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**SPECIAL POLITICAL COMMITTEE, 254th
MEETING**

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at 3.40 p.m.

New York

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Chairman: Mr. Carlet R. AUGUSTE (Haiti).

In the absence of the Chairman, Mr. Gamboa (Philippines), Vice-Chairman, took the Chair.

AGENDA ITEM 26

Report of the Director of the United Nations Relief and Works Agency for Palestine Refugees in the Near East (A/4478; A/SPC/L.61/Rev.2, A/SPC/L.65/Rev.1) (*concluded*)

1. The CHAIRMAN announced that the representative of Iraq wished to submit an amendment to draft resolution A/SPC/L.65/Rev.1. However, at the 253rd meeting the Chairman had already announced the beginning of voting on the two draft resolutions then before the Committee. He was therefore bound to apply rule 129 of the rules of procedure, and he could not admit amendments to the draft resolution to be voted on.

2. Mr. PACHACHI (Iraq) pointed out that at the 253rd meeting the Chairman had announced the voting only on draft resolution A/SPC/L.61/Rev.2. The Committee had then voted on that draft. The beginning of the voting on draft resolution A/SPC/L.65/Rev.1 had not yet been announced. In the circumstances, it should be possible to submit an amendment.

3. The CHAIRMAN pointed out that, after the general debate and the debate on the draft resolutions had been closed, the voting on all the draft resolutions was started; at the 253rd meeting the Chairman had in fact announced the beginning of voting. He therefore thought it too late to consider an amendment. However, the representative of Iraq could, if he wished, challenge the Chairman's ruling.

4. Mr. PACHACHI (Iraq) said that he did not wish to challenge the Chairman's ruling, but he submitted to it under protest.

5. The CHAIRMAN put draft resolution A/SPC/L.65/Rev.1 to the vote.

A vote was taken by roll-call.

Morocco, having been drawn by lot by the Chairman, was called upon to vote first.

In favour: Netherlands, New Zealand, Norway, Panama, Philippines, Senegal, Sweden, Turkey, Union of South Africa, United Kingdom of Great Britain and Northern Ireland, United States of America, Australia, Austria, Belgium, Canada, Central African Republic,

Chad, Chile, China, Colombia, Congo (Brazzaville), Costa Rica, Denmark, Dominican Republic, Finland, France, Iceland, Ireland, Italy, Mexico.

Against: Morocco, Poland, Romania, Saudi Arabia, Somalia, Spain, Sudan, Tunisia, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Republic, Yemen, Yugoslavia, Afghanistan, Albania, Bulgaria, Byelorussian Soviet Socialist Republic, Ceylon, Cuba, Czechoslovakia, Federation of Malaya, Greece, Guinea, Hungary, India, Indonesia, Iraq, Jordan, Lebanon, Libya, Mali.

Abstaining: Nepal, Pakistan, Thailand, Venezuela, Argentina, Brazil, Burma, Cyprus, Ethiopia, Ghana, Iran, Israel, Japan, Laos, Liberia.

Draft resolution A/SPC/L.65/Rev.1 was rejected by 31 votes to 30, with 15 abstentions.

6. Mr. SHUKAIRY (Saudi Arabia) asked the Chairman and the other officers of the Committee to inform the President of the General Assembly of the nature of the debate which had taken place on the question, so that delegations might have sufficient time to put their views in the plenary meeting.

7. Mr. SHIELDS (Ireland) thought that the most important new points in draft resolution A/SPC/L.61/Rev.2 were in the last preambular paragraph and in operative paragraph 2. They concerned one of the most complex questions raised by the Palestine refugee problem. The Irish delegation had long hoped that the problem would be solved by a generous and far-sighted decision of the General Assembly. At the third emergency special session of the Assembly (735th plenary meeting), Mr. Aiken, the Minister of External Affairs for Ireland, had proposed that the United Nations should guarantee full compensation to the refugees. He had pointed out that, in the present case, there was a collective international responsibility, and that the State of Israel was not exclusively responsible. Mr. Aiken had then suggested ways of applying the scheme which he proposed, from which the refugees would collectively have benefited, both morally and materially, more than from the *status quo* or any other probable outcome. With regard to the refugee's choice between repatriation and compensation, the representative of Ireland at the fourteenth session had suggested at the 159th meeting of the Special Political Committee that the best means of breaking the deadlock lay in the stage-by-stage implementation of General Assembly resolution 194 (III), and he had proposed specific steps which could be taken to that end.

8. The Irish delegation hoped that, before the opening of the sixteenth session of the Assembly, the United Nations Conciliation Commission for Palestine could examine the possibilities of working out an agreement between the parties concerned on the lines of those proposals; and it was submitting some suggestions to that end to delegations in the hope that the General

Assembly might adopt a resolution when it considered the whole question at its sixteenth session. The operative part of the resolution might run as follows: "(1) *Urges* the implementation of paragraph 11 of General Assembly resolution 194 (III) of 11 December 1948; (2) *Calls upon* the Government of Israel to declare its willingness to carry out at least a pilot repatriation scheme in the immediate future and to state the maximum number of refugees it will be prepared to admit under such a scheme without any other condition than that these refugees should undertake to live at peace with their neighbours; (3) *Calls for* compensation in the case of all refugees not returning to their homes, to be paid not only in respect of property left in Israel, but also in respect of disturbance and time spent unproductively in refugee camps; (4) *Requests* the Director of the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA) to report on the number of refugees requiring such compensation and to make recommendations as to the amount of compensation equitably payable; (5) *Calls upon* Members of the United Nations, on receipt of this report, to be prepared to make voluntary contributions to a compensation fund for Palestine refugees; (6) *Calls upon* the Government of Israel, on receipt of the said report, to state the amount it would be prepared to contribute to such compensation fund."

9. The Irish delegation had preferred the operative part of the United States draft resolution (A/SPC/L.65/Rev.1) to operative paragraph 2 of draft resolution A/SPC/L.61/Rev.2, and had therefore voted for the United States draft. It thought that the question of the refugees' property rights should be placed in the general context of the Palestine refugee problem and related to all the provisions of operative paragraph 11 of General Assembly resolution 194 (III). It had therefore voted against the last preambular paragraph and operative paragraph 2 of draft resolution A/SPC/L.61/Rev.2, and had not been able to vote for the draft resolution as a whole.

10. Mrs. FEKINI (Libya) said she would like to reply to an allegation made at the 250th meeting of the Committee regarding her country. She recalled how Libya had been established by virtue of General Assembly resolution 289 (IV) and pointed out that its attainment of independence had crowned the Libyan people's twenty-year struggle for liberation. Since the moment when it had become an independent State and a Member of the United Nations, Libya had been scrupulously faithful to its obligations and had abided by all United Nations resolutions. Unfortunately, the same could not be said of the delegation that had seen fit to draw an analogy between Libya and its own country; so much was clear from the tragedy of the Palestine refugees.

11. Mr. GONZALEZ GALVEZ (Mexico) said that his delegation had voted for the expression "property rights" in the fourth preambular paragraph and in operative paragraph 2 of draft resolution A/SPC/L.61/Rev.2, and interpreted that expression in the light of paragraph 11 of resolution 194 (III).

12. Mr. SMITH (Canada) said that in his delegation's opinion there had been no need to adopt a resolution during the current session except to approve the report of the Director of UNRWA. As the Agency's mandate was to be reviewed at the sixteenth session, it would have been better to avoid any political dispute.

13. The Canadian delegation agreed with the Swedish delegation that the expression "property rights", which was used in draft resolution A/SPC/L.61/Rev.2, could lend itself to different interpretations. It considered that the reference to property rights could be prejudicial to a satisfactory consideration of the whole problem of the Palestine refugees at the sixteenth session. That was why it had voted against that particular clause.

14. In its reference to the Conciliation Commission, draft resolution A/SPC/L.61/Rev.2 seemed to take out of its context one part of what had been intended by the General Assembly resolution 194 (III) to be a workable and rounded approach to a solution of the Palestine problem. In the view of the Canadian delegation, the narrowing of that approach sacrificed some of the flexibility that would be needed if a solution was to be found to the over-all problem.

15. The United States draft resolution (A/SPC/L.65/Rev.1) presented a real attempt at conciliation. The Canadian delegation had had certain reservations concerning the operative part, but had nevertheless voted for the draft resolution as a whole, in the belief that it was the better of the two draft resolutions before the Committee.

16. Mr. POLDERMAN (Netherlands) explained that, though his delegation had voted against draft resolution A/SPC/L.61/Rev.2, that should in no way be construed as a lack of support for UNRWA. As could be seen from its vote on the United States draft resolution (A/SPC/L.65/Rev.1), the Netherlands Government approved the annual report of the Director of UNRWA (A/4478) and recognized the need for increased financial support for UNRWA.

17. Mr. COLLET (Guinea) said that his delegation was guided by justice and equity alone in its consideration of the question under consideration. The Palestine refugees who had been uprooted from their country and deprived of their property were legitimately demanding to return to their homeland and to the full enjoyment of what was theirs.

18. Draft resolution A/SPC/L.65/Rev.1 did no more than recall previous resolutions and refer to the sixteenth session a question that had been studied for nearly fourteen years. That was why the Guinean delegation had voted against it.

19. Draft resolution A/SPC/L.61/Rev.2 reflected a desire to achieve some progress which all members of the Committee should share. It noted that the situation of the refugees continued to be a matter of serious concern and, as mentioned in the fourth preambular paragraph, that the property rights of the Arab refugees of Palestine needed to be safeguarded—an idea of fundamental importance. Operative paragraph 1 noted that no progress had been made in carrying out the task entrusted by the General Assembly to the Conciliation Commission. That meant that the Conciliation Commission should act without awaiting the outcome of the discussions at the sixteenth session. The report that the Conciliation Commission was requested to make by 15 October 1961 would serve as a valuable guide in those discussions, in which the parties concerned would express their attitude to the Conciliation Commission's renewed efforts. It was for those reasons that Guinea had voted for draft resolution A/SPC/L.61/Rev.2.

20. The CHAIRMAN announced that the Committee had concluded its examination of item 26 of the agenda.

Organization of work

21. The CHAIRMAN reminded the Committee that there were four more items on its agenda, namely items 25, 77, 75 and 89, in that order of priority.

22. The Secretary-General's final report on item 25 was not yet ready and thus could not be discussed. As for item 77, its sponsors were not pressing for its

discussion by the Committee; nor were the sponsors of item 75. There remained only item 89, the question of Oman. He proposed that the Committee should take up that item at its next meeting.

It was so decided.

The meeting rose at 4.25 p.m.