

REPORT FROM MILITARY STAFF COMMITTEE TO THE PRESIDENT
OF THE SECURITY COUNCIL

The Military Staff Committee forwarded to the President of the Security Council on 14 February 1946, its Draft Statute and Draft Rules of Procedure. The Military Staff Committee has now agreed to certain amendments to its Draft Statute and Draft Rules of Procedure in the light of comments expressed by the Secretary-General and subsequent correspondence between the Secretary-General and the Military Staff Committee.

2. Accordingly the Military Staff Committee submits herewith for the consideration of the Security Council the following documents:

- (a) Revised Draft Statute (Annex A)
- (b) Revised Draft Rules of Procedure (Annex B)

3. It is requested that these documents be substituted for those originally forwarded to the President of the Security Council by the Chairman of the Military Staff Committee, Admiral Fenard, on 14 February, 1946, and circulated to the Security Council as S/10.

4. It will be noted that agreement has not been reached in the Military Staff Committee on two points, i.e. Section VII of the Revised Draft Statute and Rule 2 of the Revised Draft Rules of Procedure. The divergent views of the Delegations are set out in parallel columns.

(Signed) HENRY MOORE
Admiral
Chairman
Military Staff Committee.

24th July, 1946.

ANNEX "A"

REVISED DRAFT STATUTE OF MILITARY STAFF COMMITTEE

Contents

- SECTION I Establishment of the Military Staff Committee
- II Functions of the Military Staff Committee
- III Relation between Military Staff Committee, the Security Council and Secretary-General
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- V Chairmanship
- VI Location
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- VIII Structure of the Military Staff Committee.

SECTION I

ESTABLISHMENT OF THE MILITARY STAFF COMMITTEE

In pursuance of Article 47 of the Charter and for purposes laid down in that and other Articles of the Charter, the Military Staff Committee has been established by the Security Council.

SECTION II

FUNCTIONS OF THE MILITARY STAFF COMMITTEE

The Military Staff Committee is organised to perform the following functions:-

- (a) To advise and assist the Security Council on all questions relating to the Security Council's military requirements for the maintenance of international peace and security and, in particular, the prevention and suppression of aggression.
- (b) To prepare for the Security Council plans for the application of armed force.
- (c) To make recommendations to the Security Council for the employment and command, including the designation of commanders, of forces placed at its disposal.

- (d) To advise and assist the Security Council on all questions relating to the regulation of armaments and possible disarmament.
- (e) Under the Security Council, to be responsible for and to exercise the strategic direction of armed forces placed at the disposal of the Security Council.
- (f) With the authorization of the Security Council and after consultation with appropriate regional agencies, to establish regional Military Staff Sub-committees and to direct their activities.
- (g) To perform such other functions as the Security Council may require.

SECTION III

RELATION BETWEEN THE MILITARY STAFF COMMITTEE, THE SECURITY COUNCIL AND THE SECRETARY-GENERAL

- (a) The Military Staff Committee is the military organ of the Security Council. It is essential that there be a free and reciprocal exchange of information between the Security Council and the Military Staff Committee.
- (b) Exchange of information is especially necessary during the periods in which efforts are being made to settle disputes by peaceful means.
- (c) Information will be exchanged by means of official correspondence, personal contact and by attendance, on invitation, at meetings of the Security Council by Members of the Military Staff Committee.
- (d) The Chairman of the Military Staff Committee shall personally perform liaison between the Military Staff Committee and the Secretary-General. The Principal Secretary of the Military Staff Committee shall serve as liaison officer between the Committee and the Office of the Secretary-General. In this capacity, he shall act under the authority of both the Chairman of the Military Staff Committee and the Secretary-General for the purpose of exchanging

information, transmitting pertinent documents, and arranging for conferences between the Military Staff Committee and the Secretary-General or the Assistant Secretary-General of the Department of Security Council Affairs.

(e) When reports, recommendations, or statements have been approved by the Military Staff Committee for submission to the Security Council, advance copies will be forwarded to the Secretary-General for his information and files.

SECTION IV

MEMBERSHIP

(a) The Military Staff Committee consists of the Chiefs of Staff of the Permanent Members of the Security Council or their representatives.

(b) The Representatives of the Chiefs of Staff of each Nation will consist of three officers, one from each of the land, sea and air forces, who in the absence of the Chiefs of Staff will be Members of the Military Staff Committee.

(c) Representatives of any Member of the United Nations not permanently represented on the Military Staff Committee, invited by the Committee (under Article 47, paragraph 2 of the Charter) to be associated with it while required for the efficient discharge of its responsibilities shall not be considered Members of the Military Staff Committee. Representatives of such an associated Nation shall participate in only those parts of a meeting (or meetings) to which specifically invited by the Military Staff Committee.

SECTION V

CHAIRMANSHIP

The Chairmanship of the Military Staff Committee shall rotate as established in the "Rules of Procedure".

SECTION VI

LOCATION

The Military Staff Committee shall have its headquarters at the seat of the Security Council.

SECTION VII

PERMANENT AVAILABILITY

Chinese, French, U.K. and
U.S. Delegation's Proposal

In order to be able to perform its duties towards the Security Council, the Military Staff Committee shall likewise be so organised as to be able to function continuously in accordance with directives of the Security Council and approved plans.

Soviet Delegation's Proposal

In order to be able to perform its duties towards the Security Council, the Military Staff Committee shall likewise be so organised as to be able to function in accordance with directives of the Security Council and approved plans.

SECTION VIII

STRUCTURE OF THE MILITARY STAFF COMMITTEE

A. Sub-Committees.

In order to carry out its functions of organising and later giving strategic direction to United Nations forces, and for other purposes, the Military Staff Committee may establish along general staff lines such permanent or temporary sub-committees as may be necessary, as for example ~~sub-committees~~ concerned with such subjects as operations, intelligence, logistics, armaments, communications, trusteeships and others.

Each sub-committee shall consist of not more than three Members (Army, Navy, Air Force) from each of the five nations and such assistants as they may require. Any Member may serve on more than one sub-committee.

B. Secretariat

The Secretariat of the Military Staff Committee will be organised as set forth in the document entitled "Rules of Procedure for the Military Staff Committee and its Secretariat."

ANNEX "B"

REVISED DRAFT RULES OF PROCEDURE FOR THE MILITARY
STAFF COMMITTEE AND ITS SECRETARIAT

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- SECTION I Meetings and Agenda
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- III Voting
- IV Structure and procedure for the Secretariat
- Appendix "A" Quartermaster
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- VI Languages
- VII Security

SECTION I

MEETINGS AND AGENDA

Rule 1

The Military Staff Committee shall hold meetings at the call of the Chairman whenever there is business to be conducted and the necessary documents have been prepared, but not more than fourteen days shall elapse between meetings.

Rule 2

Chinese, French, U.K. and
U.S. Delegations' proposal

The Chairman of the Military Staff Committee shall call an extraordinary meeting of the Military Staff Committee at the direction of the Security Council, or at the request of any Delegation of the Committee. No extraordinary meeting can be convened unless every Delegation is represented. Each Delegation ~~of the Military Staff Committee~~ shall, for this purpose, be adequately represented at all times at the site of the

Soviet Delegation proposal

The Chairman of the Military Staff Committee shall call an extraordinary meeting of the Military Staff Committee at the direction of the Security Council, or at the request of any Delegation of the Committee. No extraordinary meeting can be convened unless every Delegation is represented. Each Delegation of the Military Staff Committee shall, for this purpose, be adequately represented at the site of the organisation.

Rule 3

(a) Meetings of the Military Staff Committee shall be attended by its members and secretaries. Each Delegation may be accompanied at any meeting by such advisers and technical assistants as it may require either civil or military. Each Delegation shall keep the number of its advisers at meetings as small as practicable.

(b) The Secretary-General, or the Assistant Secretary-General for the Department of Security Council Affairs, acting on his behalf, normally has the right to attend all meetings of the Military Staff Committee and make oral or written statements concerning matters within the scope of the functions and powers of the Secretary-General.

(c) No other persons except the above shall attend any meeting of the Military Staff Committee except by agreement of all Delegations.

(d) Within the terms of (b) above, the Secretary-General will be given a copy of the provisional agenda of meetings of the Military Staff Committee and all papers referred to thereon, other than papers applying solely to internal matters of the Military Staff Committee.

Rule 4

The provisional agenda for a meeting shall be drawn up by the Secretariat and communicated by the Principal Secretary (See Rule 8, Paragraph (c)) to the Members of the Military Staff Committee at least three days before the meeting, but in urgent circumstances it may be communicated simultaneously with the notice of the meeting.

Rule 5

The first item on the provisional agenda of any meeting of the Military Staff Committee shall be the adoption of the agenda.

SECTION II

CHAIRMANSHIP

Rule 6

(a) The Chairmanship of the Military Staff Committee shall rotate on a monthly basis among the five national Delegations in English alphabetical order of the names of their countries.

(b) The Chairmanship of all Sub-Committees will be held on the same principles as laid down in Paragraph (a) above, and will change at the same time.

(c) The Chairman shall be only a presiding officer and shall represent the Military Staff Committee in its corporate capacity only in accordance with its instructions. Except on the special instructions of the Military Staff Committee he will deal only with the Security Council and the Secretary-General.

SECTION III

VOTING

Rule 7

(a) Each Delegation shall have one spokesman at meetings of the Military Staff Committee who shall express the official views of his own Delegation. Each spokesman may call on other Members of his Delegation to assist him in presenting the official views of his own Delegation to the Military Staff Committee. A similar procedure shall apply in Sub-Committees of the Military Staff Committee.

(b) All recommendations to the Security Council shall be forwarded with the unanimous approval of all Delegations. If, however, unanimity cannot be achieved, a full statement of all divergent views shall be prepared and forwarded to the Security Council. Matters of principle or substance shall be decided by unanimous approval.

(c) Should differences of opinion arise with regard to matters of internal procedure, each Delegation shall have one vote and the majority vote shall be binding on all Delegations.

(d) An invitation to members of the United Nations not permanently represented on the Security Council shall be extended in accordance with Article 47, Para. 2, of the Charter only with the unanimous approval of the Military Staff Committee.

SECTION IV

STRUCTURE AND PROCEDURE FOR THE SECRETARIAT

Rule 8

(a) The Secretariat of the Military Staff Committee shall consist of

five secretaries, one from each Delegation. Each Secretary shall be designated by his respective Delegation. They will have all the necessary technical assistants, including interpreters, to enable them to serve the Military Staff Committee and any subordinate agencies which may be decided upon by the Military Staff Committee.

(b) The Secretariat will be responsible to the Military Staff Committee for:--

- (i) the handling, reproducing and circulating of all documents prepared by the Military Staff Committee itself, or submitted to the Military Staff Committee by National Delegations or any other agency or Members of the United Nations;
- (ii) arranging, where necessary, for translations of these documents to be made into other languages;
- (iii) making arrangements for all meetings, issuing agendas and circulating these to all Delegations;
- (iv) preparing and circulating to the Delegations records (see Section V) of the meetings of the Military Staff Committee and its Sub-Committees, such records being considered and amended or approved by the Committee at their following meeting;
- (v) rapidly preparing the documents which relate to the decisions taken in the meetings.

(c) The five Secretaries will have equal rights and responsibilities. In order to co-ordinate the work of the five Secretaries and to manage the Secretariat, a Principal Secretary shall be established. This position shall be held in turn by the five Secretaries for the same period as the Chairman and of the same nationality. The Principal Secretary will act as a co-ordinator and not as an executive. In his absence, the Secretary next to serve as Principal Secretary shall act in his stead.

(d) The Secretariat will be an agency of the Military Staff Committee and work in accordance with such rules as may be imposed by

the Military Staff Committee to whom it will be responsible. The Secretariat will provide liaison in routine matters between the Military Staff Committee and the Secretariat of the United Nations.

(e) (i) The permanent subordinate staff of the Secretariat shall not initially exceed forty-one persons. This number may be varied later as circumstances may demand. (See Appendices A and B).

(ii) In principle, the staff of the Secretariat will be provided equally from the five nations.

(iii) All the civilian staff of the Secretariat shall be paid from the Budget of the United Nations at the same rates as comparable ranks of the United Nations Staff, but with the exclusive function of serving under the authority of the Military Staff Committee.

Military personnel shall be paid by their respective Governments.

(iv) All questions relating to the terms of employment of the above staff shall be co-ordinated with the Offices of the Secretary-General of the United Nations by the five Secretaries.

The civilian staff shall be governed by the same general rules concerning terms of employment, such as pay, appointment, transportation, separation, promotion and leave of absence, as govern various other personnel under the administration of the United Nations Secretariat, subject to such temporary financial arrangements as may be necessary for civil servants of their respective governments who may be serving on temporary loan. The Military Staff Committee will determine, by agreement with the Secretary-General, in time to permit him to prepare his annual budget for submission to the General

Assembly, the number and categories and rates of pay of these civilians;

- (v) The Secretariat shall be located, to ensure the necessary degree of security, in such place as may be designated by the Military Staff Committee and shall operate under the direct supervision of the Committee.
- (vi) The Secretary-General shall effect, on the nomination of the Military Staff Committee, appointment, separation, promotion and leave of absence of civilian personnel of the Secretariat of the Military Staff Committee.
- (vii) The Secretary-General shall meet the administrative and financial requirements of the Military Staff Committee in the same manner as those of the other organs of the United Nations.

SECTION V

RECORDS

Rule 9

Records of meetings will ordinarily be kept in summary form. On direction of the Military Staff Committee or at the request of one or more Delegations a full record of a meeting or part of a meeting will be kept.

Rule 10.

Subject to the provisions of Rule 9, the draft records of each meeting shall be sent as soon as possible to the Delegations to the Military Staff Committee who shall, within forty-eight hours of their receipt or earlier if possible, inform the Secretariat in writing of any corrections which they may desire to have made. A corrected version of the draft record will then be circulated by the Secretariat in time for consideration by the Military Staff Committee at their next meeting. When approved by the Military Staff Committee it will be signed by each delegation and will then be regarded as in force.

SECTION VILINGUISTICSRule 11

(a) Chinese, English, French and Russian shall be the official languages of the Military Staff Committee and English and French the working languages. Speeches made in either of the working languages shall be interpreted into the other working language. In special circumstances when technical subjects are under discussion any Delegation may request interpretation of any part of the discussion into any other official languages.

(b) Speeches made in either of the two other official languages shall be interpreted into both working languages.

(c) Records of meetings of the Military Staff Committee shall be drawn up in the working languages. A translation of the whole or part of any of the records into any of the other official languages shall be furnished if requested by any Delegation.

(d) All important documents shall be made available in the official languages. Upon the request of any Delegation any other document shall be made available in any or all of the official languages.

(e) All documents originated by the Military Staff Committee or its agencies shall have equal force in all official languages. All official languages shall be regarded as equally valid.

SECTION VIISECURITYRule 12

Unless it decides otherwise, the Military Staff Committee shall meet in closed session in order to ensure the necessary security.

Rule 13.

The Records of the meetings of the Military Staff Committee, its decisions or documents, or the speeches of its Members at meetings, or extracts from any of the above shall not be given to or published by the press without special permission of the Military Staff Committee and the Security Council in each separate case. Statements to the press on the

work of the Military Staff Committee must not be made by individual members except when the Military Staff Committee authorises such statements to be made.

Rule 14

All members of Delegations, advisers, assistants and staff of the Secretariat and any other persons who may become associated with the Military Staff Committee's proceedings, must at all times maintain the strictest security with regard to all matters dealt with by the Military Staff Committee. All civilian employees of the Secretariat staff will be required to undertake, in writing, the necessary obligations.

APPENDIX "A"QUARTERMASTER

There shall be provided a Quartermaster who, under the direction of the Principal Secretary, will:-

1. arrange for the safeguarding of the accommodation assigned to the Military Staff Committee and its Secretariat;
2. make the necessary arrangements to provide office accommodation for the Military Staff Committee, its agencies and the Secretariat;
3. provide all the necessary supplies, equipment, furnishings, etc., required by the Committee, its agencies and the Secretariat;
4. be responsible for the pay, the conditions of service of the subordinate civilian staff and the financial arrangements in connection therewith;
5. serve as the liaison on all the above matters with the appropriate persons in the United Nations Secretariat or outside agencies.

This Quartermaster shall be a national of one of the five Nations represented at the Military Staff Committee and shall be nominated by the five Secretaries and appointed with the approval of the Military Staff Committee.

APPENDIX "B"

PERMANENT SUBORDINATE STAFF

The initial complement of the Permanent Subordinate Staff of the Secretariat will be:-

1 Chief Clerk
10 Interpreters and Translators
10 Typists
6 Court reporters
5 Shorthand stenographers
5 Filing clerks
4 Mimeograph operators

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The Chief Clerk will work under the orders of the Principal Secretary. He will be responsible to the Principal Secretary for:

1. the security and handling of all documents of the Military Staff Committee and its Sub-Committees;
2. supervising all the technical and clerical staff of the Secretariat.
