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SPECIAL POLITICAL COMMITTEE  
22nd meeting  
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Friday, 3 November 1978  
at 3 p.m.  
New York

## SUMMARY RECORD OF THE 22nd MEETING

Chairman: Mr. PIZA-ESCALANTE (Costa Rica)

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AGENDA ITEM 54: UNITED NATIONS RELIEF AND WORKS AGENCY FOR PALESTINE REFUGEES IN THE  
NEAR EAST (continued)

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The meeting was called to order at 3.25 p.m.

AGENDA ITEM 54: UNITED NATIONS RELIEF AND WORKS AGENCY FOR PALESTINE REFUGEES IN THE NEAR EAST (continued) (A/33/13, A/33/276, A/33/285-287, A/33/320; A/SPC/33/L.6/Rev.1, L.7-L.11)

Consideration of draft resolutions

1. The CHAIRMAN said that the Committee now had before it the text of draft resolution A/SPC/33/L.9, whose original sponsors had been joined by Canada, Malaysia and Sweden. Two additional draft resolutions - A/SPC/33/L.10, on Palestine refugees in the Gaza Strip, and A/SPC/33/L.11, on population and refugees displaced since 1967 - had been submitted for the Committee's consideration. The original sponsors of those two drafts had been joined, respectively, by India and Malaysia and by Indonesia and Senegal.
2. Begum Afifa MAMDOT (Pakistan) introduced draft resolution A/SPC/33/L.10 on behalf of the sponsors. The Secretary-General's report (A/33/285) had made it clear that UNRWA had not yet secured any settlement in respect of its claim for compensation from Israel for refugee shelters which had been demolished in past years. The Israeli authorities had also replied orally to the Agency's Field Office Director that they were not prepared to participate in a joint survey of the accommodation for families affected by the 1971 demolitions. The world community had failed to solve the problem of the Palestine refugees, but the present situation could not be permitted to continue. The refugees must be permitted to stay in the camps in the Gaza Strip and to obtain compensation for the shelters which had been destroyed. Her delegation hoped that the draft resolution would receive the overwhelming support of the Committee.
3. Mrs. OGATA (Japan) proposed the following amendments to draft resolution A/SPC/33/L.8: In paragraph 3, the words "including the United Nations University" should be added after "United Nations agencies". In paragraph 4, the words "non-governmental organizations" should replace "the United Nations University". She was proposing those amendments after having studied the terms of reference of the United Nations University. Her delegation also wished to become a co-sponsor of draft resolution A/SPC/33/L.8.
4. Mr. ORTNER (Austria) said that his delegation wished to co-sponsor draft resolution A/SPC/33/L.8.
5. Mr. ELHOUDERI (Libyan Arab Jamahiriya), speaking on behalf of the Arab Group and other delegations which he had consulted, proposed that, in paragraph 4, the entire phrase following the words "to contribute generously" should be replaced by the following: "to the Palestinian University in the territories occupied by Israel since 1967 as well as for scholarships to Palestinian students in that University".
6. Mrs. STAHL (United States of America) said that, in view of the Libyan amendment, her delegation would withdraw its co-sponsorship of the draft resolution.

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7. Mr. SHAMMA (Jordan) said that Yugoslavia had become a co-sponsor of draft resolution A/SPC/33/L.8 and that his delegation would support the proposal of the representative of Libya.
8. Mr. McELHINEY (Commissioner-General, UNRWA) said that the proposed wording of paragraph 4 might represent a complicating factor for UNRWA as it seemed to indicate that States were being asked to contribute not only to Palestine refugee students but to Palestinian students in general. It was his view that, if UNRWA was to be asked to implement the latter interpretation, the Agency would be going beyond its mandate.
9. Mr. ORTNER (Austria) said that, in view of the complications which might result from the Libyan proposal, his delegation would withdraw as a co-sponsor, pending instructions from his Government.
10. Mr. SHAMMA (Jordan) said that his delegation accepted the Japanese amendments to paragraphs 3 and 4.
11. Mr. DERESSA (Ethiopia) said that, in the light of the statement made by the representative of Jordan, his delegation accepted the amendment proposed by Libya.
12. Mr. SHAMMA (Jordan) said he thought that the scholarships referred to in paragraph 4 should be awarded only to Palestine refugee students, consistent with UNRWA's mandate.
13. Mrs. OGATA (Japan) asked if the representative of Libya knew whether the specialized agencies were in a position to make grants in the same way as Governments and non-governmental organizations.
14. Mr. ELHOUDERI (Libyan Arab Jamahiriya) said it was his understanding that the specialized agencies could contribute in whatever manner they saw fit.
15. The CHAIRMAN said it was his understanding that the word "scholarships" in paragraph 4 should read "grants".

Draft resolution A/SPC/33/L.6/Rev.1

16. The CHAIRMAN put the draft resolution to the vote and asked whether the Committee was prepared to adopt it by consensus.
17. After a procedural discussion in which Mr. HAMMAD (United Arab Emirates), Mr. ERELL (Israel) and Mr. BAGHLI (Algeria) took part, the CHAIRMAN said that it was the normal procedure to vote on draft resolutions. If there was no consensus, the normal procedure must be followed and the Committee would therefore vote on draft resolution A/SPC/33/L.6/Rev.1.
18. The draft resolution was adopted by 108 votes to none, with 1 abstention.

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Draft resolution A/SPC/33/L.7

19. The draft resolution was adopted by consensus.

Draft resolution A/SPC/33/L.8

20. Mr. ORTNER (Austria) requested that the vote on the draft resolution should be postponed until the following meeting in view of the various amendments introduced at the current meeting.

21. The CHAIRMAN said that, if he heard no objection, he would take it that the Committee agreed to that proposal.

22. It was so decided.

23. Mr. HAMMAD (United Arab Emirates) requested clarification of the procedure to be adopted in voting on draft resolution A/SPC/33/L.8. He wished to know whether the draft resolution would be voted on as a whole or whether the amendments would be voted on first.

24. The CHAIRMAN replied that, as the United States had withdrawn its sponsorship and the three present sponsors had accepted the amendments, the draft resolution would be put to the vote as a whole.

25. Mrs. STAHL (United States of America) said that her delegation had reluctantly felt obliged to withdraw its sponsorship of draft resolution A/SPC/33/L.8 in view of the amendment proposed by the Libyan representative appealing for contributions to the Palestinian University. That implied a financial commitment for all Member States but an especially heavy one for the United States, which was one of the major contributors to the activities of UNRWA, including the provision of scholarships for higher education.

26. The CHAIRMAN invited members of the Committee to explain their votes on draft resolution A/SPC/33/L.6/Rev.1.

27. Mr. GUTIÉRREZ MACÍAS (Mexico) said that his delegation had voted in favour of the draft resolution even though it felt that decisions like that referred to in paragraph 3 should be the prerogative of the Secretary-General, who had all the information he needed to take such a decision.

28. Mr. AL-ATTIYAH (Iraq), Mr. MUBAREZ (Yemen), Mr. AL-ELFI (Democratic Yemen), Mr. ELHOUDERI (Libyan Arab Jahahiriya), Mr. BAGHLI (Algeria) and Mr. MUSSA (Somalia) said that their delegations had voted in favour of the draft resolution on the understanding that the wording of paragraph 1 presupposed that the legitimate right of the Palestine refugees to repatriation and self-determination and to build an independent State in accordance with the relevant United Nations resolutions was recognized.

29. Mr. ORTNER (Austria) said that his delegation had voted in favour of the draft resolution because Austria had always been concerned about the tragic plight

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(Mr. Ortner, Austria)

of the Palestine refugees and displaced persons. It wished to point out that its approval of paragraph 3 should not be interpreted as a reservation concerning the hospitality which Austria was at present giving to UNRWA. It had offered office facilities when requested to do so by the Agency for the second time so that the latter could carry out its important tasks efficiently and without interruption. Those facilities would therefore continue to be available. His delegation was satisfied that the transfer of part of the UNRWA headquarters offices and staff could take place without difficulty. Housing facilities in Vienna could also be provided to the UNRWA staff, many of whom were Palestinians, and their dependants. Austria hoped that those measures would constitute additional support for the Palestinian people.

30. Mr. ERELL (Israel) said that his delegation had abstained in the vote on the draft resolution because it could not accept its interpretation of General Assembly resolution 194 (III). Moreover, since the adoption of that resolution, the situation in the Middle East had changed because of a massive migration of Jews from Arab countries to Israel. As his delegation had stated during the general debate on the item, a solution to the problem of both Arab and Jewish refugees in the Middle East could be envisaged only in terms of a population exchange. He also wished to emphasize that Security Council resolution 242 (1967), on the basis of which active peace negotiations were now in progress, foresaw a solution of refugee problems through negotiations and made no reference to any recommendation of the General Assembly.

31. Mr. EL-JEAAAN (Kuwait) said that he had voted in favour of the draft resolution on the understanding that the reference to resettlement in paragraph 1 was intended to be in keeping with the inalienable right of the Palestinian people to be resettled in their homeland, Palestine, in accordance with General Assembly resolution 194 (III).

32. Mr. HAMMAD (United Arab Emirates) said that his delegation had voted in favour of the draft resolution because of its reference to paragraph 11 of General Assembly resolution 194 (III), which gave Palestine refugees the absolute right to repatriation or to compensation in the case of those who did not wish to return. He interpreted the votes in favour of the draft resolution as signifying general acquiescence in that interpretation. Even the abstention could be taken as semi-acquiescence, since the delegation in question had not registered its objection by voting against the draft resolution.

33. The CHAIRMAN pointed out that members were explaining their votes in accordance with a universally accepted procedure. Statements should therefore be restricted to explanations of a delegation's own vote or references to particular circumstances in the voting process, and no reference should be made to the votes of other delegations.

34. Mrs. STAHL (United States of America) said that paragraph 3 of the draft resolution should in no way be interpreted as implying criticism of the Commissioner-General's decision to move part of UNRWA headquarters from the area of its operations. The United States had full confidence in the Commissioner-

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(Mrs. Stahl, United States)

General and was well aware of the conditions in that area which had caused him to decide on the move.

35. Mr. RAKOTONIAINA (Madagascar) said that his delegation had been unable to be present during the vote for reasons beyond its control but that, had it been present, it would have voted in favour of the draft resolution.

Draft resolution A/SPC/33/L.11

36. Mr. AYUBZAI (Afghanistan), introducing the draft resolution, said that it was almost identical with resolution 32/90 E, except that paragraph 1 had been amplified since the exercise of the right of every Palestinian to return to his homeland was a condition sine qua non for the exercise by the Palestinians of their right to self-determination, national independence and sovereignty; the declaration in the second part of that paragraph was a logical consequence of the fact that none of the inherent rights of any human being could be made conditional. Paragraph 3 (a) added the word "all" before "displaced inhabitants".

37. It was the earnest hope of all the sponsors that, for the sake of peace and justice, the draft resolution would receive the unanimous support of the Committee.

38. Mr. EL-JEAAN (Kuwait) drew attention to an error in the Arabic translation of the draft resolution. The first word in paragraph 2 was "Deplores" in the original English text, whereas it had been translated by an Arabic word meaning "regrets".

39. The CHAIRMAN said that the Secretariat would duly note the observation by the representative of Kuwait.

The meeting rose at 4.50 p.m.