the powers exercised by the League of Nations under the various international agreements on narcotic drugs and thus continues the international system of narcotics control. A draft protocol formalizing this transfer was presented for signature during the General Assembly session and signed by the United States on December 11, 1946, subject to ratification. The resolution was adopted unanimously on November 19, 1946.]

THE GENERAL ASSEMBLY,

Desirous of continuing and developing the international control of narcotic drugs,

APPROVES the Protocol which accompanies this Resolution;

URGES that it shall be signed without delay by all the states who are Parties to the Agreements, Conventions and Protocols mentioned in the Annex, and

RECOMMENDS that, pending the entry into force of the aforesaid Protocol, effect be given to its provisions by the Parties to any of these Agreements, Conventions and Protocols.

INSTRUCTS the Secretary-General to perform the functions conferred upon him by the Protocol, signed on December 11, 1946, amending the International Agreements, Conventions and Protocols relating to narcotic drugs which were concluded in the years 1912, 1925, 1931 and 1936.

DIRECTS the Economic and Social Council and the Secretary-General in view of the General Assembly's Resolution on the Relations of Members of the United Nations with Spain, adopted on 9 February 1946, to suspend all action under this Protocol and the above-mentioned Agreements, Conventions and Protocols with respect to the Franco Government in Spain so long as this Government is in power.

Refugees and Displaced Persons

[In the first of the two resolutions on this subject, the General Assembly approved the Constitution of the International Refugee Organization and the accompanying interim arrangement and urged Members of the United Nations to sign and accept them. The second resolution recom-

mends certain measures to be taken pending the establishment of the Organization. The two resolutions were approved by the General Assembly December 15, 1946 by a vote of 30 to 5, with 18 abstentions. The United States voted in the affirmative. The United States signed the Constitution and interim arrangement on December 16, 1946, subject to ratification.]

I. DRAFT CONSTITUTION AND INTERIM ARRANGEMENTS
PENDING THE ESTABLISHMENT OF THE INTERNATIONAL
REFUGEE ORGANIZATION

THE GENERAL ASSEMBLY,

NOTING that action has been taken pursuant to the resolution concerning refugees and displaced persons adopted by the General Assembly on 12 February 1946, as follows:

(a) the establishment by the Economic and Social Council of a Special Committee on Refugees and Displaced Persons under a resolution of the Council of 16 February 1946;

(b) the making of a report by the Special Committee to the second session of the Council;

(c) the adoption of a draft Constitution for an International Refugee Organization and the creation of a Committee on the Finances of the International Refugee Organization by the Council under a resolution of the Council of 21 June 1946;

(d) the circulation to Members of the United Nations for their comments of the draft Constitution and the report of the Committee on Finances;

(e) the final approval by the Council of the Constitution, and of a provisional budget for the first financial year, the adoption by the Council of an Arrangement for a Preparatory Commission, and the transmittal of both these instruments to the General Assembly, under resolution of the Council of 3 October 1946;

HAVING CONSIDERED the Constitution of the International Refugee Organization and the Arrangement for a Preparatory Commission as approved by the Economic and Social Council;

CONSIDERING that every effort should be made to provide for the early establishment of the International Refugee Organization and the provision of measures during the interim period designed to facilitate such establishment;

THEREFORE,

(a) APPROVES the Constitution of the International Refugee Organization and the Arrangement for a Preparatory Commission as annexed hereto;

(b) REQUESTS the Secretary-General to open these two instruments for signature and, in the case of the Constitution, to open it for signature either with or without reservation as to subsequent acceptance;

(c) URGES Members of the United Nations to sign these two instruments and, where constitutional procedures permit, to sign the Constitution without reservation as to subsequent acceptance;

(d) AUTHORIZES the Secretary-General to make such staff available to the Preparatory Commission as may be deemed necessary and desirable;

(e) URGES Members of the United Nations to give the most favorable consideration to receiving each into its territory at the earliest possible time, so far as may be practicable for permanent resettlement, its fair share of the non-repatriable persons who are the concern of the International Refugee Organization and this in conformity with the principles of the Organization.

II. ARRANGEMENTS AND MEASURES TO BE TAKEN IN THE FIELD OF REFUGEES AND DISPLACED PERSONS ACTIVITIES OF THE UNITED NATIONS PENDING THE ESTABLISHMENT OF THE INTERNATIONAL REFUGEE ORGANIZATION

THE GENERAL ASSEMBLY,

WHEREAS

The resolution of the General Assembly of 12 February 1946 stipulates as the main task the early return of displaced persons to their homes,

The Constitution of the International Refugee Organization reaffirms this principle applying it to all persons coming under the care of the Organization,

The resolution of the General Assembly of 13 February 1946 on war criminals, Quislings and traitors recommends the arrest and handing over of such persons to countries where they have committed their crimes,

The Special Committee on Refugees and Displaced Persons in its report found that "the presence of war criminals, Quislings and traitors among refugees and displaced persons in their countries of present sojourn represents an obstacle to the free and unhampered exercise on the part of those persons of their right of option between returning and not returning to their countries of origin in full knowledge and appreciation of all relevant facts",

The removal of any impediment to an early return of refugees and displaced persons to their homes and families and the handing over for trial of war criminals, Quislings and traitors is not only desirable, but is an urgent task and obligation requiring close cooperation of all authorities concerned;

RECOMMENDS to all Governments concerned that they take urgent and adequate measures to effect a careful screening of all displaced persons, refugees, prisoners of war and persons of similar status, with a view to identifying all war criminals, Quislings and traitors; and, in such screening, give high priority to all persons or groups of persons who use duress or incite other persons to the use of duress towards refugees, displaced persons, prisoners of war and persons of similar status, with the aim:

(a) of preventing them from expressing the desire to return to their country of nationality or formal habitual residence; or

(b) of raising obstacles in any form to written or oral contact with duly accredited representatives of the Government of the country of their nationality or former habitual residence.

Transfer to the United Nations of the Advisory Social Welfare Functions of UNRRA

[This resolution authorizes the Secretary-General, in consultation with the Economic and Social Council, to make provision for continuing important UNRRA advisory functions in the field of social welfare and to report on the measures taken to the Social Commission which, in turn, is requested to formulate recommendations for continued action in this field. The General Assembly adopted this resolution unanimously on December 14, 1946.]

WHEREAS Article 66 of the Charter of United Nations provides:

1. The Economic and Social Council shall perform such functions as fall within its competence in connection with the carrying out of the recommendations of the General Assembly;

2. It may, with the approval of the General Assembly, perform services at the request of Members of the United Nations and at the request of specialized agencies;

3. It shall perform such other functions as are specified elsewhere in the present Charter or as may be assigned to it by the General Assembly;

WHEREAS the Economic and Social Council, on 30 September 1946, recommended the transfer to the United Nations of certain urgent and important advisory functions in the field of social welfare carried on by UNRRA, special consideration being given to the needs of children.

WHEREAS THE GENERAL ASSEMBLY, after examining the report and the recommendations presented by the Secretary-General in document

A/132, recognizes the necessity of transferring to the United Nations the urgent and important advisory functions in the field of social welfare carried on by UNRRA.

THEREFORE THE GENERAL ASSEMBLY,

A. AUTHORIZES the Secretary-General:

1. In consultation with the Economic and Social Council, to make provision, with the cooperation of the specialized agencies where appropriate, for the continuance of the urgent and important advisory functions in the field of social welfare carried on by UNRRA; and for this purpose:

2. To include in the budget of the United Nations for 1947 the funds necessary for the assumption of the following functions, all of which are necessary for the accomplishment of an effective program:

(a) for a requisite number of social welfare experts to provide, on the request of Governments which show the need for them, such advisory services and to put into practice over an appropriate period new technical methods in any branch of social welfare;

(b) for enabling a requisite number of (suitably qualified) social welfare officials to observe, and familiarize themselves with the experience of other countries administering social welfare programs;

(c) for providing advice, demonstration and instruction in connection with the manufacture of prosthetic appliances and the vocational training of physically handicapped persons and for furnishing the necessary demonstration equipment and tools;

(d) for the furnishing to the Member countries which have been devastated during the war of technical publications helpful in the training of social welfare workers.

The furnishing of the experts shall be undertaken by the Secretary-General in agreement with the Governments concerned, and the selection of grant-holders shall be made by the Secretary-General on the basis of proposals received from Governments. The amount of service to be furnished to the various Governments shall be decided by the Secretary-General, and shall be reviewed by the Social Commission at its next session. The kind of service mentioned under (a), (b), (c) and (d) to be rendered to each country shall be decided by the Government concerned.

B. REQUESTS the Secretary-General to report to the Social Commission on the measures which he takes in compliance with the terms of the present resolution, and requests the Commission during its first session to formulate recommendations concerning the continued action required to carry on the essential advisory activities of UNRRA in the field of social welfare.

International Children's Emergency Fund

{This resolution establishes an International Children's Emergency Fund to be administered for the benefit of children of countries which were victims of aggression and of countries receiving assistance from UNRRA, and for child health purposes generally. It was unanimously adopted by the General Assembly on December 11, 1946.}

I. THE GENERAL ASSEMBLY,

HAVING given consideration to the resolution adopted by the Economic and Social Council at its third session recommending the creation of an International Children's Emergency Fund to be utilized for the benefit of children and adolescents of countries which were the victims of aggression, and recognizing the desirability of establishing such a Fund in accordance with Article 55 of the Charter of the United Nations;

THEREFORE DECIDES:

1. There is hereby created an International Children's Emergency Fund to be utilized and administered, to the extent of its available resources:

(a) for the benefit of children and adolescents of countries which were victims of aggression and in order to assist in their rehabilitation;

(b) for the benefit of children and adolescents of countries at present receiving assistance from the United Nations Relief and Rehabilitation Administration;

(c) for child health purposes generally, giving high priority to the children of countries victims of aggression.

2. (a) The Fund shall consist of any assets made available by UNRRA or any voluntary contributions made available by Governments, voluntary agencies, individual or other sources. It shall be authorized to receive funds, contributions or other assistance from any of the foregoing sources; to make expenditures and to finance or arrange for the provision of supplies, material, services and technical assistance for the furtherance of the foregoing purposes; to facilitate and coordinate activities relating thereto; and generally to acquire, hold or transfer property, and to take any other legal action necessary or useful in the performance of its objects and purposes;

(b) The Fund, in agreement with the Governments concerned, shall take such measures as are deemed appropriate to ensure the proper utilization and distribution of supplies or other assistance which it provides. Supplies or other assistance shall be made available to

Governments upon approval by the Fund of the plans of operation drawn up by the Governments concerned. Provision shall be made for:

- (i) the submission to the Fund of such reports on the use of supplies and other assistance as the Fund may from time to time require;
- (ii) equitable and efficient dispensation or distribution of all supplies or other assistance, on the basis of need, without discrimination because of race, creed, nationality status or political belief.

(c) The Fund shall not engage in activity in any country except in consultation with, and with the consent of, the Government concerned;

(d) The Fund shall appeal to all voluntary relief agencies to continue and intensify their activities and shall take the necessary measures in order to cooperate with these agencies.

3. (a) The Fund shall be administered by an Executive Director under policies, including the determination of programs and allocation of funds, established by an Executive Board in accordance with such principles as may be laid down by the Economic and Social Council and its Social Commission;

(b) The Secretary-General of the United Nations shall appoint the Executive Director, in consultation with the Executive Board;

(c) The Executive Board shall be composed of representatives of the following Governments:

Argentina	Netherlands
Australia	New Zealand
Brazil	Norway
Byelorussian Soviet Socialist Republic	Peru
Canada	Poland
China	Sweden
Colombia	Ukrainian Soviet Socialist Republic
Czechoslovakia	Union of South Africa
Denmark	Union of Soviet Socialist Republics
Ecuador	United Kingdom
France	United States
Greece	Yugoslavia
Iraq	

The Economic and Social Council, on the recommendation of the Executive Board, may designate other Governments as members of the Board. Membership may be changed by the General Assembly,

on the recommendation of the Economic and Social Council, at any time after the first three years of the Fund's existence. The Board may, as occasions arise, invite representatives of specialized agencies for consultation on matters within their competence;

(d) The Board may designate from among its members such committees as it deems advisable in the interest of effective administration. The Board shall elect its own Chairman and its Vice-Chairman, and shall meet whenever convened by the Chairman, or upon the request of any three of its members. The first meeting of the Board shall be convened by the Secretary-General of the United Nations, at the earliest date feasible after the adoption of this resolution. Each member of the Board shall have one vote. A majority of the Board shall constitute a quorum and it shall vote by a majority of the members present and voting. Subject to the foregoing, the Board may establish its own rules of procedure.

4. (a) Staff and facilities required for the administration of the Fund shall be provided to the Board by the Secretary-General. The Fund may also utilize such staff, equipment and records as may be made available by the United Nations Relief and Rehabilitation Administration during the period of its existence;

(b) The United Nations shall make no charge to the Fund on account of staff and facilities, so long as these can be provided from the established services of the Secretariat and within the limits of the United Nations budget. If additional funds are necessary, money for such purposes shall be provided by the Fund;

(c) To the maximum extent feasible, the utilization of the staff and technical assistance of specialized agencies, in particular the World Health Organization or its Interim Commission, shall be requested, with a view to reducing to a minimum the separate personnel requirements of the Fund.

5. The Secretary-General shall not pay from the funds received to finance the United Nations budget any claims arising from the operation of the Fund, but the Executive Board is authorized to pay from the Fund claims arising from its operation.

6. The Secretary-General shall submit to the General Assembly an annual audit of the accounts of the Fund.

7. The Executive Board shall make periodic reports of its operations at such times and in such form as the Economic and Social Council shall provide.

8. A report shall be submitted to the fourth session of the Economic and Social Council containing a recommended program and estimate of expenses incurred and to be incurred for the Fund for 1947 which shall be subject to the approval of the Council.

9. The activities of the Fund shall be reviewed by the General Assembly at its second session upon the basis of a special report from the Economic and Social Council.

II. The effective operation of the Fund is dependent upon the financial resources which are put at its disposal.

THEREFORE

THE GENERAL ASSEMBLY EXPRESSES THE EARNEST HOPE that Governments, voluntary agencies and private individuals will give the Fund their generous support.

Establishment of the World Health Organization

[In this resolution the General Assembly recommends that all Members of the United Nations accept the Constitution of the World Health Organization and take other measures to expedite the effective establishment of the Organization. The Assembly also approves the granting of loans by the United Nations to finance the activities of the Organization or its Interim Commission until the end of 1947. The resolution was unanimously adopted by the Assembly on December 14, 1946.]

THE GENERAL ASSEMBLY,

TAKES NOTE of the resolution adopted by the Economic and Social Council at its third session on 17 September 1946, regarding the establishment of the World Health Organization:

THEREFORE

1. RECOMMENDS all Members of the United Nations to accept the Constitution of the World Health Organization at the earliest possible date;

2. INSTRUCTS the Secretary-General to take the necessary steps, as contemplated by the Final Act of the International Health Conference, to effect the transfer to the Interim Commission of the World Health Organization of the functions and activities of the League of Nations Health Organization which have been assumed by the United Nations;

3. RECOMMENDS all Members of the United Nations, and in particular those Members parties to the Rome Agreement of 1907 constituting the *Office International d'Hygiène publique*, to accept at the earliest possible date the Protocol of the International Health Conference concerning the *Office International d'Hygiène publique*;

4. APPROVES, in response to the application of the Interim Commission, a loan by the United Nations of a maximum sum of \$300,000 (U.S.) for the purpose of financing the activities of the Interim Com-

mission from the commencement of its work to the end of the financial year 1946, and approves the inclusion in the budget of the United Nations for the financial year 1947 of a maximum sum of \$1,000,000 (U.S.) as a further loan for the purpose of financing the activities of the Interim Commission of the World Health Organization during that year;

5. AUTHORIZES the Secretary-General to transmit any recommendations made by the General Assembly in pursuance of paragraphs 1 and 3 above to all States which, whether Members of the United Nations or not, sent representatives or observers to the International Health Conference.

Calling of an International Conference on Freedom of Information

[This resolution, originally proposed by the Philippine Delegation and supported by the United States Delegation, authorizes the Economic and Social Council to convene in 1947 a conference of all Members of the United Nations on freedom of information. The resolution was unanimously adopted by the General Assembly on December 14, 1946.]

THE GENERAL ASSEMBLY,

WHEREAS

Freedom of information is a fundamental human right and is the touchstone of all the freedoms to which the United Nations is consecrated;

Freedom of information implies the right to gather, transmit and publish news anywhere and everywhere without fetters. As such it is an essential factor in any serious effort to promote the peace and progress of the world;

Freedom of information requires as an indispensable element the willingness and capacity to employ its privileges without abuse. It requires as a basic discipline the moral obligation to seek the facts without prejudice and to spread knowledge without malicious intent;

Understanding and cooperation among nations is impossible without an alert and sound world opinion which, in turn, is wholly dependent upon freedom of information.

RESOLVES THEREFORE, in the spirit of paragraphs 3 and 4 of Article 1 of the Charter, to authorize the holding of a conference of all Members of the United Nations on freedom of information;

INSTRUCTS the Economic and Social Council to undertake, pursuant to Article 60 and Article 62, paragraph 4, of the Charter, the convocation of such a conference in accordance with the following guiding principles:

(a) The purpose of the Conference shall be to formulate its views concerning the rights, obligations and practices which should be included in the concept of the freedom of information;

(b) Delegations to the Conference shall include in each instance persons actually engaged or experienced in press, radio, motion pictures and other media for the dissemination of information;

(c) The Conference shall be held before the end of 1947, at such place as may be determined by the Economic and Social Council, in order to enable the Council to submit a report on the deliberations and recommendations of the Conference to the following regular session of the General Assembly.

Trusteeship Agreements and Establishment of the Trusteeship Council

[On December 13, 1946 the General Assembly approved eight trusteeship agreements, with the United States voting in favor of each. In another resolution, reproduced below, the Assembly completed the establishment of the Trusteeship Council, electing Mexico and Iraq to occupy the two places not automatically filled, and provided for the convocation of the first session of the Council. This resolution was adopted on December 14, 1946 with 40 affirmative votes, no negative votes, and no abstentions.]

On December 13, 1946 the General Assembly approved, in accordance with Article 85 of the Charter, the terms of the Trusteeship agreements for New Guinea, Ruanda-Urundi, Cameroons under French administration and Togoland under French administration, Western Samoa, Tanganyika, Cameroons under British administration and Togoland under British administration.

In these agreements, Australia, Belgium, France, New Zealand, and the United Kingdom have been designated as administering authorities.

The conditions necessary for the constitution of the Trusteeship Council can thus be fulfilled.

In accordance with Article 86 (a), Australia, Belgium, France, New Zealand, and the United Kingdom will be Members of the Trusteeship Council.

By application of Article 86 (b), China, the United States and the Union of Soviet Socialist Republics, being such of the Members mentioned by name in Article 23 of the Charter as are not administering Trust Territories, will also be Members of the Trusteeship Council.

In accordance with Article 86 (c) it is necessary, in order to ensure

that the total number of Members of the Trusteeship Council is equally divided between those Members of the United Nations which administer Trust Territories and those which do not, that two Members should be elected by the General Assembly.

THEREFORE, the General Assembly

1. ELECTS Mexico and Iraq as Members of the Trusteeship Council for three-year terms;
2. DIRECTS the Secretary-General to convoke the first session of the Trusteeship Council not later than 15 March 1947, and to draw up and communicate to each Member of the Council the provisional agenda for that session at least thirty days in advance of the date of the session.

Regional Conferences of Representatives of Non-Self-Governing Territories

[This resolution, based on a proposal by the Delegation of the Philippine Republic, recommends that Members with responsibilities for the administration of non-self-governing territories convene conferences of representatives of non-self-governing peoples in order to carry out the letter and spirit of chapter XI of the Charter and to provide a means for the expression of the wishes and aspirations of these peoples. It was adopted on December 14, 1946 by a vote of 31 to 1, with 21 abstentions, the United States voting for the resolution.]

THE GENERAL ASSEMBLY,

Considering that the Resolution on Non-Self-Governing Peoples adopted during the first part of the first session of the General Assembly draws attention to the fact that the obligations accepted by Members of the United Nations under Chapter XI are already in full force;

Recognizing the importance of the declaration contained in Chapter XI of the Charter especially as it concerns the peace and security of the world, and the political, economic, social and educational advancement of the peoples of non-self-governing territories as well as their just treatment and protection against abuses;

RECOMMENDS to the Members having or assuming responsibilities for the administration of non-self-governing territories to convene conferences of representatives of non-self-governing peoples chosen or preferably elected in such a way that the representation of the people will be ensured to the extent that the particular conditions of the territory concerned permit, in order that the letter and spirit of Chapter XI of the Charter may be accomplished and the wishes and aspirations of the non-self-governing peoples may be expressed.

South West Africa

[This resolution was the outgrowth of a discussion on the question of incorporating the mandated territory of South West Africa into the Union of South Africa as desired by the Union Government. The resolution recommends that the territory be placed under the international trusteeship system and invites the Union to propose a trusteeship agreement for it. The General Assembly adopted this resolution on December 14, 1946, 37 members, including the United States, voting for the resolution, with 9 abstentions and no negative votes.]

THE GENERAL ASSEMBLY,

HAVING CONSIDERED the statements of the Delegation of the Union of South Africa regarding the question of incorporating the mandated territory of South West Africa in the Union;

NOTING WITH SATISFACTION that the Union of South Africa, by presenting this matter to the United Nations, recognizes the interest and concern of the United Nations in the matter of the future status of territories now held under mandate;

RECALLING that the Charter of the United Nations provides in Articles 77 and 79 that the trusteeship system shall apply to territories now under mandate as may be subsequently agreed;

REFERRING to the resolution of the General Assembly of 9 February 1946, inviting the placing of mandated territories under trusteeship;

DESIRING that agreement between the United Nations and the Union of South Africa may hereafter be reached regarding the future status of the mandated territory of South West Africa;

ASSURED BY the Delegation of the Union of South Africa that, pending such agreement, the Union Government will continue to administer the territory as heretofore in the spirit of the principles laid down in the mandate.

CONSIDERING that the African inhabitants of South West Africa have not yet secured political autonomy or reached a stage of political development enabling them to express a considered opinion which the Assembly could recognize on such an important question as incorporation of their territory;

THEREFORE, THE GENERAL ASSEMBLY,

IS UNABLE TO ACCEDE to the incorporation of the territory of South West Africa in the Union of South Africa; and

RECOMMENDS that the mandated territory of South West Africa be placed under the international trusteeship system and invites the Government of the Union of South Africa to propose for the consideration of the General Assembly a trusteeship agreement for the aforesaid territory.

Transmission of Information on Non-Self-Governing Territories by Member States Under Article 73(e) of the Charter

[This resolution takes note of the information submitted by various members with respect to non-self-governing territories for which they are responsible and establishes the procedure for the submission of such information and its consideration by the interested agencies of the United Nations, including an *ad hoc* committee to be convened before the Second Session of the Assembly. Although the United States opposed the creation of this *ad hoc* committee and voted against adoption of the paragraphs dealing with it, the resolution as a whole was carried on December 14, 1946 by a vote of 27 to 7, with 13 abstentions, the United States abstaining.]

The General Assembly on 9 February 1946 approved a Resolution on Non-Self-Governing Peoples. By this Resolution the Secretary-General was requested to include in his annual report on the work of the Organization 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.

The General Assembly notes that information has been transmitted by the Governments of Australia concerning conditions in Papua; France concerning conditions in French West Africa, French Equatorial Africa, French Somaliland, Madagascar and Dependencies, French Establishments in Oceania, Indochina, French Establishments in India, New Caledonia and Dependencies, Saint Pierre et Miquelon, Morocco, Tunisia, the New Hebrides under Anglo-French Condominium, Martinique, Guadeloupe and Dependencies, French Guiana, and Réunion (without prejudice to the future status of these territories); New Zealand concerning conditions in the Cook Islands (without prejudice to any interpretation of the expression Non-Self-Governing Territories in view of the fact that the Cook Islands are an integral part of New Zealand); the United Kingdom concerning conditions in Barbados, Bermuda, British Guiana, British Honduras,¹ Fiji, Gambia, Gibraltar, Leeward Islands, Mauritius, St. Lucia, and Zanzibar Protectorate; and the United States concerning conditions in

¹ In this connection reference is made to the *Journal of the United Nations* No. 55, Dec. 10, 1946, Supp. No. 4, pp. 79-80.

Alaska, American Samoa, Guam, Hawaii, Panama Canal Zone,² Puerto Rico and the Virgin Islands.

The General Assembly also notes that the following Governments have declared their intention of transmitting information: Belgium on the Belgian Congo; Denmark on Greenland; the Netherlands on the Netherlands Indies, Surinam and Curaçao; New Zealand on the Tokelau Islands; and the United Kingdom on Aden (Colony and Protectorate), Bahamas, Basutoland, Bechuanaland Protectorate, British Somaliland Protectorate, Brunei, Cyprus, Dominica, Falkland Islands,³ Gold Coast (Colony and Protectorate), Grenada, Hong Kong, Jamaica, Kenya (Colony and Protectorate), Malayan Union, Malta, Nigeria, North Borneo, Northern Rhodesia, Nyasaland, St. Helena and Dependencies, St. Vincent, Sarawak, Seychelles, Sierra Leone, Singapore, Swaziland, Trinidad and Tobago, Uganda Protectorate, and the High Commission Territories of the Western Pacific (Gilbert and Ellice Islands Colony, British Solomon Islands Protectorate, Pitcairn Islands).

The value of the association of Non-Self-Governing Territories in the work of the Specialized Agencies as a means of attaining the objectives of Chapter XI of the Charter has been stressed.

The procedures to be followed by the Organization in connection with the information transmitted by Members regarding Non-Self-Governing Peoples have been carefully examined.

THEREFORE THE GENERAL ASSEMBLY:

1. INVITES the Members transmitting information to send to the Secretary-General by 30 June of each year the most recent information which is at their disposal.

2. RECOMMENDS that the information transmitted in the course of 1947 by Members of the United Nations under Article 73 (e) of the Charter should be summarized, analyzed and classified by the Secretary-General and included in his report to the Second Session of the General Assembly, in order that in the light of the experience gained the General Assembly may be able to decide whether any other procedure may be desirable for dealing with such information in future years.

3. RECOMMENDS that the Secretary-General communicate to the Specialized Agencies the information transmitted, with a view to

²In this connection reference is made to doc. A/200, dated Nov. 26, 1946.

³In regard to the Falkland Islands, the Delegation of Argentina at the twenty-fifth meeting of the Committee made a reservation to the effect that the Argentine Government did not recognize British sovereignty in the Falkland Islands. The Delegation of the United Kingdom made a parallel reservation, not recognizing Argentine sovereignty in these islands.

making all relevant data available to their expert and deliberative bodies.

4. INVITES the Secretary-General to convene, some weeks before the opening of the Second Session of the General Assembly, an *ad hoc* committee composed in equal numbers of representatives of the Members transmitting information under Article 73 (e) of the Charter and of representatives of Members elected, by the General Assembly at this Session, on the basis of an equitable geographical distribution.

5. INVITES the Secretary-General to request the Food and Agriculture Organization, the International Labour Organization, the United Nations Educational, Scientific and Cultural Organization, and the World Health Organization and the International Trade Organization, when constituted, to send representatives in an advisory capacity to the meeting of the *ad hoc* committee.

6. INVITES the *ad hoc* committee to examine the Secretary-General's summary and analysis of the information transmitted under Article 73 (e) of the Charter with a view to aiding the General Assembly in its consideration of this information, and with a view to making recommendations to the General Assembly regarding the procedures to be followed in the future and the means of ensuring that the advice, expert knowledge and experience of the Specialized Agencies are used to the best advantage.

Scale of Contributions of the United Nations Budgets for 1946 and 1947 and the Working Capital Fund

[The scale of contributions to the 1946 and 1947 budgets of the United Nations and the Working Capital Fund is fixed by this resolution, but by reason of a reservation by the Delegation of the United States, the scale will be reconsidered in connection with the 1948 budget. This resolution was unanimously adopted by the General Assembly on December 14, 1946.]

THE GENERAL ASSEMBLY RESOLVES:

- (i) That the scales of assessment for (a) the 1946 budget and (b) the 1947 budget and the Working Capital Fund shall be as follows:

Country	1946 Appor- tionment	1947 Budget and Working Capital Fund Apportionment
	Percent	Percent
Argentina	1. 94	1. 85
Australia	2. 00	1. 97
Belgium	1. 42	1. 35
Bolivia	0. 08	0. 08
Brazil	1. 94	1. 85

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Country	1946 Appor- tionment <i>Percent</i>	1947 Budget and Working Capital Fund Apportionment <i>Percent</i>
Byelorussian S. S. R	0.23	0.22
Canada	3.35	3.20
Chile	0.47	0.45
China	6.30	6.00
Colombia	0.39	0.37
Costa Rica	0.04	0.04
Cuba	0.30	0.29
Czechoslovakia	0.95	0.90
Denmark	0.81	0.79
Dominican Republic	0.05	0.05
Ecuador	0.05	0.05
Egypt	0.81	0.79
El Salvador	0.05	0.05
Ethiopia	0.08	0.08
France	6.30	6.00
Greece	0.17	0.17
Guatemala	0.05	0.05
Haiti	0.04	0.04
Honduras	0.04	0.04
India	4.09	3.95
Iran	0.47	0.45
Iraq	0.17	0.17
Lebanon	0.06	0.06
Liberia	0.04	0.04
Luxembourg	0.05	0.05
Mexico	0.66	0.63
Netherlands	1.47	1.40
New Zealand	0.52	0.50
Nicaragua	0.04	0.04
Norway	0.52	0.50
Panama	0.05	0.05
Paraguay	0.04	0.04
Peru	0.21	0.20
Philippines	0.30	0.29
Poland	1.00	0.95
Saudi Arabia	0.08	0.08
Syria	0.12	0.12
South Africa	1.15	1.12
Turkey	0.93	0.91
Ukrainian S. S. R	0.88	0.84
U. S. S. R	6.62	6.34
United Kingdom	11.98	11.48
U. S. A	39.89	39.89
Uruguay	0.18	0.18
Venezuela	0.28	0.27
Yugoslavia	0.34	0.33
Afghanistan		0.05
Iceland		0.04
Sweden		2.35
	<hr/>	<hr/>
	100.00	100.00

- (ii) That, notwithstanding the provisions of Rule 43 of the Provisional Rules of Procedure, the scale of assessments for the apportionment of expenses of United Nations shall be reviewed by the Committee on Contributions in 1947 and a report submitted for the consideration of the General Assembly at the Session to be held in September 1947.
- (iii) That as it may be more convenient for the United Nations to adopt a unit basis of assessment in lieu of the percentage basis, the Committee on Contributions is directed to give consideration to the relative merits of each method.
- (iv) That new Members be required to contribute to the annual budget of the year in which they are first admitted at least 33 $\frac{1}{3}$ per cent of their percentage of assessment determined for the following year, applied to the budget for the year of their admission.
- (v) That, having regard to the admission of the three new Members in 1946,⁴ the advances to the Working Capital Fund be re-adjusted on the basis of the scale to be adopted for the contributions of Members to the annual budget for 1947.

United Nations Budgets for 1946 and 1947

[The budgets for the years 1946 and 1947 are established in the two appropriation resolutions printed below. These resolutions, together with another fixing the size of the working capital fund at \$20,000,000 for the year 1947 and providing for its maintenance and use, were unanimously approved by the General Assembly on December 14, 1946.]

I. APPROPRIATION RESOLUTION, FINANCIAL YEAR 1946

THE GENERAL ASSEMBLY RESOLVES that:

For financial year 1946

1. An amount of \$19,390,000 is hereby appropriated for the following purposes:

Appropriation Section	Purpose of Appropriation	Amount
Part I		
I	For expenses of travel of delegates to the General Assembly and travel of Committees and Commissions.	\$885, 800
II	For expenses of Personnel Services.....	6, 492, 979
III	For expenses of Common Services.....	4, 238, 610
IV	For expenses of establishment of Headquarters and initial recruitment of staff.....	6, 143, 121

⁴ Siam was admitted to the United Nations subsequent to the passage of this resolution.

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Appropriation Section	Purpose of Appropriation	Amount
V	For unforeseen expenses.....	\$250,000
VI	For expenses of the Preparatory Commission and the cost of the First Part of the First Session to 31 January 1946.....	902,282
Total, Part I.....		\$18,912,792
Part II		
VII	For expenses of the International Court of Justice.....	\$320,097
VIII	For expenses of the Registry and Common Services of the International Court of Justice.....	157,111
Total, Part II.....		\$477,208
Total, Parts I and II.....		\$19,390,000

2. Amounts not exceeding the above are to be available for the payment of obligations incurred prior to 1 January 1947. The Secretary-General may, by written order, transfer credits between Sections within Part I and between Sections within Part II. The Secretary-General shall report to the 1947 session of the General Assembly all such transfers together with the circumstances relating thereto.

II. APPROPRIATION RESOLUTION, FINANCIAL YEAR 1947

THE GENERAL ASSEMBLY RESOLVES that:

For the financial year 1947

1. An amount of \$27,740,000 is hereby appropriated for the following purposes:

Appropriation Section	Purpose of Appropriation	Amount
Part I		
I	For expenses of travel of delegates to the General Assembly and travel of Committees and Commis- sions.....	\$1,090,500
II	For expenses of Personnel Services.....	13,999,223
III	For expenses of contributions to the Staff Provident Fund, Provisional Staff Retirement Scheme, and Related Benefits.....	2,301,179
IV	For expenses of Common Services.....	5,966,500
V	For expenses of establishment of Headquarters and initial recruitment of staff.....	3,074,000
VI	For expenses of Advisory Social Welfare Functions.....	670,186
Total, Part I.....		\$27,101,588

Appropriation Section	Purpose of Appropriation	Amount
	Part II	
VII	For expenses of the International Court of Justice.....	\$387, 894
VIII	For expenses of the Registry and Common Services of the International Court of Justice.....	250, 518
	Total, Part II.....	<u>\$638, 412</u>
	Total, Parts I and II.....	<u>\$27, 740, 000</u>

2. Amounts not exceeding the above are to be available for the payment of obligations incurred during the period Jan. 1, 1947 to Dec. 31, 1947.

3. The Secretary-General shall make a primary allotment of the appropriations voted by objects of expenditure; transfers between the primary allotments within Sections shall be permissible only on the written authority of the Secretary-General.

Progressive Development of International Law and Its Codification

[This resolution provides for the establishment of a committee of 17 members to study the methods and procedures appropriate for this purpose and calls for a report by the committee to the General Assembly at its next regular session. The United States originally requested the inclusion of this item on the agenda. The resolution was unanimously adopted by the General Assembly on December 11, 1946.]

THE GENERAL ASSEMBLY

RECOGNIZES the obligation laid upon it by Article 13, paragraph (a) of the Charter to initiate studies and make recommendations for the purpose of encouraging the progressive development of international law and its codification;

REALIZES the need for a careful and thorough study of what has already been accomplished in this field as well as of the projects and activities of official and unofficial bodies engaged in efforts to promote the progressive development and formulation of public and private international law, and the need for a report on the methods whereby the General Assembly may most effectively discharge its obligations under the above-mentioned provision:

THEREFORE

RESOLVES to establish a Committee of seventeen Members of the United Nations to be appointed by the General Assembly on the rec-

ommendation of the President, each of these Members to have one representative on the Committee;

DIRECTS the Committee to study

(a) the methods by which the General Assembly should encourage the progressive development of international law and its eventual codification

(b) methods of securing the cooperation of the several organs of the United Nations to this end

(c) methods of enlisting the assistance of such national or international bodies as might aid in the attainment of this objective and to report to the General Assembly at its next regular session.

REQUESTS the Secretary-General to provide such assistance as the Committee may require for its work.

Affirmation of the Principles of International Law Recognized by the Charter of the Nuremberg Tribunal

[This resolution affirms the principles of international law recognized by the Charter of the Nuremberg Tribunal and the judgment of the Tribunal. It directs the General Assembly Committee charged with the study of the methods for the codification of international law to treat as a matter of primary importance plans for the formulation of the principles recognized at Nuremberg. The resolution was proposed by the Delegation of the United States. It was unanimously adopted by the General Assembly on December 11, 1946.]

THE GENERAL ASSEMBLY,

RECOGNIZES the obligation laid upon it by Article 13, paragraph 1, sub-paragraph a. of the Charter, to initiate studies and make recommendations for the purpose of encouraging the progressive development of international law and its codification; and

TAKES NOTE of the Agreement for the establishment of an International Military Tribunal for the prosecution and punishment of the major war criminals of the European Axis signed in London on 8 August 1945, and of the Charter annexed thereto, and of the fact that similar principles have been adopted in the Charter of the International Military Tribunal for the trial of the major war criminals in the Far East, proclaimed at Tokyo on 19 January 1946.

THEREFORE

AFFIRMS the principles of international law recognized by the Charter of the Nuremberg Tribunal and the judgment of the Tribunal;

DIRECTS the Committee on the codification of international law established by the resolution of the General Assembly of December 1946, to treat as a matter of primary importance plans for the formulation, in the context of a general codification of offenses against the peace and security of mankind, or of an International Criminal Code, of the principles recognized in the Charter of the Nuremberg Tribunal and in the judgment of the Tribunal.

The Crime of Genocide

[This resolution affirms that genocide is a crime under international law and recommends that the necessary steps be taken to provide for its prevention and punishment. The resolution was unanimously adopted on December 11, 1946.]

Genocide is a denial of the right of existence of entire human groups, as homicide is the denial of the right to live of individual human beings; such denial of the right of existence shocks the conscience of mankind, results in great losses to humanity in the form of cultural and other contributions represented by these human groups, and is contrary to moral law and to the spirit and aims of the United Nations.

Many instances of such crimes of genocide have occurred when racial, religious, political and other groups have been destroyed, entirely or in part.

The punishment of the crime of genocide is a matter of international concern.

THE GENERAL ASSEMBLY THEREFORE

AFFIRMS that genocide is a crime under international law which the civilized world condemns—and for the commission of which principals and accomplices, whether private individuals, public officials or statesmen, and whether the crime is committed on religious, racial, political or any other grounds—are punishable;

INVITES the Member States to enact the necessary legislation for the prevention and punishment of this crime;

RECOMMENDS that international cooperation be organized between States with a view to facilitating the speedy prevention and punishment of the crime of genocide; and, to this end,

REQUESTS the Economic and Social Council to undertake the necessary studies, with a view to drawing up a draft convention on the crime of genocide to be submitted to the next regular session of the General Assembly.

Headquarters of the United Nations

[After accepting the offer of Mr. John D. Rockefeller, Jr., and formally establishing the permanent headquarters of the United Nations in New York City, the General Assembly, in the following resolution, requested the Secretary-General to prepare plans and estimates for the development of the site with the assistance of an advisory committee of 16 members. This resolution was adopted by the General Assembly on December 14, 1946 by a vote of 46 to 7, the United States voting in the affirmative.]

THE GENERAL ASSEMBLY

RESOLVES :

1. That the Secretary-General is hereby requested to prepare recommendations with respect to the matters set forth below pertaining to the establishment of the permanent headquarters. He is further requested to prepare a report on these matters to be distributed to the Members of the United Nations on or before 1 July 1947 for consideration at the next regular session of the General Assembly;

(a) General plans and requirements for official buildings and other necessary facilities;

(b) Arrangements for accommodations, housing developments and related facilities on or off the site for personnel of the Secretariat, specialized agencies and national delegations and their staffs, and for the families of such personnel;

(c) Approximate costs of construction and development;

(d) Financial and other arrangements;

(e) Any other matters pertaining to the development of the site which the Secretary-General feels the General Assembly should consider at its next regular session.

2. In carrying out the responsibilities set forth in paragraph 1 of this resolution, the Secretary-General shall be assisted by :

(a) An advisory committee consisting of representatives of the following Members :

Australia, Belgium, Brazil, Canada, China, Colombia, France, Greece, India, Norway, Poland, Syria, United Kingdom, United States of America, Union of Soviet Socialist Republics and Yugoslavia.

(b) Consultants and experts who, at the request of the Secretary-General, shall be designated by the Government of the United States of America, or by Governments of other Member States, or local authorities.

Arrangements Required as a Result of the Establishment of the Permanent Headquarters of the United Nations in the United States

[This resolution authorizes the Secretary-General to negotiate and conclude with the United States an agreement concerning the arrangements required as a result of the establishment of the permanent headquarters of the United Nations in New York City. It was adopted by the General Assembly on December 14, 1946 by a vote of 50 in favor and one abstention.]

THE GENERAL ASSEMBLY takes note of the Joint Report by the Secretary-General and the Negotiating Committee on the negotiations with the authorities of the United States of America concerning the arrangements required as a result of the establishment of the seat of the United Nations in the United States of America (documents A/67 and A/67/Add.1).

THE GENERAL ASSEMBLY, having decided that the permanent headquarters of the United Nations shall be located in the City of New York, recognizes that any agreement with the United States relating to the permanent headquarters will need to be adapted to the circumstances of this site.

THEREFORE THE GENERAL ASSEMBLY RESOLVES:

1. That the Secretary-General be authorized to negotiate and conclude with the appropriate authorities of the United States of America an agreement concerning the arrangements required as a result of the establishment of the permanent headquarters of the United Nations in the City of New York.
2. That in negotiating this agreement the Secretary-General shall be guided by the provisions of the draft agreement set forth in document A/67.
3. That the agreement referred to in paragraph 1 shall not come into force until approved by the General Assembly.
4. That, pending the coming into force of the agreement referred to in paragraph 1, the Secretary-General be authorized to negotiate and conclude arrangements with the appropriate authorities of the United States of America to determine on a provisional basis the privileges, immunities and facilities needed in connection with the permanent headquarters by the United Nations. In negotiating these arrangements, the Secretary-General shall be guided by the provisions of the draft agreement set forth in document A/67.
5. That the Government of the United States of America be requested to take the necessary steps as soon as possible to put into effect the Convention on the Privileges and Immunities of the United Nations, and to give effect to such arrangements as may be reached in accordance with paragraph 4 of this Resolution.

2. Address by President Harry S. Truman to the General Assembly, October 23, 1946



On behalf of the Government and the people of the United States I extend a warm welcome to the delegates who have come here from all parts of the world to represent their countries at this meeting of the General Assembly of the United Nations.

I recall with great pleasure the last occasion on which I met and spoke with the representatives of the United Nations. Many of you who are here today were present then. It was the final day of the conference at San Francisco, when the United Nations Charter was signed. On that day the constitutional foundation of the United Nations was laid.

For the people of my country this meeting has a special historic significance. After the first World War the United States refused to join the League of Nations, and our seat was empty at the first meeting of the League Assembly. This time the United States is not only a member; it is host to the United Nations.

I can assure you that the Government and the people of the United States are deeply proud and grateful that the United Nations has chosen our country for its headquarters. We will extend the fullest measure of cooperation in making a home for the United Nations in this country. The American people welcome the delegates and the Secretariat of the United Nations as good neighbors and warm friends.

This meeting of the Assembly symbolizes the abandonment by the United States of a policy of isolation.

The overwhelming majority of the American people, regardless of party, support the United Nations.

They are resolved that the United States, to the full limit of its strength, shall contribute to the establishment and maintenance of a just and lasting peace among the nations of the world.

However, I must tell you that the American people are troubled by the failure of the Allied nations to make more progress in their common search for lasting peace.

It is important to remember the intended place of the United Nations in moving toward this goal. The United Nations—as an organization—was *not* intended to settle the problems arising immediately out of the war. The United Nations *was* intended to provide the means for maintaining international peace in the future after just settlements have been made.

The settlement of these problems was deliberately consigned to negotiations among the Allies, as distinguished from the United Nations. This was done in order to give the United Nations a better opportunity and a freer hand to carry out its long-range task of providing peaceful means for the adjustment of future differences, some of which might arise out of the settlements made as a result of this war.

The United Nations cannot, however, fulfil adequately its own responsibilities until the peace settlements have been made and unless these settlements form a solid foundation upon which to build a permanent peace.

I submit that these settlements, and our search for everlasting peace, rest upon the four essential freedoms.

These are freedom of speech, freedom of religion, freedom from want, and freedom from fear. These are fundamental freedoms to which all the United Nations are pledged under the Charter.

To the attainment of these freedoms—everywhere in the world—through the friendly cooperation of all nations, the Government and people of the United States are dedicated.

The fourth freedom—freedom from fear—means, above all else, freedom from fear of war.

This freedom is attainable *now*.

Lately we have all heard talk about the possibility of another world war. Fears have been aroused all over the world.

These fears are unwarranted and unjustified.

However, rumors of war still find willing listeners in certain places. If these rumors are not checked they are sure to impede world recovery.

I have been reading reports from many parts of the world. These reports all agree on the major point—the people of every nation are sick of war. They know its agony and its futility. No responsible government can ignore this universal feeling.

The United States of America has no wish to make war, now or in the future, upon any people anywhere in the world. The heart of our foreign policy is a sincere desire for peace. This nation will work patiently for peace by every means consistent with self-respect and security. Another world war would shatter the hopes of mankind and completely destroy civilization as we know it.

I am sure that every delegate in this hall will join me in rejecting talk of war. No nation wants war. Every nation needs peace.

To avoid war and rumors and danger of war, the peoples of all countries must not only cherish peace as an ideal but they must develop means of settling conflicts between nations in accordance with principles of law and justice.

The difficulty is that it is easier to get people to agree upon peace as an ideal than to agree upon principles of law and justice or to agree to subject their own acts to the collective judgment of mankind.

But difficult as the task may be, the path along which agreement may be sought with hope of success is clearly defined.

In the first place, every member of the United Nations is legally and morally bound by the Charter to keep the peace. More specifically, every member is bound to refrain in its international relations from the threat or use of force against the territorial integrity or political independence of any state.

In the second place, I remind you that 23 members of the United Nations have bound themselves by the Charter of the Nuremberg Tribunal to the principle that planning, initiating, or waging a war of aggression is a crime against humanity for which individuals as well as states shall be tried before the bar of international justice.

The basic principles upon which we are agreed go far, but not far enough, in removing fear of war from the world. There must be agreement upon a positive, constructive course of action as well.

The peoples of the world know that there can be no real peace unless it is peace with justice for all—justice for small nations and for large nations, and justice for individuals without distinction as to race, creed, or color—a peace that will advance, not retard, the attainment of the four freedoms.

We shall attain freedom from fear when every act of every nation, in its dealings with every other nation, brings closer to realization the other freedoms—freedom of speech, freedom of religion, and freedom from want. Along this path we can find justice for all, without distinction between the strong and the weak among nations, and without discrimination among individuals.

After the peace has been made, I am convinced that the United Nations can and will prevent war between nations and remove the fear of war that distracts the peoples of the world and interferes with their progress toward a better life.

The war has left many parts of the world in turmoil. Differences have arisen among the Allies. It will not help us to pretend that this is not the case. But it is not necessary to exaggerate the differences.

For my part, I believe there is no difference of interest that need stand in the way of settling these problems and settling them in accordance with the principles of the United Nations Charter. Above all, we must not permit differences in economic and social systems to stand in the way of peace, either now or in the future. To permit the United Nations to be broken into irreconcilable parts by different political philosophies would bring disaster to the world.

So far as Germany and Japan are concerned, the United States is resolved that neither shall again become a cause for war. We shall continue to seek agreement upon peace terms which insure that both Germany and Japan remain disarmed, that Nazi influence in Germany be destroyed, and that the power of the war lords in Japan be eliminated forever.

The United States will continue to seek settlements arising from the war that are just to all states, large and small, that uphold the human rights and fundamental freedoms to which the Charter pledges all its members, and that do not contain the seeds of new conflicts.

A peace between the nations based on justice will make possible an early improvement in living conditions throughout the world and a quick recovery from the ravages of war. The world is crying for a just and durable peace with an intensity that must force its attainment at the earliest possible date.

If the members of the United Nations are to act together to remove the fear of war, the first requirement is for the Allied nations to reach agreement on the peace settlements.

Propaganda that promotes distrust and misunderstanding among the Allies will not help us. Agreements designed to remove the fear of war can be reached only by the cooperation of nations to respect the legitimate interests of all states and act as good neighbors toward each other.

Lasting agreements between allies cannot be imposed by one nation nor can they be reached at the expense of the security, independence, or integrity of any nation. There must be accommodation by all the Allied nations in which mutual adjustments of lesser national interests are made in order to serve the greater interest of all in peace, security, and justice.

This Assembly can do much toward recreating the spirit of friendly cooperation and toward reaffirming those principles of the United Nations which must be applied to the peace settlements. It must also prepare and strengthen the United Nations for the tasks that lie ahead after the settlements have been made.

All member nations, large and small, are represented here as equals. Wisdom is not the monopoly of strength or size. Small nations can contribute equally with the large nations toward bringing constructive thought and wise judgment to bear upon the formation of collective policy.

This Assembly is the world's supreme deliberative body.

The highest obligation of this Assembly is to speak for all mankind in such a way as to promote the unity of all members in behalf of a peace that will be lasting because it is founded upon justice.

In seeking unity we should not be concerned about expressing differences freely. The United States believes that this Assembly should demonstrate the importance of freedom of speech to the cause of peace. I do not share the view of any who are fearful of the effects of free and frank discussion in the United Nations.

The United States attaches great importance to the principle of free discussion in this Assembly and in the Security Council. The free and direct exchange of arguments and information promotes understanding and therefore contributes, in the long run, to the removal of the fear of war and some of the causes of war.

The United States believes that the rule of unanimous accord among the five permanent members of the Security Council imposes upon these members a special obligation. This obligation is to seek and reach agreements that will enable them and the Security Council to fulfil the responsibilities they have assumed under the Charter toward their fellow members of the United Nations and toward the maintenance of peace.

It is essential to the future of the United Nations that the members should use the Council as a means for promoting settlement of disputes as well as for airing them. The exercise of neither veto rights nor majority rights can make peace secure. There is no substitute for agreements that are universally acceptable because they are just to all concerned. The Security Council is intended to promote that kind of agreement and it is fully qualified for that purpose.

Because it is able to function continuously, the Security Council represents a most significant development in international relations—the continuing application of the public and peaceful methods of a council chamber to the settlement of disputes between nations.

Two of the greatest obligations undertaken by the United Nations toward the removal of the fear of war remain to be fulfilled.

First, we must reach an agreement establishing international controls of atomic energy that will insure its use for peaceful purposes only, in accordance with the Assembly's unanimous resolution of last winter.

Second, we must reach agreements that will remove the deadly fear of other weapons of mass destruction, in accordance with the same resolution.

Each of these obligations is going to be difficult to fulfil. Their fulfilment will require the utmost in perseverance and good faith, and we cannot succeed without setting fundamental precedents in the law of nations. Each will be worth everything in perseverance and good faith that we can give to it. The future safety of the United Nations, and of every member nation, depends upon the outcome.

On behalf of the United States I can say we are not discouraged. We shall continue to seek agreement by every possible means.

At the same time we shall also press for preparation of agreements in order that the Security Council may have at its disposal peace forces adequate to prevent acts of aggression.

The United Nations will not be able to remove the fear of war from the world unless substantial progress can be made in the next few years toward the realization of another of the four freedoms—freedom from want.

The Charter pledges the members of the United Nations to work together toward this end. The structure of the United Nations in this field is now nearing completion, with the Economic and Social Council, its commissions, and related specialized agencies. It provides more complete and effective institutions through which to work than the world has ever had before.

A great opportunity lies before us.

In these constructive tasks which concern directly the lives and welfare of human beings throughout the world, humanity and self-interest alike demand of all of us the fullest cooperation.

The United States has already demonstrated in many ways its grave concern about economic reconstruction that will repair the damage done by war.

We have participated actively in every measure taken by the United Nations toward this end. We have in addition taken such separate national action as the granting of large loans and credits and renewal of our reciprocal trade-agreements program.

Through the establishment of the Food and Agriculture Organization, the International Bank for Reconstruction and Development, and the International Monetary Fund, members of the United Nations have proved their capacity for constructive cooperation toward common economic objectives. In addition, the International Labor Organization is being brought into relationship with the United Nations.

Now we must complete the structure. The United States attaches the highest importance to the creation of the International Trade Organization now being discussed in London by a preparatory committee.

This country wants to see not only the rapid restoration of devastated areas but the industrial and agricultural progress of the less well-developed areas of the world.

We believe that all nations should be able to develop a healthy economic life of their own. We believe that all peoples should be able to reap the benefits of their own labor and of their own natural resources.

There are immense possibilities in many parts of the world for industrial development and agricultural modernization.

These possibilities can be realized only by the cooperation of Members of the United Nations, helping each other on a basis of equal rights.

In the field of social reconstruction and advancement the completion of the charter for a world health organization is an important step forward.

The Assembly now has before it for adoption the constitution of another specialized agency in this field—the International Refugee Organization. It is essential that this Organization be created in time to take over from UNRRA as early as possible in the new year the tasks of caring for and repatriating or resettling the refugees and displaced persons of Europe. There will be similar tasks, of great magnitude, in the Far East.

The United States considers this a matter of great urgency in the cause of restoring peace and in the cause of humanity itself.

I intend to urge the Congress of the United States to authorize this country to do its full part both in financial support of the International Refugee Organization and in joining with other nations to receive those refugees who do not wish to return to their former homes for reasons of political or religious belief.

The United States believes a concerted effort must be made to break down the barriers to a free flow of information among the nations of the world.

We regard freedom of expression and freedom to receive information—the right of the people to know—as among the most important of those human rights and fundamental freedoms to which we are pledged under the United Nations Charter.

The United Nations Educational, Scientific and Cultural Organization, which is meeting in November, is a recognition of this fact. That Organization is built upon the premise that since wars begin in the minds of men, the defense of peace must be constructed in the minds of men, and that a free exchange of ideas and knowledge among peoples is necessary to this task. The United States therefore attaches great importance to all activities designed to break down barriers to mutual understanding and to wider tolerance.

The United States will support the United Nations with all the resources that we possess.

The use of force or the threat of force anywhere in the world to break the peace is of direct concern to the American people.

The course of history has made us one of the stronger nations of the world. It has therefore placed upon us special responsibilities

to conserve our strength and to use it rightly in a world so interdependent as our world today.

The American people recognize these special responsibilities. We shall do our best to meet them, both in the making of the peace settlements and in the fulfilment of the long-range tasks of the United Nations.

The American people look upon the United Nations not as a temporary expedient but as a permanent partnership—a partnership among the peoples of the world for their common peace and common well-being.

It must be the determined purpose of all of us to see that the United Nations lives and grows in the minds and the hearts of all peoples.

May Almighty God, in His infinite wisdom and mercy, guide us and sustain us as we seek to bring peace everlasting to the world.

With His help we shall succeed.

3. Address by the Honorable Warren R. Austin to the General Assembly, October 30, 1946



At the outset of what I have to say to the General Assembly I must refer briefly to the address made yesterday by the Representative of the Union of Soviet Socialist Republics.

Mr. Molotov's speech indicated distrust and misunderstanding of the motives of the United States and of other Members of the United Nations. I do not believe that recriminations among nations allied in war and in peace promote that unity which Mr. Molotov so rightly points out is essential to the success of the United Nations.

In war we gave to our allies all the help and cooperation a great nation could. In peace the "United States will support the United Nations with all the resources we possess".

Our motives in war and peace we leave to the judgment of history. We fought for *freedom* side by side without recrimination. Can't we fight for *peace* side by side without recrimination? That closes the sad chapter so far as we are concerned.

I shall not participate in any exchange of recriminations.

We welcome the confidence expressed by Mr. Molotov that unanimous agreement among all the nations both large and small can be achieved on such vital matters as the control of atomic energy and on steps to lighten the burden of armaments and military expenditures which still rests so heavily upon the peoples of the world.

The United States urges disarmament.

The United States believes that Mr. Molotov's proposal should be placed in our agenda and fully considered and discussed.

The initiative of the Soviet Union in this matter is appropriate, because of its mighty armies; just as the initiative of the United States was appropriate in proposing measures to prevent the manufacture and use of atomic weapons.

In November 1945 the United States took the initiative for outlawing the atomic bomb in the conversations at Washington among President Truman, Prime Minister Attlee and Prime Minister Mackenzie King. At Moscow in December 1945, the following month, conversations were held between Mr. Byrnes, Mr. Molotov, and Mr. Bevin on this subject. In this Assembly last January the resolution creating the Atomic Energy Commission and establishing its terms of ref-

erence was unanimously adopted. Since then in the Commission itself the distinguished United States Representative, Mr. Bernard M. Baruch, presented proposals expressing the policy of the President of the United States.

The United States goes further. As President Truman emphasized again last week, it attaches the greatest importance to reaching agreements that will remove the deadly fear of other weapons of mass destruction in accordance with the same resolution passed by this Assembly.

So far as Mr. Molotov's resolution concerns the regulation and reduction of other armaments, the whole world knows where the United States stands and has always stood. For 20 years before the war and in the 15 months since the fighting stopped, the United States has consistently been in the forefront of those striving to reduce the burden of armaments upon the peoples of the world. Since the end of the war in Europe and the Pacific, the United States has progressively and rapidly reduced its military establishment.

After the last war we made the mistake of disarming unilaterally. We shall not repeat that mistake.

The United States is prepared to cooperate fully with all other Members of the United Nations in disarmament. It advocates effective safeguards by way of inspection and other means to protect complying States against the hazards of violation and evasion.

We cannot reduce armaments merely by talking about the "regulation of armaments and possible disarmament", or the "heavy economic burden caused by excessive expenditures for armaments". We cannot achieve it without positive acts which will establish the "peaceful post-war conditions" to which Mr. Molotov also referred.

Nor can a system for the regulation of armaments and possible disarmament as contemplated in articles 11, 26, and 47 of the Charter be effectively planned except in relation to progress in the negotiation of the armed-forces agreements called for by article 43. At the beginning of April, four of the five members of the Military Staff Committee made specific proposals concerning the principles which should govern the negotiation of these agreements. In September the Soviet Union submitted for the first time a statement of its views on the problem.

I am happy to note that Mr. Molotov referred to the work of the Military Staff Committee. I hope it will now be possible for this Committee to make rapid progress. The conclusion of these agreements, providing the Security Council with peace forces adequate to prevent acts of aggression, is essential to carrying out the objectives of Mr. Molotov's resolution for the reduction of armaments.

Mr. Molotov also referred to article 43 in connection with the Soviet proposal concerning the presence of armed forces of the United Nations on foreign territories. He said, "In this connection it is natural that the Security Council should know the actual situation, namely, where and what armed forces of the United Nations are situated at present outside the confines of their countries . . . For its part the Soviet Union is prepared to submit this information to the Security Council."

The Government of the United States understands Mr. Molotov's statement to mean that the Soviet Union is fully prepared to report on its armed forces in ex-enemy states as well as in other foreign territories. Therefore, the United States urges prompt fulfilment of this policy. The United States has nothing to hide with regard to our armed forces at home or abroad. The United States will promptly fulfil that policy. In no case are the United States forces in friendly countries except with the consent of those countries.

It is our opinion that the proposed inquiry should include all mobilized armed forces, whether at home or abroad.

The President of the United States in his address to the General Assembly at its opening meeting defined the policies of the United States toward the United Nations and the work of the Assembly.

As the general debate has progressed, I have been increasingly moved by the potentialities that I perceive in this Assembly for advancing toward a real and lasting peace.

Its members have pointed to the vision of President Truman of a "peace with justice for all—justice for small nations and for large nations, and justice for individuals without distinction as to race, creed, or color—a peace that will advance, not retard, the attainment of the four freedoms."

United in this aspiration we are united in our service. From disagreement we forge agreement. From free and frank discussion of differing points of view we extract the degree of unity necessary for constructive action. It would help us if we make always our chief concern *what* is right, *not who* is right.

There is an injunction contained in the Constitution of Vermont—my native state. It calls for "a frequent recurrence to fundamental principles."

It seems to me that, before this general debate comes to an end, it would be helpful for us all to recur to the fundamental principles of the United Nations.

The reports that we have before us from the Secretary-General, the Security Council, and the Economic and Social Council refer to some discouraging things and many difficulties in the record of the United

Nations during the past year. Some of the speakers have referred at length to these disappointments and difficulties.

To me the real story related by these reports is the immense sum of accomplishment and agreement that the United Nations has achieved in one year under all the handicaps of a world in turmoil and just emerging from the disasters and desolation of the war.

In one year we have advanced toward a rule of world law and have created institutions for international action far beyond the dreams of any one of us as recently as September 1, 1939, June 22, 1941, and December 7, 1941.

So I say—let us review the theory and practice of the Security Council and the Economic and Social Council, their powers and their work, without evasion, but let us review them in perspective and as a whole and in relation to the powers and work of all the other agencies and institutions of the United Nations.

Australia and Cuba have proposed discussion of article 27, relating to voting procedures in the Security Council. Let us consider article 27, but let us consider it in relation to the other 110 articles of the Charter of the United Nations. We cannot tear article 27 from its context.

A recurrence to first principles of the United Nations starts with the necessity for unity of the large nations on matters essential to the maintenance of peace among the nations, both great and small.

I recall to the Assembly that the spirit of unity of the nations which became permanent members of the Security Council animated the nativity of the United Nations. The united and coordinated action of the great powers in winning the war and in generating the principle of an international organization for security and peace based on the sovereign equality of all peace-loving nations, both great and small, was the travail of the United Nations.

The remedy for the labor pains at Moscow, at Dumbarton Oaks, at Yalta, and at San Francisco was the unanimity of the Great Powers. The principle of unanimity in essential matters reflects the realities of the world as it is today. At the same time it provides the basis for a lasting peace during which all nations can, we hope, work together toward transforming the kind of world we have today into a true world society for tomorrow. Certainty of abolition of war depends upon cooperation by all countries competent to wage war.

The United Nations was created with the purpose of making it unnecessary for the civilized world to resort again to the ultimate sanction of war against an aggressor, with all its bloody sacrifices and terrible costs to humanity. Toward the fulfilment of this purpose the Security Council has been assigned a limited part of the responsibilities placed upon the United Nations by the Charter.

Let me remind you that article 1 of chapter I of the Charter lists four purposes of the United Nations, and of these the primary responsibility for only the first—to maintain international peace and security—rests with the Security Council.

The other purposes as stated by the Charter are:

“To develop friendly relations among nations based on respect for the principle of equal rights and self-determination of peoples, and to take other appropriate measures to strengthen universal peace;

“To achieve international cooperation in solving international problems of an economic, social, cultural, or humanitarian character, and in promoting and encouraging respect for human rights and for fundamental freedoms for all without distinction as to race, sex, language, or religion; and

“To be a center for harmonizing the actions of nations in the attainment of these common ends.”

The primary responsibility for the fulfilment of these other purposes rests with the other organs of the United Nations: The General Assembly, the Economic and Social Council, the Trusteeship Council, the Secretariat, and the specialized agencies related to the central organization. The International Court of Justice has the responsibility of applying international law established by the United Nations Charter and in other ways, and as it is progressively extended by the nations in the new agreements they will reach through the continuing use of all the other organs of the United Nations.

These are the tasks of building the basis for a peaceful world society—the political basis, the economic basis, the social and cultural basis, the basis of knowledge and understanding, the basis of law.

Of all the institutions of the United Nations the General Assembly is by its constitutional functions and its potentialities the most important. It has responsibilities for carrying out *all* the purposes of the United Nations.

The General Assembly is the supreme deliberative body of the world community. Although it is not a legislative body enacting laws which must be obeyed by the member states, it exercises great responsibilities and wields great power.

The Assembly is responsible for carrying out the organization of the United Nations as laid down by the Charter. It has already accomplished at the first part of this session many of these organizational tasks.

The Assembly also has the power of the purse. This is a vital power in any governmental entity. Its control of the budget will become more significant as the activities of the United Nations are increased

by the addition of new functions and the expansion of existing programs.

The General Assembly wields power primarily as the voice of the conscience of the world. Its recommendations have behind them the intangible force of the international community. The peace-loving states which are Members of the United Nations will not lightly disregard or flout recommendations of the General Assembly which express the will of an alert and aroused world public opinion. Even when it makes no recommendations, its mere power of discussion under articles 10, 11, and 14 of any matter within the scope of the Charter and of any situation, regardless of origin, which may impair the general welfare, is one of the most constructive functions in the whole organization. By discussion it can clarify the issues and promote mutual understanding among the nations and peoples of the world.

Under the broad and flexible construction of the Charter which the United States wishes to develop, we foresee a great and expanding area of operations for the General Assembly. I need not quote in detail the broad range of the Assembly's competence as it is established in chapter IV of the Charter—in questions involving the maintenance of peace and security; international political and legal cooperation; the coordination of international activities in economic, social, educational, and health matters; and in the domain of the realization of human rights and fundamental freedoms for all. In all these fields the General Assembly speaks as the voice of all the United Nations and establishes the general goals or objectives toward which the organization and all its component parts will move.

The General Assembly must also exercise definitive powers, such as the determination of the location of the headquarters, and the approval of agreements relating to the powers of the organs and special agencies of the United Nations.

The General Assembly will, we believe, explore new fields of activity as time goes on and as functions which may not be specifically provided for in the Charter but which are not precluded by the Charter are entrusted to it by the members of the United Nations. The General Assembly has only just begun its career as the most broadly representative organ of the United Nations. The final extent of its development cannot even be foreseen at this time; but there can be no doubt that it has a vast and increasingly important position to fill in the international community.

These possibilities will be realized to the extent that the Assembly exercises its very broad competence in strict accordance with the fundamental purpose of the United Nations set forth in article 1, paragraph 4 — “to be a center for harmonizing the actions of nations in the attainment of these common ends”. The Assembly's recommenda-

tions, particularly under articles 10, 11, 13, and 14, can greatly extend and develop the rule of law among nations, provided its recommendations are such that they are generally accepted and carried out by the member states.

All the actions of the Assembly in these broad fields are taken in accordance with article 18 of the Charter, which provides that, on important matters, a two-thirds majority of the members present and voting shall be required, while other questions are settled by a simple majority of the members present and voting.

It is obvious that recommendations of the Assembly will be effective in proportion to the size of the majority by which they are adopted.

As in the case of other organs of the United Nations, it is better for the Assembly to go to great lengths to attain, or at least approach, unanimity than it is to enact resolutions over the opposition of a large dissenting group.

The United Nations Charter recognizes the transcending importance to world peace of close cooperation in the economic and social field. In the Economic and Social Council, its subsidiary bodies, and the specialized agencies being brought into relationship with the Council, the United Nations has already created a far more effective and comprehensive institutional structure for these purposes than the world has even seen before.

In a recent address the Honorable John G. Winant, United States Representative on the Economic and Social Council, said: "Peace, if it is to be real and lasting, means more than resolving conflicts between nations. It means positive action to lift the levels of human welfare . . . In our age peace cannot be secured by political action unaccompanied by economic cooperation. It we are not to drift backward to catastrophe, we must go forward together toward a fuller life for all peoples everywhere."

We Americans represent many races and came from many countries. We could not have built one nation out of many peoples and have learned to live as good neighbors and members of one community without the opportunities for a decent life and rising standards of living that nature and the course of history have given us, or without the spirit of the Golden Rule to guide our conduct toward each other.

We, the representatives of the United Nations, can never forget that wars find their breeding ground in poverty, ignorance, and hunger. That is what gives aggressors their chance. Strong men gain power by contrasting a new order with the old. We cannot build a peaceful world without higher standards of living and greater opportunities for all peoples.

Decisions in the Economic and Social Council are taken by a simple majority vote, but here, as in the Assembly, the constant effort has

been and should be to achieve the greatest possible degree of unanimity, rather than to achieve victories based on narrow majority votes. It is not votes that count but agreements that are or will become universally acceptable, because they are necessary and right for the peoples of the world.

Considering that the Council has been at work for less than one year, it has made a remarkable record. Like the other organs, its organizational work has been a necessary preliminary toward making it possible for the United Nations to move ahead toward the realization of the purpose set forth in article 55 of the Charter—"higher standards of living, full employment, and conditions of economic and social progress and development".

At this session of the Assembly we are called upon to examine and approve agreements which bring four important specialized agencies into relationship with the United Nations—the International Labor Organization, the Food and Agriculture Organization, the United Nations Educational, Scientific, and Cultural Organization, and the International Civil Aviation Organization.

In the constructive work of the specialized agencies, the decisions of their policy-making bodies are for the most part taken by a simple or two-thirds majority.

The great flexibility of the constitutional structure of the United Nations will facilitate the development of other special agencies for international action as their creation becomes wise and feasible. Each of these agencies can be endowed by its own Charter with powers in its own field as great as the community of nations is willing to give and as necessity compels it to give.

The proposal of the United States with respect to the establishment of an International Atomic Development Authority is an example of what can be done in this way. We propose that the Charter of this Authority will endow it with power sufficient to ensure that atomic energy will be developed and used for peaceful purposes only and that complying states will be protected against the hazards of violations and evasions. This is in accordance with the Assembly's resolution of last January.

I wish also to make clear that the position which I am taking today in regard to the unanimity of the permanent members of the Security Council is entirely consistent with the position taken by the United States Representative on the Atomic Energy Commission, Mr. Bernard M. Baruch, who repeatedly has made clear that the United States proposals regarding control of atomic energy do not attack the general requirements for unanimity of the permanent members in the Security Council.

The International Court of Justice is now established as one of the principal organs of the United Nations and is potentially one of the greatest of international institutions. It is given a clearly defined role in the process of pacific settlement, namely, that of deciding disputes of a legal character which states submit to it. The Court has a second and even greater function. It stands as the institutional symbol of the rule of law in international relations.

Progress is being made through increasing acceptances of the Court's jurisdiction under paragraph 2 of article 36 of the Statute of the Court. By accepting compulsory jurisdiction over justiciable disputes the nations give practical recognition to the principle of the supremacy of law. I am proud that the United States has been among the first to accept the compulsory jurisdiction of the present court.

Progress is also being made by widening the scope of matters which may be deemed legal and limiting the questions regarded as political and non-justiciable. This is being accomplished through the willingness of states to accept solutions based on law and to cooperate in the development of peaceful judicial procedures which can assure that the law will be based on justice and equity.

The Charter of the United Nations and the constitutions of the specialized agencies form a network of legal obligations which guide and regulate the dealings of states with each other and the actions of the international community.

By article 13 the General Assembly is specifically charged with the task of initiating studies and making recommendations for the further development of international law. But the establishment of standards of justice and equity for the international community is the concern of all the organs and related agencies of the United Nations. Every recommendation that is ratified by the member governments as a convention, agreement, or treaty becomes part of the law of nations.

There is another provision of the Charter to which I wish to call the Assembly's attention. That is article 99, which gives to the Secretary-General, in addition to his wide administrative powers, unprecedented political responsibilities. Under article 99 the Secretary-General may bring to the attention of the Security Council any matter which, in his opinion, may threaten the maintenance of international peace.

While the ultimate significance of this grant of political authority remains in large part to be determined by future events, I believe that the less patient critics of the United Nations might do well to consider the full implications of this authority.

We need not await its full implementation to recognize that the power of the Secretary-General to study conditions which in his

opinion threaten the peaceful relations of the Members of the United Nations and to make recommendations based on his findings represents a significant departure from the usual concepts of international organization and national sovereignty.

The Secretary-General's right of access to the forces of public opinion—even if we adopt such a restricted interpretation of this authority—is a vital responsibility which distinguishes the United Nations from its predecessor international organizations.

Less obvious, but perhaps equally important, is the function of the Secretary-General and his staff to serve as a cohesive and coordinating force in the preparation of studies and proposals for the several organs by suggesting compromises or techniques for dealing with matters under discussion and by acting as an intermediary or conciliator. Many of these activities will never be a part of the official record, but the ability of the Secretary-General and his staff to function effectively in this manner will have an important bearing on the development of the United Nations.

Members of the United Nations are pledged under the Charter to accept as a sacred trust the obligation to promote the interests and well-being of the inhabitants of all non-self-governing territories. In addition the Charter provides for a Trusteeship System for such territories as may be placed under it by agreement. The human rights and fundamental freedoms of the Charter apply equally to all peoples—to peoples who do not yet govern themselves as well as to those who do.

Draft trusteeship agreements have been submitted to this Assembly by nations administering League of Nations mandates. The United States hopes that a sufficient number of these agreements will be approved by the Assembly to make possible the immediate establishment of the Trusteeship Council and the Trusteeship System. The structure of the United Nations cannot be completed until this is done.

The fullest possible implementation of the Charter provisions that deal with all non-self-governing peoples is just as important as implementation of the Trusteeship System itself. In its first years at least, the Trusteeship System will probably apply to only a small percentage of the non-self-governing territories.

The provisions of the Charter recognize that the economic, social, and political development of dependent peoples toward their full participation in the family of nations must be advanced if peace is to be made secure. The Charter and the institutions of the United Nations provide greater opportunities to that end than dependent peoples have ever had before.

In considering both the Australian proposal and the Cuban proposal in this Assembly we bear in mind the whole constitutional and in-

stitutional structure of the United Nations and their relationship to the political realities of today and the political necessities of tomorrow.

These proposals are directed against paragraph 3 of article 27 of the Charter. This provides that on all, except procedural matters, decisions of the Security Council shall be made by an affirmative vote of seven members, including the concurring votes of the permanent members, with one important exception—that a party to a dispute shall abstain from voting in decisions relating to the pacific settlement of disputes. In decisions under chapter VII relating to enforcement action with respect to threats to the peace, breaches of the peace, and acts of aggression, the rule of unanimity of the permanent members is absolute. There is no exception in matters of enforcement.

The principle of unanimity of the great powers has from the first—and by general agreement—been limited in its application as a voting procedure to matters essential to the maintenance of international peace and security. The Charter requires unanimity of the major powers only in substantive decisions by the Security Council. There is no requirement for unanimity in the Assembly, in the Economic and Social Council, and in the Trusteeship Council. Similarly, the Statute of the International Court of Justice specifically provides for decisions by majority vote. The United Nations specialized agencies do not require unanimity of the major powers.

This does not mean that unanimity or the closest possible approximation to it is not to be desired and striven for in all these agencies. It means only that it was not deemed essential to apply the principle to the voting procedures. The greatest possible degree of agreement in all these organs and agencies is most important, for through them laws and customs of the international community are made.

These organs and agencies do not have the power to enforce the law. That power rests with the Security Council, and that is the reason why the Members of the United Nations applied the principle of unanimity to the voting procedures of the Security Council and not to the voting procedures in any of the other institutions of the United Nations.

The large nations that are permanent members of the Council possess the power to keep peace in the world—to enforce observance of the law. The Charter does not give them that power. It recognizes that power and places obligations upon these nations to use that power in accordance with the law.

The unanimity requirement in the Security Council does not relieve the permanent members from any of the responsibilities and obligations they have assumed under the Charter. I have heard it said by critics of the unanimity formula that it legalizes aggression by a

permanent member because that member can prevent enforcement action against itself. Of course this formula does no such thing.

The permanent members are bound legally and morally in the same degree as all other Members of the United Nations "to settle their international disputes by peaceful means in such a manner that international peace and security, and justice are not endangered". In the same degree as all the other Members they are bound to "refrain in their international relations from the threat or use of force against the territorial integrity or political independence of any state, or in any other manner inconsistent with the purposes of the United Nations". These sweeping and binding commitments are not limited by the power of veto in the Security Council. The veto does not legalize any violations of these commitments. They are the law.

No Member of the United Nations can be permitted to ignore the fact that, as Secretary Byrnes said on February 28, 1946, "the mere legal veto by one of the permanent members of the Council does not in fact relieve any state, large or small, of its moral obligations to act in accordance with the purposes and principles of the Charter". Nor does the failure of any organ of the United Nations to take a decision relieve any Member of that obligation.

Besides being bound by the law of the United Nations Charter, 23 nations, including the United States, Soviet Russia, the United Kingdom, and France, are also bound by the law of the Charter of the Nuremberg Tribunal. It makes planning or waging a war of aggression a crime against humanity for which individuals as well as nations can be brought before the bar of international justice, tried, and punished.

It is true that if one of the Great Powers violates the law of the Charter and the law of Nuremberg against aggression there is, ultimately, only one way to enforce the law—and that is by a major war. That, however, would be just as true if the Charter did not require unanimity in the Security Council. A decision involving military measures against one or more of the permanent members by other permanent members would not be a decision for police action as the Charter contemplates it, but for war.

I believe I have made clear the reasons why the United States considers that unanimity of the permanent members of the Security Council in action by the Council concerned with the enforcement of peace is wise and necessary at this stage in the development of the international community.

Criticism of article 27 is directed particularly at the fact that the requirement of unanimity of the permanent members extends to decisions concerning peaceful settlement as well as to enforcement action.

It is true that the requirement of unanimity tends to reduce the

speed of action of the Security Council and increases the difficulties in the way of adopting a clear-cut decision. It may even prevent action which might peacefully settle a dispute.

On the other hand, the unanimity requirement tends to discourage the taking of intransigent positions and to encourage the achievement of agreement through compromise. Certainty is better than speed. In the long run important decisions unanimously accepted by the permanent members are likely to produce better results than decisions which find the permanent members divided. The unanimity requirement—properly applied—prevents the Security Council from being progressively committed to a course of action inconsistent with the vital interests of any permanent member.

It was these latter considerations—among others—that prevailed at San Francisco. In the Four-Power statement of June 7, 1945, to which France later agreed, the permanent members took the position that substantive decisions on peaceful settlement require the concurrence of the permanent members of the Council because of the possible consequences of those decisions. It was believed they might have major political repercussions and might initiate a chain of events which in the end would require the Security Council to invoke measures of enforcement under chapter VII.

It was held that since the Council cannot take enforcement action without the concurrence of all the permanent members, it might endanger the effectiveness of the Council's work, if decisions under chapter VI that might lead to the necessity for enforcement action under chapter VII were taken by a vote which found the permanent members divided.

Despite the attitude of the five powers and the decisions made at San Francisco, which I have described, the United States *hopes* that the five permanent members may find it desirable at some time in the future, in full agreement among themselves and with other members, to support modification of the unanimity requirement in its application to matters arising under chapter VI.

However, a case for amendment of the Charter ought not be made on the basis of so brief an experience. The United States is opposed to amendment of article 27 of the Charter at this time.

We must recognize that during its first nine months the Security Council has labored under unusually difficult circumstances. In its infancy, before it had established its rules and its precedents, the Council was forced to consider substantial differences among the permanent members about problems arising directly from the war.

We must remember that the Security Council—and the United Nations as a whole—was not intended to deal with the peace settlements that must be made as a result of the war. These settlements, both with

the ex-enemy states and among the major allies themselves, were left to separate negotiation. Until they have been made, differences among the major allies about the terms of settlement inevitably will handicap the work of the Security Council. As these settlements are made, we can expect that the areas of present disagreement among the permanent members will be greatly reduced.

The United States does recognize that there is room for improvement in the operations of the Security Council. There is room for improvement in the application of article 27 and of the Four-Power statement in the Security Council. There can be little doubt that a number of the difficulties which have arisen could have been avoided if the voting formula adopted at San Francisco had been more fully and clearly defined.

There has been confusion and misunderstanding both within and without the Security Council.

Necessary action by the Council for the peaceful settlement of a dispute should never be prevented by the votes of any one or any number of its members, permanent or non-permanent. In this connection, we should not forget that the non-permanent members possess six votes in the Council and that at least two of these votes are always necessary to action by the Council.

Restraint and self-discipline to avoid doing anything contrary to the letter or spirit of the Charter, are essential in the application of the voting formula. This is one of the greatest challenges to conduct if we are to give strength to the United Nations for peace.

A program of interpretation and application of the voting principles which will facilitate and not hinder peaceful settlements should be pursued. Here is where clarification through discussions, definition, and regulation and practice are necessary to carry out the spirit as well as the letter of the Charter. This is a United States policy.

We would not have today the laws and the institutions of the United Nations without the unanimous agreement of the Great Powers and the general agreement of all nations. We must continue that unity.

As they stand these laws and institutions offer in their entirety far greater possibilities for the establishment of a just and lasting peace than humanity has ever known before.

We have hardly begun to explore and to exploit these possibilities. That they are virtually limitless can be perceived the moment we stand back far enough to get perspective.

The Charter and the institutions of the United Nations reflect the greatest common denominator of agreement now realizable in a world of sovereign states, with differences in ideology, political and economic systems, and cultural and social traditions.

Science and technology are uniting the world as it has never been united before. Fears and suspicions must not continue to divide the peoples of the world. We must use the institutions and laws of the United Nations to banish these fears and suspicions. So far as we succeed in doing this we shall succeed in creating a world society and a world rule of law in which the veto will wither away.

This may take a long time. But there is no short-cut, no magic formula, by which we can escape the price of peace.

Only by a frequent recurrence to fundamental principles will we give to the Charter a living spirit in the moral sense of nations and of the human race.

4. Address by Secretary of State James F. Byrnes to the General Assembly, December 13, 1946



The United States supports wholeheartedly the proposed resolutions. I first wish to congratulate the members of the Committee by reconciling their differences and reporting the resolutions. They have made a splendid contribution to the cause of peace. I have learned too of the splendid assistance rendered the Committee by the accomplished President of the Assembly, and I know you will all join me in expressing appreciation of the efforts of the distinguished representative of Belgium, Mr. Spaak.

Ever since the close of hostilities, it has been the policy of the United States to hasten the return of conditions of peace. We want to enable the fighting men of the United Nations to return to their homes and their families. We want to give the people of all lands the chance to rebuild what the war has destroyed. There need be no concern about the willingness of the American people to do everything within their power to rid themselves and the world of the burden of excessive armaments.

In the recent past, the concern of peace-loving nations has not been that America maintained excessive armaments. The concern has been that America failed to maintain adequate armaments to guard the peace. When Hitler started the world war in September 1939, Germany had been preparing for war for more than five years. But at that time, there were in active service of the United States in the Army, Navy and the Air Force, only 330,000 men. It was our military weakness, not our military strength, that encouraged Axis aggression.

After the first World War, Japan was given a mandate over strategically important islands in the Southwest Pacific which bound her to keep those islands demilitarized. Although the evidence showed that Japan was violating the terms of the mandate, the United States delayed in building bases on islands under her sovereignty in the Pacific. The result was that when the United States was treacherously attacked at Pearl Harbor, she had no adequately fortified base in the Pacific between Pearl Harbor and the Philippines. Japan's covenant not to use the mandated territories as military bases contained no safeguards to insure compliance. Japan's covenant misled the United States, but it did not restrain Japan. That was our mistake, and we do not intend again to make that mistake.

While before the second World War the peace-loving nations were seeking peace through disarmament, aggressor nations were building up their armaments. And all the while aggressor nations were building up armaments, they were claiming that they were being smothered and encircled by other nations. While we scrapped battleships, Japan scrapped blueprints. While we reduced our Army to the size of a large police force, Germany trained its youth for war.

Too late, those who had taken a leading part in the struggle for general disarmament before the second World War discovered that Axis agents were deliberately organizing and supporting disarmament movements in non-Axis countries in order to render those countries powerless to resist their aggression. Too late, those who had taken a leading part in the struggle for general disarmament discovered that it was not safe to rely upon any disarmament which is not collectively enforced and made a part of a system of collective security. It will take time, patience, and good will to achieve really effective disarmament. The difficulties are great and the complexities many. The defense needs of states vary greatly. The elements which make up the military strength of states likewise vary greatly and cannot readily be compared or appraised.

Effective disarmament cannot be secured by any simple mathematical rule. Demobilized divisions can be speedily recalled to the colors. But a scrapped plane or a scrapped battleship can never be recommissioned. Disarmament, to be effective, must look to the future. It is easy for us to see what folly it would have been when gunpowder was discovered, to start disarming by limiting the use of the bow and arrow.

We must see to it that disarmament starts with the major weapons of mass destruction. We must see to it that disarmament is general and not unilateral. We must see to it that disarmament rests not upon general promises which are kept by some states and ignored by other states. We must see to it that disarmament is accompanied by effective safeguards by way of inspection and other means under international control which will protect complying states against the hazards of violations and evasions.

We must see to it that these safeguards are so clear and explicit that there will be no question of the right of complying states, veto or no veto, to take immediate action in defense of the rule of law. No disarmament system which leaves law-abiding states weak and helpless in the face of aggression can ever contribute to world peace and security.

But in meeting the problems of disarmament, first things should come first. The first task which must be undertaken is the control of atomic energy to insure that it will be used only for human welfare

and not for deadly warfare. There are other weapons of mass destruction, but unless we can meet the challenge of atomic warfare—the most dreadful weapon ever devised—we can never meet the challenge of these other weapons.

The United States, with Britain and Canada, have demonstrated their awareness of the grave responsibility inherent in their discovery of the means of applying atomic energy. In a world of uncontrolled armaments, atomic energy would be an advantage to the United States for many years to come. But it is not the desire of the United States to be the leader in an armament race. We prefer to prevent, rather than to win, the next war.

That is why President Truman announced as soon as he knew that the atomic bomb would work, that it was our purpose to collaborate with other nations to insure that atomic energy should not become a threat to world peace.

Shortly thereafter, the heads of the three Governments responsible for the discovery of atomic energy, met at Washington and urged that the United Nations set up a commission to recommend proposals for the effective international control of atomic energy and all other weapons adaptable for mass destruction.

One of the primary reasons for my trip to Moscow in December 1945 was to ask the U. S. S. R. to join with Britain and Canada in sponsoring a resolution to this effect before the General Assembly.

As soon as the agreement of the Government of the U. S. S. R. was obtained, France and China were also asked and they agreed to join in sponsoring the resolution. These efforts resulted in the unanimous passage of the resolution by the General Assembly in January 1946, only six months after the discovery of the atomic bomb.

Long discussion in the United Nations and public debate on the details of United States proposals have perhaps blurred the real significance and magnitude of United States initiative. The resolution was no idle gesture on our part. Having the knowledge of atomic energy and possession of the atomic bomb, we did not seek to hold it and to threaten the world. We did not sit back and play for time. We came forward with concrete proposals designed fairly, effectively and practically to carry out the tasks assigned to that Commission.

Our proposals, when fully operative, would leave with the states responsible for the discovery of atomic energy no rights which would not be shared with other Members of the United Nations. Our proposals outlaw the use of atomic weapons and contemplate the disposal of existing atomic weapons. They set up an international authority with power to prevent the national manufacture and use of atomic weapons for war purposes and to develop atomic energy for human welfare.

Our proposals also provide effective and practical safeguards against violations and evasions. They enable states that keep their pledges to take prompt and collective action against those who violate their pledges.

We do not suggest any diminution of the right of veto in the consideration of the treaty governing this subject. We do say that once the treaty has become effective, then there can be no recourse to a veto to save an offender from punishment.

We are willing to share our knowledge of atomic weapons with the rest of the world on the condition, and only on the condition, that other nations submit, as we are willing to submit, to internationally controlled inspection and safeguards. From the statements made in the committees and in the Assembly we have been encouraged to believe that others are willing likewise to submit to international inspection.

If other nations have neither bombs nor the ability to manufacture them, it should be easy for them to agree to inspection. But the world should understand that without collective safeguards there can be no collective disarmament.

The resolution we proposed here urges the expeditious fulfilment by the Atomic Energy Commission of its terms of reference. Those terms include the control not only of atomic energy but the control of other instruments of mass destruction. With its specific studies and its accumulated experience that Commission is best equipped to formulate plans for dealing with major problems of disarmament.

Let us concentrate upon those major weapons and not dissipate our energies on the less important problems of controlling pistols and hand grenades.

If we are really interested in effective disarmament and not merely in talking about it, we should instruct our representatives on the Atomic Energy Commission to press forward now with its constructive proposals. The Commission has been at work six months. They can file an interim report next week. I do not want the work of that Commission to be side-tracked or sabotaged.

I am glad that the proposed resolution raises in connection with the problem of disarmament the question of the disposal of troops and the justification of their presence on foreign soil. For disarmament necessarily raises the question of the use which may be made of arms and armed forces which are not prohibited. Reducing armaments will not bring peace if the arms and armed forces that remain are used to undermine collective security.

The United States has persistently pressed for the early conclusion of peace treaties with Italy and the ex-satellite states. We want to make possible the complete withdrawal of troops from those states. The United States has also persistently urged the conclusion of a

treaty recognizing the independence of Austria and providing for the withdrawal of foreign troops. Austria, in our view, is a liberated and not an ex-enemy country. The United States, United Kingdom, and the U. S. S. R., as signatories of the Moscow Declaration of 1943, are obliged to relieve her of the burden of occupation at the earliest possible moment.

The United States believes that armed occupation should be strictly limited by the requirements of collective security. For that reason we proposed to the Council of Foreign Ministers that we should fix agreed ceilings on the occupation forces in Europe. We could not secure agreement this week, but we shall continue our efforts to reduce the occupation forces in Europe. We are also prepared to fix agreed ceilings for the occupation forces in Japan and Korea.

On VJ-day we had over five million troops overseas. We had to send with them extensive supplies and equipment which could not be disposed of overnight.

But despite the tremendous problem of liquidating our extensive overseas war activities, today we have less than 550,000 troops outside of American territory. Most of these troops are in Germany, Japan and the Japanese Islands, Korea, Austria and Venezia Giulia.

The great majority of the troops we have on the territory of the other states outside these occupation areas are supply or administrative personnel. Let me state specifically just what combat troops we have in these other states.

We have a total of 96,000 military personnel in the Philippines but only about 30,000 are combat forces, air and ground, and of these 17,000 are Philippine Scouts. These troops are in the Philippines primarily to back up our forces in Japan. Substantial reductions are contemplated in the near future.

Of the 19,000 troops we have in China, about 15,000 are combat troops and roughly one half of these are today under orders to return home.

We have about 1,500 troops in Panama, excluding the Canal Zone. One thousand of those, composed of a small air unit and some radar air warning detachments, can be classified as combat forces. We have, of course, our normal protective forces in the Panama Canal Zone proper.

We have no combat units in countries other than those I have just mentioned.

Our military personnel in Iceland number less than 600 men. They include no combat troops. They are being withdrawn rapidly and all will be withdrawn by early April 1947, in accordance with our agreement with the Government of Iceland. The military personnel

have been there only to maintain one of our air-transport lines of communication with our occupation forces in Germany.

In the Azores, on the southern air-transport communication line to Germany, we have about 300 men. Again there is not a single combat soldier among them. They are technicians and administrative officials. They are there under an agreement with the Government of Portugal.

Our combat troops are in North China at the request of the Chinese National Government. Their task is to assist in carrying out the terms of surrender with respect to the disarming and deportation of the Japanese. Their mission is nearly completed. Instructions have already been issued for the return of half of our forces now in China although the Chinese Government has urged that they be retained there until conditions become more stabilized.

We have made it clear that our troops will not become participants in civil strife in China. But we are eager to do our part, and we hope other states are eager to do their part, to prevent civil war in China and to promote a unified and democratic China. A free and independent China is essential to world peace, and we cannot ignore or tolerate efforts upon the part of any state to retard the development of the freedom and independence of China. The United States Government repudiates the suggestion that our troops in China or elsewhere, with the consent of the states concerned, are a threat to the internal or external peace of any country.

Because the representative of the U. S. S. R. has referred to our troops in China, it is for me to say that I am confident that the number of American troops in North China is far less than the number of U. S. S. R. troops in South Manchuria, in the Port Arthur area.

Under the Finnish Peace Treaty the U. S. S. R. acquires the right to lease the Porkkala naval base in Finland and to maintain troops there. The temporary presence of a few thousand United States troops in China at the request of that country certainly raises no essentially different question than the permanent presence of U. S. S. R. troops in another country under treaty arrangements.

It is our desire to live up to the letter and the spirit of the Moscow Declaration. We do not intend to use our troops on the territories of other states contrary to the purposes and principles of the United Nations.

The implementation of the Moscow Declaration is not made easier by loose charges or counter charges. The Declaration requires consultation and that is the method we should pursue if we wish to advance the cause of disarmament and of collective security.

Last December at Moscow we consulted the U. S. S. R. and the United Kingdom regarding our troops in China. We have now asked

for consultation in the Council of Foreign Ministers regarding the number of troops to be retained in Germany, Poland, Austria, Hungary, and Rumania under the conclusion of the peace treaties with the ex-satellite states.

The task before us is to maintain collective security with scrupulous regard for the sovereign equality of all states. This involves more than the question of armaments and armed forces. Aggressor nations do not go to war because they are armed, but because they want to get with their arms things which other nations will not freely accord to them. Aggressor nations attack not only because they are armed but because they believe others have not the armed strength to resist them. Sovereignty can be destroyed not only by armies but by a war of nerves and by organized political penetration. World peace depends upon what is in our hearts more than upon what is written in our treaties.

Great states must strive for understandings which will not only protect their own legitimate security requirements but also the political independence and integrity of the smaller states. It is not in the interest of peace and security that the basic power relationships among great states should depend upon which political party comes to power in Iran, Greece or in China. Great states must not permit differences among themselves to tear asunder the political unity of smaller states. Then, smaller states must recognize that true collective security requires their cooperation just as much as that of the larger states. Without the cooperation of large states and small states, all of our disarmament plans are doomed to failure.

A race for armaments, a race for power is not in the interest of any country or of any people. We want to stop the race for armaments and we want to stop the race for power. We want to be partners with all nations, not to make war, but to keep the peace. We want to uphold the rule of law among nations. We want to promote the freedom and well-being of all peoples in a friendly civilized world.

5. Statement by President Truman, November 6, 1946, Concerning Proposed United States Trusteeship of Former Japanese Islands in the Pacific



The United States is prepared to place under trusteeship, with the United States as the administering authority, the Japanese Mandated Islands and any Japanese Islands for which it assumes responsibilities as a result of the second World War. Insofar as the Japanese Mandated Islands are concerned, this Government is transmitting for information to the other members of the Security Council (Australia, Brazil, China, Egypt, France, Mexico, the Netherlands, Poland, the Union of Soviet Socialist Republics, and the United Kingdom) and to New Zealand and the Philippines a draft of a strategic area trusteeship agreement which sets forth the terms upon which this Government is prepared to place those islands under trusteeship. At an early date we plan to submit this draft agreement formally to the Security Council for its approval.

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6. Draft Trusteeship Agreement for the Japanese Mandated Islands, Transmitted by the United States November 6, 1946, for Information to the Other Members of the Security Council and to New Zealand and the Republic of the Philippines

Preamble

WHEREAS Article 75 of the Charter of the United Nations provides for the establishment of an international trusteeship system for the administration and supervision of such territories as may be placed thereunder by subsequent agreements; and

WHEREAS under Article 77 of the said Charter the trusteeship system may be applied to territories now held under mandate; and

WHEREAS on December 17, 1920 the Council of the League of Nations confirmed a mandate for the former German islands north of the equator to Japan, to be administered in accordance with Article 22 of the Covenant of the League of Nations; and

WHEREAS Japan, as a result of the Second World War, has ceased to exercise any authority in these islands;

Now, THEREFORE, the Security Council of the United Nations, having satisfied itself that the relevant articles of the Charter have been complied with, hereby resolves to approve the following terms of trusteeship for the Pacific Islands formerly under mandate to Japan.

Article 1

The Territory of the Pacific Islands, consisting of the islands formerly held by Japan under mandate in accordance with Article 22 of the Covenant of the League of Nations, is hereby designated as a strategic area and placed under the trusteeship system established in the Charter of the United Nations. The Territory of the Pacific Islands is hereinafter referred to as the trust territory.

Article 2

The United States of America is designated as the administering authority of the trust territory.

Article 3

The administering authority shall have full powers of administration, legislation, and jurisdiction over the territory subject to the provisions of this agreement as an integral part of the United States, and may apply to the trust territory, subject to any modifications which the administering authority may consider desirable, such of the laws of the United States as it may deem appropriate to local conditions and requirements.

Article 4

The administering authority, in discharging the obligations of trusteeship in the trust territory, shall act in accordance with the Charter of the United Nations, and the provisions of this agreement, and shall, as specified in Article 83 (2) of the Charter, apply the objectives of the international trusteeship system, as set forth in Article 76 of the Charter, to the people of the trust territory.

Article 5

In discharging its obligations under Article 76 (a) and Article 84, of the Charter, the administering authority shall ensure that the trust territory shall play its part, in accordance with the Charter of the United Nations, in the maintenance of international peace and security. To this end the administering authority shall be entitled:

- (1) to establish naval, military and air bases and to erect fortifications in the trust territory;
- (2) to station and employ armed forces in the territory; and
- (3) to make use of volunteer forces, facilities and assistance from the trust territory in carrying out the obligations towards the Security Council undertaken in this regard by the administering authority, as well as for the local defense and the maintenance of law and order within the trust territory.

Article 6

In discharging its obligations under Article 76 (b) of the Charter, the administering authority shall:

- (1) foster the development of such political institutions as are suited to the trust territory and shall promote the development of the inhabitants of the trust territory toward self-government, and to this end shall give to the inhabitants of the trust territory a progressively increasing share in the administrative services in the territory; shall develop their participation in local government; shall give due recognition to the customs of the inhabitants in providing

a system of law for the territory; and shall take other appropriate measures toward these ends;

(2) promote the economic advancement and self-sufficiency of the inhabitants and to this end shall regulate the use of natural resources; encourage the development of fisheries, agriculture, and industries; protect the inhabitants against the loss of their lands and resources; and improve the means of transportation and communication;

(3) promote the social advancement of the inhabitants, and to this end shall protect the rights and fundamental freedoms of all elements of the population without discrimination; protect the health of the inhabitants; control the traffic in arms and ammunition, opium and other dangerous drugs, and alcohol and other spiritous beverages; and institute such other regulations as may be necessary to protect the inhabitants against social abuses; and

(4) promote the educational advancement of the inhabitants, and to this end shall take steps toward the establishment of a general system of elementary education; facilitate the vocational and cultural advancement of the population; and shall encourage qualified students to pursue higher education, including training on the professional level.

Article 7

In discharging its obligations under Article 76 (c), of the Charter, the administering authority, subject only to the requirements of public order and security, shall guarantee to the inhabitants of the trust territory freedom of speech, of the press, and of assembly; freedom of conscience, of worship, and of religious teaching; and freedom of migration and movement.

Article 8

1. In discharging its obligations under Article 76 (d) of the Charter, as defined by Article 83 (2) of the Charter, the administering authority, subject to the requirements of security, and the obligation to promote the advancement of the inhabitants, shall accord to nationals of each Member of the United Nations and to companies and associations organized in conformity with the laws of such Member, treatment in the trust territory no less favorable than that accorded therein to nationals, companies and associations of any other United Nation, except the administering authority.

2. The administering authority shall ensure equal treatment to the Members of the United Nations and their nationals in the administration of justice.

3. Nothing in this Article shall be so construed as to accord traffic rights to aircraft flying into and out of the trust territory. Such

rights shall be subject to agreement between the administering authority and the state whose nationality such aircraft possesses.

4. The administering authority may negotiate and conclude commercial and other treaties and agreements with Members of the United Nations and other states, designed to attain for the inhabitants of the trust territory treatment by the Members of the United Nations and other states no less favorable than that granted by them to the nationals of other states. The Security Council may recommend, or invite other organs of the United Nations to consider and recommend, what rights the inhabitants of the trust territory should acquire in consideration of the rights obtained by Members of the United Nations in the trust territory.

Article 9

The administering authority shall be entitled to constitute the trust territory into a customs, fiscal, or administrative union or federation with other territories under United States jurisdiction and to establish common services between such territories and the trust territory where such measures are not inconsistent with the basic objectives of the International Trusteeship System and with the terms of this agreement.

Article 10

The administering authority, acting under the provisions of Article 3 of this agreement, may accept membership in any regional advisory commission, regional authority, or technical organization, or other voluntary association of states, may cooperate with specialized international bodies, public or private, and may engage in other forms of international cooperation.

Article 11

1. The administering authority shall take the necessary steps to provide the status of citizenship of the trust territory for the inhabitants of the trust territory.

2. The administering authority shall afford diplomatic and consular protection to inhabitants of the trust territory when outside the territorial limits of the trust territory or of the territory of the administering authority.

Article 12

The administering authority shall enact such legislation as may be necessary to place the provisions of this agreement in effect in the trust territory.

Article 13

The provisions of Articles 87 and 88 of the Charter shall be applicable to the trust territory, provided that the administering authority may determine the extent of their applicability to any areas which may from time to time be specified by it as closed for security reasons.

Article 14

The administering authority undertakes to apply in the trust territory the provisions of any international conventions and recommendations which may be appropriate to the particular circumstances of the trust territory and which would be conducive to the achievement of the basic objectives of Article 6 of this agreement.

Article 15

The terms of the present agreement shall not be altered, amended or terminated without the consent of the administering authority.

Article 16

The present agreement shall come into force when approved by the Security Council of the United Nations and by the Government of the United States after due constitutional process.

7. United States Proposals for the Control of Atomic Energy, Presented by the Honorable Bernard M. Baruch to the United Nations Atomic Energy Commission, June 14, 1946



MY FELLOW MEMBERS OF THE UNITED NATIONS ATOMIC ENERGY COMMISSION, and MY FELLOW CITIZENS OF THE WORLD:

We are here to make a choice between the quick and the dead. That is our business.

Behind the black portent of the new atomic age lies a hope which, seized upon with faith, can work our salvation. If we fail, then we have damned every man to be the slave of Fear. Let us not deceive ourselves: We must elect World Peace or World Destruction.

Science has torn from nature a secret so vast in its potentialities that our minds cower from the terror it creates. Yet terror is not enough to inhibit the use of the atomic bomb. The terror created by weapons has never stopped man from employing them. For each new weapon a defense has been produced, in time. But now we face a condition in which adequate defense does not exist.

Science, which gave us this dread power, shows that it *can* be made a giant help to humanity, but science does *not* show us how to prevent its baleful use. So we have been appointed to obviate that peril by finding a meeting of the minds and the hearts of our people. Only in the will of mankind lies the answer.

It is to express this will and make it effective that we have been assembled. We must provide the mechanism to assure that atomic energy is used for peaceful purposes and preclude its use in war. To that end, we must provide immediate, swift, and sure punishment of those who violate the agreements that are reached by the nations. Penalization is essential if peace is to be more than a feverish interlude between wars. And, too, the United Nations can prescribe individual responsibility and punishment on the principles applied at Nürnberg by the Union of Soviet Socialist Republics, the United Kingdom, France, and the United States—a formula certain to benefit the world's future.

In this crisis, we represent not only our governments but, in a larger way, we represent the peoples of the world. We must

remember that the peoples do not belong to the governments but that the governments belong to the peoples. We must answer their demands; we must answer the world's longing for peace and security.

In that desire the United States shares ardently and hopefully. The search of science for the absolute weapon has reached fruition in this country. But she stands ready to proscribe and destroy this instrument—to lift its use from death to life—if the world will join in a pact to that end.

In our success lies the promise of a new life, freed from the heart-stopping fears that now beset the world. The beginning of victory for the great ideals for which millions have bled and died lies in building a workable plan. Now we approach fulfilment of the aspirations of mankind. At the end of the road lies the fairer, better, surer life we crave and mean to have.

Only by a lasting peace are liberties and democracies strengthened and deepened. War is their enemy. And it will not do to believe that any of us can escape war's devastation. Victor, vanquished, and neutrals alike are affected physically, economically, and morally.

Against the degradation of war we can erect a safeguard. That is the guerdon for which we reach. Within the scope of the formula we outline here there will be found, to those who seek it, the essential elements of our purpose. Others will see only emptiness. Each of us carries his own mirror in which is reflected hope—or determined desperation—courage or cowardice.

There is a famine throughout the world today. It starves men's bodies. But there is a greater famine—the hunger of men's spirit. That starvation can be cured by the conquest of fear, and the substitution of hope, from which springs faith—faith in each other, faith that we want to work together toward salvation, and determination that those who threaten the peace and safety shall be punished.

The peoples of these democracies gathered here have a particular concern with our answer, for their peoples hate war. They will have a heavy exaction to make of those who fail to provide an escape. They are not afraid of an internationalism that protects; they are unwilling to be fobbed off by mouthings about narrow sovereignty, which is today's phrase for yesterday's isolation.

The basis of a sound foreign policy, in this new age, for all the nations here gathered, is that anything that happens, no matter where or how, which menaces the peace of the world, or the economic stability, concerns each and all of us.

That, roughly, may be said to be the central theme of the United Nations. It is with that thought we begin consideration of the most important subject that can engage mankind—life itself.

Let there be no quibbling about the duty and the responsibility of this group and of the governments we represent. I was moved, in the afternoon of my life, to add my effort to gain the world's quest, by the broad mandate under which we were created. The resolution of the General Assembly, passed January 24, 1946 in London, reads:

"Section V. Terms of Reference of the Commission

"The Commission shall proceed with the utmost despatch and enquire into all phases of the problems, 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. . . ."

Our mandate rests, in text and in spirit, upon the outcome of the Conference in Moscow of Messrs. Molotov of the Union of Soviet Socialist Republics, Bevin of the United Kingdom, and Byrnes of the United States of America. The three Foreign Ministers on December 27, 1945 proposed the establishment of this body.

Their action was animated by a preceding conference in Washington on November 15, 1945, when the President of the United States, associated with Mr. Attlee, Prime Minister of the United Kingdom, and Mr. Mackenzie King, Prime Minister of Canada, stated that international control of the whole field of atomic energy was immediately essential. They proposed the formation of this body. In examining that source, the Agreed Declaration, it will be found that the fathers of the concept recognized the final means of world salvation—the abolition of war. Solemnly they wrote:

"We are aware that the only complete protection for the civilized world from the destructive use of scientific knowledge lies in the prevention of war. No system of safeguards that can be devised will of itself provide an effective guarantee against production of atomic weapons by a nation bent on aggression. Nor can we ignore the possibility of the development of other weapons, or of new methods of warfare, which may constitute as great a threat to civilization as the military use of atomic energy."

Through the historical approach I have outlined, we find ourselves here to test if man can produce, through his will and faith, the miracle of peace, just as he has, through science and skill, the miracle of the atom.

The United States proposes the creation of an International Atomic Development Authority, to which should be entrusted all phases of the development and use of atomic energy, starting with the raw material and including—

1. Managerial control or ownership of all atomic-energy activities potentially dangerous to world security.
2. Power to control, inspect, and license all other atomic activities.
3. The duty of fostering the beneficial uses of atomic energy.
4. Research and development responsibilities of an affirmative character intended to put the Authority in the forefront of atomic knowledge and thus to enable it to comprehend, and therefor to detect, misuse of atomic energy. To be effective, the Authority must itself be the world's leader in the field of atomic knowledge and development and thus supplement its legal authority with the great power inherent in possession of leadership in knowledge.

I offer this as a basis for beginning our discussion.

But I think the peoples we serve would not believe—and without faith nothing counts—that a treaty, merely outlawing possession or use of the atomic bomb, constitutes effective fulfilment of the instructions to this Commission. Previous failures have been recorded in trying the method of simple renunciation, unsupported by effective guaranties of security and armament limitation. No one would have faith in that approach alone.

Now, if ever, is the time to act for the common good. Public opinion supports a world movement toward security. If I read the signs aright, the peoples want a program not composed merely of pious thoughts but of enforceable sanctions—an international law with teeth in it.

We of this nation, desirous of helping to bring peace to the world and realizing the heavy obligations upon us arising from our posses-

sion of the means of producing the bomb and from the fact that it is part of our armament, are prepared to make our full contribution toward effective control of atomic energy.

When an adequate system for control of atomic energy, including the renunciation of the bomb as a weapon, has been agreed upon and put into effective operation and condign punishments set up for violations of the rules of control which are to be stigmatized as international crimes, we propose that—

1. Manufacture of atomic bombs shall stop;
2. Existing bombs shall be disposed of pursuant to the terms of the treaty; and
3. The Authority shall be in possession of full information as to the know-how for the production of atomic energy.

Let me repeat, so as to avoid misunderstanding: My country is ready to make its full contribution toward the end we seek, subject of course to our constitutional processes and to an adequate system of control becoming fully effective, as we finally work it out.

Now as to violations: In the agreement, penalties of as serious a nature as the nations may wish and as immediate and certain in their execution as possible should be fixed for—

1. Illegal possession or use of an atomic bomb;
2. Illegal possession, or separation, of atomic material suitable for use in an atomic bomb;
3. Seizure of any plant or other property belonging to or licensed by the Authority;
4. Wilful interference with the activities of the Authority;
5. Creation or operation of dangerous projects in a manner contrary to, or in the absence of, a license granted by the international control body.

It would be a deception, to which I am unwilling to lend myself, were I not to say to you and to our peoples that the matter of punishment lies at the very heart of our present security system. It might as well be admitted, here and now, that the subject goes straight to the veto power contained in the Charter of the United Nations so far as it relates to the field of atomic energy. The Charter permits penalization only by concurrence of each of the five great powers—the Union of Soviet Socialist Republics, the United Kingdom, China, France, and the United States.

I want to make very plain that I am concerned here with the veto power only as it affects this particular problem. There must be no veto to protect those who violate their solemn agreements not to develop or use atomic energy for destructive purposes.

The bomb does not wait upon debate. To delay may be to die. The time between violation and preventive action or punishment would be all too short for extended discussion as to the course to be followed.

As matters now stand several years may be necessary for another country to produce a bomb, *de novo*. However, once the basic information is generally known, and the Authority has established producing plants for peaceful purposes in the several countries, an illegal seizure of such a plant might permit a malevolent nation to produce a bomb in 12 months, and if preceded by secret preparation and necessary facilities perhaps even in a much shorter time. The time required—the advance warning given of the possible use of a bomb—can only be generally estimated but obviously will depend upon many factors, including the success with which the Authority has been able to introduce elements of safety in the design of its plants and the degree to which illegal and secret preparation for the military use of atomic energy will have been eliminated. Presumably no nation would think of starting a war with only one bomb.

This shows how imperative speed is in detecting and penalizing violations.

The process of prevention and penalization—a problem of profound statecraft—is, as I read it, implicit in the Moscow statement, signed by the Union of Soviet Socialist Republics, the United States, and the United Kingdom a few months ago.

But before a country is ready to relinquish any winning weapons it must have more than words to reassure it. It must have a guarantee of safety, not only against the offenders in the atomic area but against the illegal users of other weapons—bacteriological, biological, gas—perhaps—why not?—against war itself.

In the elimination of war lies our solution, for only then will nations cease to compete with one another in the production and use of dread “secret” weapons which are evaluated solely by their capacity to kill. This devilish program takes us back not merely to the Dark Ages but from cosmos to chaos. If we succeed in finding a suitable way to control atomic weapons, it is reasonable to hope that we may also preclude the use of other weapons adaptable to mass destruction. When a man learns to say “A” he can, if he chooses, learn the rest of the alphabet too.

Let this be anchored in our minds:

Peace is never long preserved by weight of metal or by an armament race. Peace can be made tranquil and secure only by understanding and agreement fortified by sanctions. We must embrace international cooperation or international disintegration.

Science has taught us how to put the atom to work. But to make it work for good instead of for evil lies in the domain dealing with the

principles of human duty. We are now facing a problem more of ethics than of physics.

The solution will require apparent sacrifice in pride and in position, but better pain as the price of peace than death as the price of war.

I now submit the following measures as representing the fundamental features of a plan which would give effect to certain of the conclusions which I have epitomized.

1. *General.* The Authority should set up a thorough plan for control of the field of atomic energy, through various forms of ownership, dominion, licenses, operation, inspection, research, and management by competent personnel. After this is provided for, there should be as little interference as may be with the economic plans and the present private, corporate, and state relationships in the several countries involved.

2. *Raw Materials.* The Authority should have as one of its earliest purposes to obtain and maintain complete and accurate information on world supplies of uranium and thorium and to bring them under its dominion. The precise pattern of control for various types of deposits of such materials will have to depend upon the geological, mining, refining, and economic facts involved in different situations.

The Authority should conduct continuous surveys so that it will have the most complete knowledge of the world geology of uranium and thorium. Only after all current information on world sources of uranium and thorium is known to us all can equitable plans be made for their production, refining, and distribution.

3. *Primary Production Plants.* The Authority should exercise complete managerial control of the production of fissionable materials. This means that it should control and operate all plants producing fissionable materials in dangerous quantities and must own and control the product of these plants.

4. *Atomic Explosives.* The Authority should be given sole and exclusive right to conduct research in the field of atomic explosives. Research activities in the field of atomic explosives are essential in order that the Authority may keep in the forefront of knowledge in the field of atomic energy and fulfil the objective of preventing illicit manufacture of bombs. Only by maintaining its position as the best-informed agency will the Authority be able to determine the line between intrinsically dangerous and non-dangerous activities.

5. *Strategic Distribution of Activities and Materials.* The activities entrusted exclusively to the Authority because they are intrinsically dangerous to security should be distributed throughout the world. Similarly, stockpiles of raw materials and fissionable materials should not be centralized.

6. *Non-Dangerous Activities.* A function of the Authority should be promotion of the peacetime benefits of atomic energy.

Atomic research (except in explosives), the use of research reactors, the production of radioactive tracers by means of non-dangerous reactors, the use of such tracers, and to some extent the production of power should be open to nations and their citizens under reasonable licensing arrangements from the Authority. Denatured materials, whose use we know also requires suitable safeguards, should be furnished for such purposes by the Authority under lease or other arrangement. Denaturing seems to have been overestimated by the public as a safety measure.

7. *Definition of Dangerous and Non-Dangerous Activities.* Although a reasonable dividing line can be drawn between dangerous and non-dangerous activities, it is not hard and fast. Provision should, therefore, be made to assure constant reexamination of the questions and to permit revision of the dividing line as changing conditions and new discoveries may require.

8. *Operations of Dangerous Activities.* Any plant dealing with uranium or thorium after it once reaches the potential of dangerous use must be not only subject to the most rigorous and competent inspection by the Authority, but its actual operation shall be under the management, supervision, and control of the Authority.

9. *Inspection.* By assigning intrinsically dangerous activities exclusively to the Authority, the difficulties of inspection are reduced. If the Authority is the only agency which may lawfully conduct dangerous activities, then visible operation by others than the Authority will constitute an unambiguous danger signal. Inspection will also occur in connection with the licensing functions of the Authority.

10. *Freedom of Access.* Adequate ingress and egress for all qualified representatives of the Authority must be assured. Many of the inspection activities of the Authority should grow out of, and be incidental to, its other functions. Important measures of inspection will be associated with the tight control of raw materials, for this is a keystone of the plan. The continuing activities of prospecting, survey, and research in relation to raw materials will be designed not only to serve the affirmative development functions of the Authority but also to assure that no surreptitious operations are conducted in the raw-materials field by nations or their citizens.

11. *Personnel.* The personnel of the Authority should be recruited on a basis of proven competence but also so far as possible on an international basis.

12. *Progress by Stages.* A primary step in the creation of the system of control is the setting forth, in comprehensive terms, of the

functions, responsibilities, powers, and limitations of the Authority. Once a charter for the Authority has been adopted, the Authority and the system of control for which it will be responsible will require time to become fully organized and effective. The plan of control will, therefore, have to come into effect in successive stages. These should be specifically fixed in the charter or means should be otherwise set forth in the charter for transitions from one stage to another, as contemplated in the resolution of the United Nations Assembly which created this Commission.

13. *Disclosures.* In the deliberations of the United Nations Commission on Atomic Energy, the United States is prepared to make available the information essential to a reasonable understanding of the proposals which it advocates. Further disclosures must be dependent, in the interests of all, upon the effective ratification of the treaty. When the Authority is actually created, the United States will join the other nations in making available the further information essential to that organization for the performance of its functions. As the successive stages of international control are reached, the United States will be prepared to yield, to the extent required by each stage, national control of activities in this field to the Authority.

14. *International Control.* There will be questions about the extent of control to be allowed to national bodies, when the Authority is established. Purely national authorities for control and development of atomic energy should to the extent necessary for the effective operation of the Authority be subordinate to it. This is neither an endorsement nor a disapproval of the creation of national authorities. The Commission should evolve a clear demarcation of the scope of duties and responsibilities of such national authorities.

And now I end. I have submitted an outline for present discussion. Our consideration will be broadened by the criticism of the United States proposals and by the plans of the other nations, which, it is to be hoped, will be submitted at their early convenience. I and my associates of the United States Delegation will make available to each member of this body books and pamphlets, including the Acheson-Lilienthal report, recently made by the United States Department of State, and the McMahon Committee Monograph No. 1 entitled "Essential Information on Atomic Energy" relating to the McMahon bill recently passed by the United States Senate, which may prove of value in assessing the situation.

All of us are consecrated to making an end of gloom and hopelessness. It will not be an easy job. The way is long and thorny, but supremely worth traveling. All of us want to stand erect, with our faces to the sun, instead of being forced to burrow into the earth, like rats.

The pattern of salvation must be worked out by all for all.

The light at the end of the tunnel is dim, but our path seems to grow brighter as we actually begin our journey. We cannot yet light the way to the end. However, we hope the suggestions of my Government will be illuminating.

Let us keep in mind the exhortation of Abraham Lincoln, whose words, uttered at a moment of shattering national peril, form a complete text for our deliberation. I quote, paraphrasing slightly:

"We cannot escape history. We of this meeting will be remembered in spite of ourselves. No personal significance or insignificance can spare one or another of us. The fiery trial through which we are passing will light us down in honor or dishonor to the latest generation.

"We say we are for Peace. The world will not forget that we say this. We know how to save Peace. The world knows that we do. We, even we here, hold the power and have the responsibility.

"We shall nobly save, or meanly lose, the last, best hope of earth. The way is plain, peaceful, generous, just—a way which, if followed, the world will forever applaud."

My thanks for your attention.

8. Address by the Honorable Bernard M. Baruch, United States Representative, to the Atomic Energy Commission
December 5, 1946



MY FELLOW MEMBERS OF THE ATOMIC ENERGY COMMISSION:

The primary responsibility for originating a system to protect the world against the atomic bomb has been placed squarely in our hands. Regardless of discussions elsewhere, the Atomic Energy Commission cannot escape its duty. Our task came to us from three high sources—first, the meeting in Washington, November a year ago, of the chiefs of state of the United States, Canada, and the United Kingdom; second, the meeting of the foreign ministers of the United States, the United Kingdom, and the Soviet Union, in Moscow last December; third, the definitive resolution of the General Assembly in London last January.

I note that the debates on disarmament in the General Assembly have followed closely the proposals laid down by the United States on June 14, before this body. It remains, however, the responsibility of this Commission to submit definite plans to the Security Council. It is to that business I address myself. I entreat all to join in the enterprise so that we may show speed, as well as vision, in our assignment.

The stakes are greater than ever before offered mankind—peace and security. For who can doubt, if we succeed in controlling the atomic weapon, that we can go on to the control of other instruments of mass destruction? The elimination of war itself is within the range of possibility. I repeat: "The man who learns to say 'A' can learn, if he chooses, the rest of the alphabet, too."

But we must make a beginning. Let us delay no longer. The awakened conscience of humanity is our goad. In all my life, now past the biblical allotment of three score and ten years, never before have I seen so rich an opportunity for deathless service as is presented to us here. I want my country associated with victory in this great crusade.

For myself, as I look upon a long past and too short a future, I believe the finest epitaph would be—"He helped to bring lasting peace to the world."

But we must have whole-hearted and not half-way measures. The world is not to be fooled by lip service. The world will resent and reject deception. We must march together in the bonds of a high resolve. We dare not wait too long.

I do not intend, at this time, to debate the plan that we are about to offer here, in broad outline. I shall content myself with comments as to the imperative necessity for speed.

I beg you to remember that to delay may be to die. I beg you to believe that the United States seeks no special advantage. I beg you to hold fast to the principle of seeking the good of all, and not the advantage of one.

We believe that the original proposals of the United States, made on June 14th, were generous and just. Through the acid test of deliberation and debate, before this Commission and before the public opinion of the world, they have been proven so. In the long and protracted series of 70-odd meetings of this Commission and its various committees, studying all phases of the subject, we have found inherent and inevitable in any treaty that is to be written, covering this subject, three major elements:

1. The erection of an international authority which shall effectively prevent the manufacture and use of atomic bombs for war purposes, and which shall develop the use of atomic energy for social gain.
2. The right of free and full international inspection in support of these purposes.
3. The definite agreement that once a treaty becomes effective, providing for deterrents against offenses and punishments for offenders, there can be no veto to protect willful violators, or to hamper the operations of the international authority.

However much one may seek to escape from these primaries, always the discussion, no matter where held, has come back to them. We have heard words that sometimes seemed to be steering us away from our goal, only later to hear others that led us back toward it.

The outline here presented is the bone and the sinew of any effective international control that may be—that shall be—that *must be established* if the civilized world is not to be ended; if the peoples are to live in security instead of being paralyzed by fear.

Time is two-edged. It not only forces us nearer to our doom, if we do not save ourselves, but, even more horrendous, it habituates us to existing conditions which, by familiarity, seem less and less threatening.

Once our minds have been conditioned to that sort of thinking, the keen edge of danger is blunted, and we are no longer able to see the dark chasm on the brink of which we stand.

Action at this time may well change hope to confidence. How can it profit any of us to avoid the issue, unless by so doing, we seek a special advantage; unless a chaos of fear will help particular ambitions?

Let us assume a report of the nature described in the American proposals is placed before the Security Council, together with such additions thereto as this body may desire. In it there will not be found a derogation of the dignity or might of any nation. On the contrary, the plan will build up, in all the world, a new and greater strength and dignity based on the faith that at last security is in sight; that at last men can walk erect again, no longer bent over by the numbing fear the atom bomb strikes into their hearts.

The price we have set upon the surrender of the absolute weapon is a declaration of peaceful intent and of interdependence among the nations of the world, expressed in terms of faith and given strength by sanctions—punishments to be meted out by concerted action against wilful offenders. That is one of the great principles of the United Nations—justice for all, supported by force. But there can be no unilateral disarmament by which America gives up the bomb, to no result except our own weakening. That shall never be.

It is for us to accept, or to reject—if we dare, this doctrine of salvation. It springs from stark necessity, and that is inexorable. My country, first to lay down a plan of cooperative control, welcomes the support of those countries which have already indicated their affirmative positions. We hope for the adherence of all.

We seek especially the participation of the Soviet Union. We welcome the recent authoritative statements of its highest representatives. From these, we are justified in concluding that it no longer regards the original American proposals unacceptable, as a whole or in their separate parts, as its member of this body stated at an earlier meeting.

I repeat—we welcome cooperation but we stand upon our basic principles even if we stand alone. We shall not be satisfied with pious protestations lulling the peoples into a false sense of security. We aim at an effective plan of control and will not accept anything else.

The time for action is here. Each of us perceives clearly what must be done. We may differ as to detail. We are in accord as to purpose. To the achievement of that purpose, I present a program in the form of resolutions, which have been placed before you.

I do not ask you to discuss or vote on these proposals at this time. They are now presented for your study and consideration. But I do ask the Chairman to call a meeting of this Commission, as early as convenient, to debate, if necessary, and to act upon the findings and recommendations contained in these resolutions, so that the position each nation takes on them may be recorded in this Commission's report which must be drafted by December 20, and presented to the Security Council by December 31.

I shall now read these resolutions.¹

¹ See supplement.

9. Address by the Honorable Bernard M.
Baruch, United States Representative, to the
Atomic Energy Commission
December 17, 1946



MR. CHAIRMAN:

Speaking for the United States, I propose to move the adoption of the Resolutions submitted to this body on Thursday, December 5. But before I do so, I would like to say a few words.

First of all, I should like to express, for each of us, our thanks to Mr. Alexandre Parodi, our retiring Chairman, and to his associate, Mr. François de Rose, who presided over the informal conversations, for their distinguished work. Also, I welcome Dr. Manuel Sandoval-Vallarta, who brings his unusual talents to the chair for the current month.

Now I respectfully urge two claims upon your attention: The first is, to adopt and proclaim these basic principles, that have forced themselves upon us from the work on which we are engaged. The second is, to proceed to do it now. The time has come to match our words with action.

Our course is not wholly in the field of free choice. We are under compulsions placed upon us by the General Assembly. The great and solemn debate held by that body on disarmament was closed last Saturday night, with an expression of unanimous support by all the nations represented. It is a declaration that may be—that should be—that must be high in historical importance because of its effect upon all the peoples of all the world now, and in the days to come.

A new spirit has come into being. It is our privilege and duty to give flesh to that spirit. The injunction has been laid upon the Atomic Energy Commission to proceed expeditiously to the development of a formula of action. It is with that thought in mind that I requested the Chairman of this group to call us together.

Let me point out to you that in placing these Resolutions before you, our sole purpose is to develop, in broad outline, the vital principles on which we are to proceed. The Commission itself should pass upon and decide these vital matters.

Passage of these Resolutions by the Commission would be, in effect, an instruction to Committee No. 2 to include the findings and recommendations which we approve, with such others as Committee No. 2

is prepared to recommend, in the draft report that it has been instructed to submit to us by December 20. Their inclusion in the draft report would be mandatory but not exclusive. Committee No. 2 would remain free to add additional findings and recommendations arising from their very valuable work. In other words, we are laying down certain principles to be included, by Committee No. 2, in the draft which we have directed them to submit to us. We do not attempt to exclude from that draft such other material as Committee No. 2 deems proper.

I doubt whether any public body ever devoted itself to its assignment with greater assiduity; with deeper understanding; and with finer devotion than has characterized this Commission since the beginning of its work. This is particularly true of the members of our Scientific and Technical Committee, who have contributed so greatly toward clarifying our understanding of this vast and complicated subject.

The further survey of the practical and operational elements of the problem by the informal group composed of our political and scientific advisers points towards a vital and, I hope, unanimous conclusion: For the protection of the world against the destructive uses of atomic energy there must be brought into existence an international control agency. Their discussions have been particularly valuable in giving an intimate and practical insight into the type and nature of controls appropriate to the various phases of atomic energy production. Thus, I need not argue these principles in detail. They are known to each and every one of us.

Upon rendering its report to the Security Council, the Commission will have completed the first stage of its assigned task. It will then, presumably, turn to the difficult questions of the organization, functions, powers, and the relations of the proposed international control agency to the United Nations and to the several states. However, before such discussions can be fruitfully undertaken, we must first establish a general framework within which the solutions will be sought. We need a determination of policy on the basis of which we can elaborate in detail the characteristics which an international control agency must have if it is effectively to fulfil our mandate. The resolutions proposed by the United States are offered to provide such a basis, in order that the work of this Commission may continue fruitfully and its past efforts not be lost. I am sure you will accept my proposals in this spirit.

I hope it is not amiss for me to point out, as a source of pride to all of us, that the comprehensive, many-sided debates in the General Assembly followed closely the proposals first outlined in this Commission. In fact, the lines of discussion paralleled the suggestions contained in the United States proposals at our first meeting. We were

all of us seeking the same goal, but it fell to the lot of my country, first, to put the ideas we all held into words we can all accept.

We have no pride of authorship, but we cannot, in justice to our trust, accept changes in purpose. We have debated long enough. Much of the discussion engendered by these suggestions already has taken place in the Assembly. The proof of their acceptance lies in the General Assembly Resolutions unanimously adopted Saturday, following strong supporting speeches by Messrs. Molotov and Bevin. The indication of our remaining duty was contained in the speech made by Mr. Byrnes, Secretary of State of the United States, on Friday night. He, it was, who brought the United Nations and the public, which is so deeply interested in this Commission, to a refreshed understanding of the fact that abstractions have been debated, and it is now up to us—the Atomic Energy Commission—to present an immediate, a practical, and a realistic program.

The mandate, creating us, puts within our terrain, not merely the elimination of the atomic weapon from future wars, not merely the disposal of existing stocks and the beneficial development of the energy—but, of equal importance, it asks the development of measures to prevent the use of other instruments of mass destruction.

It is my thought that these Resolutions are to be acted upon at this time. We have accepted the duty, and we must proceed promptly to its fulfilment. We believe, and our work follows this belief, that the best way of gaining our objective is to do first things first. In the very forefront of that effort lies the control of atomic energy. If we are able, satisfactorily, to solve that vast problem, the others will come easier. As I have said, the man who says "A" can be taught to say the rest of the alphabet.

This is to be a treaty that is meant to be kept. This is to be a program for which the world has striven through all recorded history, and even before—for man, in his soul, is peaceful and life-loving. Deep inside of him, he knows that he can live in security only by the force of law and never by the law of force.

Before formally moving the adoption of the Resolutions, with which you are familiar, I would very much appreciate it, Mr. Chairman, if you and the Commission would extend me a personal courtesy. There are three short changes in the language of these Resolutions as distributed on December 5 which, in the interest of clarity, I would like to incorporate into the Resolutions before I move their adoption.¹ None of these changes alters their purpose.

The first change involves adding to the second paragraph of 3 (a) of the recommendations, the following sentence: "Atomic research for

¹ See supplement.

peaceful purposes by national agencies shall be subject to appropriate safeguards established by the international authority."

The second change involves substituting in place of the last sentence of the second paragraph of 3 (e) the following sentence: "In dealing with such violations, a violator of the terms of the treaty should not be protected from the consequences of his wrong-doing by the exercise of any power of veto."

The third change involves deleting the words "the control of" which occurred twice in the third paragraph of section 3 (a).

Copies including these changes have been placed before all Members of the Commission by the Secretariat.

10. Summary of Findings of the Committee on Controls of the Atomic Energy Commission, December 26, 1946¹



These findings have led to the important conclusion that an international control agency must be responsible for the system of safeguards and control. They also indicate some of the essential functions of the agency. The specific control measures mentioned in the findings are not meant to be definitive but rather to be indicative of the various types of safeguards applicable at each stage. In devising a definite system of control, provision must be made for flexibility in adapting safeguards to a rapidly developing technology. Moreover, the findings are interrelated and, although the coordination of safeguards is discussed to some extent, further measures of coordination must be considered before formulating a comprehensive system of control. The findings, therefore, do not represent a plan for atomic energy control but only some of the elements which should be incorporated in any complete and effective plan.

Summary of Findings on Safeguards Necessary To Detect and Prevent Diversion From Declared Activities

DIVERSION OF URANIUM FROM DECLARED MINES AND MILLS

Adequate safeguards against diversion from declared mines and mills are possible by a system of inspection, including guards, similar to normal managerial operating controls, provided that the inspectorate has unrestricted access to all equipment and operations and has facilities for independent weighing, assay, and analysis.

DIVERSION OF THORIUM FROM DECLARED MINES AND MILLS

Effective control of the raw material and concentrates of thorium is possible through a system of inspection similar to that found adequate for uranium.

¹ "The First Report of the Atomic Energy Commission to the Security Council", in process of publication by the United Nations, Part II, B.

DIVERSION OF URANIUM AND THORIUM FROM DECLARED REFINERIES AND CHEMICAL AND METALLURGICAL PLANTS

Adequate safeguards against diversion from declared refineries and chemical and metallurgical plants are possible by a system of inspection, including guards, similar to normal managerial operating controls, provided that the inspectorate has unrestricted access to all equipment and operations and has facilities for independent weighing, assay, and analysis and provided that it has the right to require the plant to be shut down for purposes of clean-up and accounting at appropriate times and to require efficient operating procedure.

At these stages, there is no fundamental difference between the processes for thorium and for uranium.

DIVERSION OF URANIUM FROM DECLARED ISOTOPE SEPARATION PLANTS

At present, it is not possible to place reliance on the method of obtaining a material balance of uranium isotopes in the case of isotope separation plants. This is one of the important reasons why there must be internal control of such plants by a director or manager and why the management must be established by and be responsible to the international control agency. Even if the material balance could be greatly improved, the inherent danger of the operation would still require management by the international control agency.

DIVERSION OF URANIUM, THORIUM, AND PLUTONIUM FROM DECLARED NUCLEAR REACTORS AND ASSOCIATED CHEMICAL EXTRACTION PLANTS

A. At present, it is not possible to place reliance on the method of obtaining a material balance of plutonium in the case of reactors and associated chemical extraction plants. This is one of the important reasons why the chemical extraction plants and, in some cases, the reactors should be subject to internal control by a director or manager and why the management must be established by and be responsible to the international control agency. Even if the material balance could be greatly improved, the inherent danger of the operations would still require management by the international control agency.

B. The safeguards required for the control of reactors will depend on their size and design and especially on their content and possible rate of production of nuclear fuel. The safeguards available to the international control agency should include licensing and inspection, supervision, and management of the operation of reactors. In addition, close supervision of the design and construction of reactors is essential in all cases.

C. Periodic inspection, together with licensing, is an adequate safeguard in the case of small research reactors and their associated chemical plants, unless their total content of nuclear fuel or potential rate of output in any area is of military significance.

D. Adequate safeguards for chemical extraction plants associated with all except small research reactors are only possible through management by the international control agency.

E. Adequate safeguards during the preparation of high-grade or pure nuclear fuels in a suitable form for insertion in secondary reactors, and, during the storage and shipment of such fuels, are only possible through management by the international control agency.

Summary of Findings on Safeguards Necessary To Insure the Detection of Clandestine Activities

A. The international control agency will require broad privileges of movement and inspection, including rights to conduct surveys by ground and air. These privileges should, however, be very carefully defined to insure against misuse.

B. Reports and returns on relevant matters will be required from national governments.

C. The international control agency should coordinate all relevant information to determine what areas may be suspected of containing clandestine activities.

D. Isotope separation plants, reactors, and chemical extraction plants as well as mines, have distinguishing features which would facilitate the detection of clandestine activities at these stages.

E. Detection of clandestine refineries and chemical and metallurgical plants is more difficult than detection of clandestine operations at other stages in the processing of nuclear fuel.

F. The detection of clandestine bomb manufacture as such is almost impossible; it is, therefore, vital that any unauthorized accumulation of essential nuclear fuels be prevented.

Summary of Findings on Seizure

Problems relating to seizure have been considered thus far only in preliminary terms. The major questions of seizure are political rather than technical. It appears, however, that technical measures could reduce the military advantages and, therefore, the dangers of seizure.

Summary of Findings on Coordination of Safeguards

A. In addition to material accounting at each individual step in atomic energy processes, the international control agency should pro-

vide for material accounting checks between points of shipment and receipt of material as a means of detecting possible diversion in transit.

B. The international control agency should control the storage and shipment of uranium and thorium materials to the degree necessary for security purposes.

C. The international control agency should itself store and itself handle all enriched or pure nuclear fuel in transit. This does not necessarily imply ownership either of the materials or of the transit or storage facilities, questions which have not yet been discussed.

D. Since stocks of concentrated or pure nuclear fuel are acutely dangerous, operations at successive stages in the production of atomic energy should be so scheduled that stocks of materials in transit and in storage are minimized, but without interfering unduly with the development and effectiveness of peaceful activities.