

retain the deciding role in drafting the settlement. In this eventuality it might become necessary as a last resort for the Canadian delegation to fall back on the procedure advocated by Canada for the German settlement, whereby the allies not members of the Council of Foreign Ministers would participate at the Committee stage in the actual drafting of the treaty terms, as well as in any final conference which might be convened.

III. THE FAR EASTERN COMMISSION

21. There is a possibility that the organization of the Far Eastern Commission, an eleven nation group sitting in Washington to formulate policy for Japan during the occupation period, might be taken as a pattern for the preparation of a treaty with Japan. The terms of reference of the Far Eastern Commission were agreed at the Moscow meeting of Foreign Ministers of the U.S.S.R., the United Kingdom and the United States of America in December 1945. The eleven nations participating in the Far Eastern Commission are the nine which signed the Japanese instrument of surrender, plus India and the Philippines. The Commission is thus made up of representatives of the United States of America, China, the United Kingdom, the U.S.S.R., Australia, Canada, France, the Netherlands, New Zealand, India and the Philippines.

22. The functions of the Far Eastern Commission as agreed at the Moscow meeting of Foreign Ministers December 1945 are:

- (1) to formulate the policies, principles and standards in conformity with which the fulfillment by Japan of its obligations under the terms of surrender may be accomplished.
- (2) to review on the request of any member any directive issued to the Supreme Commander for the Allied Powers or any action taken by the Supreme Commander involving policy decisions within the jurisdiction of the Commission.
- (3) to consider such other matters as may be assigned to it by agreement among the participating governments reached in accordance with the voting procedure of the Commission.

It is also specified in the terms of reference that the Commission will not make recommendations with regard to the conduct of military operations nor with regard to territorial adjustments.

23. The voting procedure of the Commission provides for action being taken by less than unanimous vote provided that such action has the concurring votes of at least a majority of all the representatives including the representatives of the United States of America, the United Kingdom, the U.S.S.R., and China. In effect this procedure gives the veto power to each of these powers.