

Dual distribution

Third Session

THIRD COMMITTEE

SUB-COMMITTEE 2

SUMMARY RECORD OF THE SEVENTEENTH MEETING

Held at the Palais de Chaillot, Paris,
on Wednesday, 10 November 1948, at 10.45 a.m.

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<u>Chairman:</u>	Mr. G. de BEAUMONT	France
<u>Rapporteur:</u>	Mr. G. PEREZ CISNEROS	Cuba
<u>Members:</u>	Mr. SCHEYVEN	Belgium
	Mr. ANZE-MATIENZO	Bolivia
	Mr. CHA	China
	ANDRAOS Bey	Egypt
	Mr. de FOLIN	France
	Mrs. S. L. MENON	India
	Mrs. KLOMPE	Netherlands
	Mr. W. B. SUTCH	New Zealand
	Mrs. LIONAES	Norway
	Mr. H. ALTMAN	Poland
	Mr. BORISOV	Union of Soviet Socialist Republics

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Mr. DAVIES	United Kingdom
Mr. WARREN	United States of America
Mr. C.R. JIMENEZ	Venezuela

Secretariat: Mr. KATZIN

PALESTINIAN REFUGEES: PART III OF THE PROGRESS REPORT OF THE UNITED NATIONS MEDIATOR FOR PALESTINE: ASSISTANCE TO REFUGEES (A/648, A/689, A/689/Add.1, A/689/Corr.1, A/C.3/315, A/C.3/316, A/C.3/318, A/C.3/SC.2/2, A/C.3/SC.2/4, A/C.3/SC.2/5, A/C.3/SC.2/6, A/C.3/SC.2/7, A/C.3/SC.2/8, A/C.3/SC.2/9, A/C.3/SC.2/10, A/C.3/SC.2/11, A/C.3/SC.2/12, A/C.3/SC.2/W.1, A/C.3/SC.2/W.1/Corr.1)

(continued)

Joint draft resolution submitted by Belgium, the Netherlands, the United Kingdom and the United States of America (A/C.3/315) (continued)
Paragraph 7 of the operative part (continued)

Mr. PEREZ CISNEROS (Cuba), speaking as Rapporteur, stated that the situation seemed to have become clearer in the course of the preceding meetings; the Sub-Committee's task was not simplified. The United Kingdom delegation appeared to be willing to withdraw its amendment to paragraph 7 of the joint draft resolution (A/C.3/SC.2/11); it was hoped that other delegations would show the same spirit of compromise and follow its example.

Furthermore, the position of the Secretary-General's representative was now known. Mr. Katzin had stated that from the technical standpoint it was not essential for the Sub-Committee to take note of the working documents presented by the Secretariat. He had, however, stressed that the draft resolution must deal with two distinct questions -- the appointment of a United Nations Director for Palestine Refugee Relief and the problem raised by the setting up of an ad hoc advisory committee.

The Rapporteur shared the views of the Secretary-General's representative, and proposed that sub-paragraphs (a) and (e) of paragraph 1 of the Secretary-General's memorandum (A/C.3/SC.2/W.1) should serve as a basis for discussion, account being taken of the corrigendum (A/C.3/SC.2/W.1/Corr.1) amplifying sub-paragraph (e). Study of those documents would facilitate the Sub-Committee's work and help to avoid a long and unnecessary discussion on the Secretary-General's memorandum as a whole.

The Rapporteur thought that the Committee should consider including in paragraph 7 of the joint draft resolution two new sub-paragraphs based on

/sub-paragraphs

sub-paragraphs (a) and (e) of paragraph 1 of the Secretary-General's memorandum. He felt that out of respect for the specialized agencies and voluntary organizations mentioned, some slight changes should be made in the wording of paragraph 7.

Lastly, the Rapporteur requested the delegations which had any objections to the draft resolution to define their attitudes.

Mrs. KLOMPE (Netherlands) intimated that the Netherlands delegation would have no objection if, according to sub-paragraph (a) of paragraph 1 of the Secretary-General's memorandum, the latter were authorized to appoint a United Nations Director for Palestine Refugee Relief. Referring to sub-paragraph (a), which referred to the appointment by the President of the General Assembly of a small advisory committee of seven members, Mrs. Klompe recalled that her delegation had always maintained that the Secretary-General should assume full responsibility for assistance to Palestine refugees; that attitude was due to a desire to exclude political factors and to give speedy assistance to the refugees. However, as the Secretary-General seemed to have the establishment of an advisory committee very much at heart, and as he had taken certain conciliatory steps to meet the wishes of members of the Sub-Committee, the Netherlands delegation would agree to take into consideration the Secretary-General's memorandum on the setting up of an advisory committee.

Nevertheless, Mrs. Klompe wished to ask some questions about that committee. She wondered whether its members would be chosen on grounds of their personal competence or as representatives of their Governments. The Netherlands delegation also wished to know whether the headquarters of the advisory committee would be in New York, at Lake Success, in Geneva or on the spot; the Secretary-General's memorandum contained no information on that point. Thirdly, she wondered whether it might be anticipated that the expenses arising from the creation of the committee would not exceed the sum of \$25,000 which had been mentioned. She also expressed the wish that the Secretary-General's representative should indicate the terms of reference of the proposed committee. If the Secretariat's replies were satisfactory, the Netherlands delegation would agree to the inclusion in the draft resolution of sub-paragraph (e) of paragraph 1 of the Secretary-General's memorandum.

Mrs. Klompe added that she preferred the text of the Secretary-General's memorandum, which placed the ad hoc committee at the Secretary-General's disposal, to that of paragraph 9 of the New Zealand-France draft resolution (A/C.3/SC.2/2), according to which the Secretary-General

/would have

would have no part in setting up the committee.

She proposed a slight change in the text of sub-paragraph (e) of paragraph 1 of the memorandum, consisting in the replacement of the word "refer" by "submit".

In conclusion, Mrs. Klompe asked the Sub-Committee to refrain from including the entire memorandum in the draft resolution, thus avoiding long and unnecessary discussion. She asked the Secretary-General to define the responsibilities of the various organizations giving assistance to Palestine refugees. The Netherlands delegation hoped that the activities of those organizations would be permitted to continue without outside interference and would simply be covered by reports submitted to the Secretary-General by the United Nations Director of Refugee Relief. The Netherlands delegation had fallen in with the Secretary-General's views in a spirit of compromise; Mrs. Klompe greatly hoped that that attitude would be rewarded and that the Sub-Committee would conclude the study of the draft resolution before the end of the day.

Mr. DAVIES (United Kingdom) stated that his delegation would do all it could to speed up the Sub-Committee's work. He thanked the Rapporteur for his constructive suggestions and expressed the hope that agreement could be reached without great difficulty before the end of the day. He added that the joint amendment submitted by Belgium, the Netherlands and the United Kingdom (A/C.3/SC.2/11), according to which the General Assembly would "take note" of the Secretary-General's memorandum, was no longer necessary if the resolution was to include the main points of the memorandum, in particular those contained in sub-paragraph (e) of paragraph 1. Such a solution would satisfy both the Secretary-General and the members of the Sub-Committee, and would provide a solid basis for agreement.

The United Kingdom delegation would gladly agree to have sub-paragraph (a) of paragraph 1 of the Secretary-General's memorandum included in the draft resolution, but asked the representative of the Secretariat to give some explanations on certain points of detail. For instance, it had always been understood so far that the refugee relief organization should function in the Middle East; but the delegation of the United Kingdom now gathered, to its great surprise, that there was a possibility that the Director's office might be at Geneva or Lake Success. The United Kingdom delegation suggested that the Director should carry out his duties on the spot, or failing that, a qualified representative should be sent there to act on
/his behalf.

his behalf. If the United Kingdom delegation could be sure that those conditions would be fulfilled, it would raise no objection to the adoption of sub-paragraph (a) of paragraph 1 of the Secretary-General's memorandum.

It would also agree to the inclusion of sub-paragraph (e) of paragraph 1, in the wording given in the corrigendum to the Secretary-General's memorandum (A/C.3/SC.2/W.1/Corr.1), which provided for the "appointment by the President of the General Assembly of a small advisory committee of seven members".

Referring to the role of the International Red Cross, which was mentioned in paragraph 7 of the joint draft resolution, Mr. Davies agreed with the Rapporteur's remarks and considered that the responsibilities of that organization should be defined.

In conclusion, Mr. Davies expressed the hope that other representatives would follow the example of the United Kingdom delegation and agree to withdraw their amendments to the draft resolution. He believed that the representatives of Belgium and the Netherlands in particular might be willing to adopt the same attitude after the Secretary-General's representative had made a statement.

Mr. PEREZ CISNEROS (Cuba) recalled that his delegation had expressed the intention of withdrawing sub-paragraph (a) of its amendment to paragraph 7 (A/C.3/SC.2/8).

He added that it might be necessary to retain sub-paragraph (b) of the same amendment, as it contained certain valuable explanations. He would, not, however, make the adoption of that amendment a matter of principle, and was willing to withdraw it altogether if necessary.

The CHAIRMAN took note of the statement of the representative of Cuba and asked whether other members of the Sub-Committee wished to speak before the Secretary-General's representative.

Mr. SUTCH (New Zealand), referring to the question of the ad hoc advisory committee, stated that the main difference on that point between the provisions of the New Zealand-France amendment and the Secretary-General's memorandum was that according to the former the committee would consist of eleven members, according to the latter only seven. The New Zealand delegation had suggested eleven members to ensure a better balance in the committee. It proposed that the President of the General Assembly should be given complete latitude in that respect, and suggested that the

number of members should not be definitely fixed but that the draft resolution should simply indicate the number as between seven and eleven.

Mr. Sutch also asked for clarification on the question of the staff which the Secretary-General would decide to recruit and employ on the spot to administer aid to refugees. He supported the United Kingdom representative's request that the Director of Refugee Relief should have a qualified representative in Palestine. It should not be forgotten that the Director would be faced with many tasks; he would have to receive contributions in kind, purchase the necessary supplies, keep accounts of receipts and expenditure, and maintain regular contact with the Secretary-General himself. The work on the spot would meanwhile be carried out by the International Committee of the Red Cross, which was already having supplies for the refugees deposited at Beirut. It would be interesting to know whether the Secretary-General intended to appoint harbour officials or liaison officers, whether their number would be great and what would be their terms of reference.

Another question was that of the responsibility of the Red Cross. Was that organization going to assume full responsibility for the proposed action? If, for instance, new refugee camps had to be set up, or if a camp had to be transferred beyond the frontier -- a measure which could have political repercussions -- where would the responsibility of the International Red Cross end?

In conclusion, Mr. Davies stated that the Secretary-General should be empowered to supervise the activities of the voluntary organizations and specialized agencies in Palestine. Assistance to refugees was a problem within the purview of the United Nations; it was desirable that paragraph 7 of the joint draft resolution should define more explicitly the role and responsibilities of those organizations.

Mr. de FOLIN (France) recalled that at a previous meeting he had agreed to withdraw paragraphs 7 and 8 of the New Zealand-France amendment. He would not revoke that withdrawal, but, following the statement made by the United Kingdom representative, who seemed to advocate that paragraphs analogous to sub-paragraphs (a) and (e) of the Secretary-General's memorandum should be included in the main body of the draft resolution, he thought it opportune to recall that paragraphs 7 and 9 of the New Zealand-France draft resolution corresponded almost exactly to those two sub-paragraphs. The Sub-Committee could therefore adopt paragraphs 7 and 9, or at least follow them closely, leaving aside paragraph 8, which corresponded
/to paragraph 7

to paragraph 7 of the joint draft resolution on the problem of liaison with the Red Cross and the specialized agencies, a question on which the Sub-Committee would be glad to have some comment from the Secretary-General's representative.

The representative of France endorsed the views expressed by Mr. Sutch, particularly with regard to the exact extent of the future responsibilities of the Red Cross. In the opinion of the French delegation, the choice of the headquarters of the Directorate of the United Nations Palestine Refugee Relief would largely depend on the duties and responsibilities assigned to the Red Cross. Mr. de Folin wished to put a supplementary question to the Secretary-General: it appeared from sub-paragraph (e) of paragraph 1 and sub-paragraph (k) of paragraph 2 of the Secretary-General's memorandum that the Director of Refugee Relief would report to the General Assembly. Mr. de Folin thought that this must be a mistake; it was surely the duty of the Secretary-General to present that report to the General Assembly.

The representative of France reserved the right to propose some drafting changes later, particularly in the French text of the sub-paragraphs dealing with the creation of an advisory committee.

Mr. PEREZ CISNEROS (Cuba) wished to dispel any misunderstanding which might have arisen from his previous speech. In his capacity as Rapporteur, he had proposed to insert in the text of the resolution new paragraphs based on sub-paragraphs (a) and (e) of the Secretary-General's memorandum, in order to facilitate the Sub-Committee's work. As representative of Cuba, he approved the insertion of sub-paragraph (a), but made substantial reservations in respect of sub-paragraph (e); in fact, he did not agree to the idea of the creation of an ad hoc committee, but was prepared to reconsider the matter as a result of possible future statements by other representatives.

Mr. WARREN (United States of America) cautioned the Sub-Committee against considering too many different questions at the same time. In view of the general agreement which appeared to prevail, he suggested that an additional paragraph concerning the appointment of the Director for Refugee Relief should be inserted after paragraph 6 of the draft resolution; that question would then be settled, and the next paragraph could be kept for the consideration of administrative matters. The text of the new paragraph 7 might be as follows:

/"Authorises

"Authorises the Secretary-General to appoint a United Nations Director for Palestine Refugee Relief, to whom he may delegate such responsibility as he may consider appropriate for overall planning and implementation of the relief programme."

That text followed very closely that of sub-paragraph (a) of paragraph 1 of the Secretary-General's memorandum.

The United States representative expressed the hope that that proposal might be adopted and be a step towards the final text of the draft resolution.

Mrs. LIONAES (Norway) pointed out that, among the voluntary organizations which might be asked to collaborate in the refugee relief project, the International Association for the Promotion of Child Welfare had a vital part to play. That association had been founded in 1920 and was the only international non-governmental organization which helped unfortunate children and had already done a considerable amount of work in the international field. Thirty-one countries were grouped in the Association, and two of its representatives had already been sent to Beirut.

The Danish representative on the Third Committee had already indicated that the Danish Association was preparing to act. The British and Swedish Associations intended to do the same, while the Norwegian and Canadian Associations were already helping the Danish Association. Mrs. Lionaes suggested that the International Association for the Promotion of Child Welfare should be mentioned in paragraph 7 of the draft resolution.

Mr. DAVIES (United Kingdom) and Mr. SCHEYVEN (Belgium) said that they did not wish to join in the present discussion, as the United States representative had proposed a paragraph which substantially reproduced sub-paragraph (a) of paragraph 1 of the Secretary-General's memorandum.

Inclusion of an additional paragraph containing the substance of sub-paragraph (a) of paragraph 1 of the Secretary-General's memorandum (A/C.3/SC.2/W.1 and A/C.3/SC.2/W.1/Corr.1).

Mr. SUTCH (New Zealand) proposed that the word "invites" should be inserted instead of "authorises" in the paragraph in question, as the former was a stronger term. The Secretary-General would thus be, as it were, morally bound to appoint a Director of Relief.

Mr. WARREN (United States of America) accepted that amendment.

/The CHAIRMAN

The CHAIRMAN put to the vote the paragraph submitted by the United States for inclusion after paragraph 6 of the draft resolution.

The United States proposal was adopted by 13 votes to none, with 1 abstention.

Inclusion of an additional paragraph containing the substance of sub-paragraph (e) of paragraph 1 of the Secretary-General's memorandum (A/C.3/SC.2/W.1 and A/C.3/SC.2/W.1/Corr.1)

The CHAIRMAN gave the corrected text of sub-paragraph (e) of paragraph 1 of the Secretary-General's memorandum as follows: (A/C.3/SC.2/W.1/Corr.1):

"Agree to the appointment by the President of the General Assembly of a small advisory committee of seven members, to which the Secretary-General could refer at his discretion any matters of principle or policy upon which he would like the benefit of their advice."

The Chairman recalled that the Netherlands delegation had proposed the substitution of the word "submit" for the word "refer".

Mr. KATZIN (Secretariat) did not think it necessary to answer immediately the questions asked by various representatives concerning the general organization of the relief. It might be sufficient to indicate the position of the Secretary-General on the particular point under discussion, namely, the constitution of an advisory committee. The Secretary-General did not think it absolutely necessary that the committee should be appointed by the President of the General Assembly and was ready to accept any other solution which the Sub-Committee thought suitable.

The Secretary-General saw no objection to inserting the word "submit" instead of the word "refer", as had been suggested by the Netherlands delegation.

As regards the meeting-place for the committee, it would surely be a mistake to settle that point immediately. When the Secretary-General needed its help, he could convene the committee and arrange a meeting-place.

The Netherlands delegation had raised the question of the credits which would be required to set up the advisory committee. The financial services had worked out an estimate of \$25,000 calculating on a certain number of meetings. Obviously that figure was only an estimate; the Sub-Committee might decide to limit the credits allocated to the committee, in
/which case

which case the Secretary-General would have to accept that decision. However, Mr. Katzin hoped that the Sub-Committee would allow the Secretary-General some latitude in deciding upon the credits. In any case, if more than the \$25,000 estimated was required, it would be very little more.

Mr. DAVIES (United Kingdom) believed that, after the statement by the representative of the Secretary-General, it should be possible to find a basis for agreement. For that reason the United Kingdom delegation was prepared to agree that the advisory committee should be appointed by the Secretary-General himself, and suggested the inclusion of the following paragraph in the Sub-Committee's draft resolution:

"AGREE to the convoking, at the discretion of the Secretary-General, of an ad hoc advisory committee of seven members to be selected by him, to which the Secretary-General may submit any matter of principle or policy upon which he would like the benefit of their advice."

Mr. KATZIN (Secretariat) said that the Secretary-General would willingly agree that the United Kingdom proposal should replace his own text.

Mr. SUTCH (New Zealand) considered that the United Kingdom proposal raised a new issue which might divide the members of the Sub-Committee, whereas up to the present the efforts of most delegations had been directed to reconciling the various points of view. The Sub-Committee was now being asked to consider leaving the selection of the ad hoc advisory committee to the Secretary-General. The amendment submitted by France and New Zealand, however, was already a compromise formula, suggesting that the committee should be appointed by the President of the General Assembly. No contrary proposal had been made and that amendment had not been withdrawn.

The Bolivian delegation had submitted the first proposal for an ad hoc committee on 29 October 1948. In face of the opposition shown in the Sub-Committee, the Bolivian delegation had withdrawn its proposal which had, however, received some support in the Third Committee. The idea had been taken up again by the French and New Zealand delegations, which had prepared an amendment that had already been before the Sub-Committee for a week. Now, for the first time an objection had been raised to the appointment of the ad hoc committee by the President of the General Assembly.

There were three main reasons why the United Kingdom proposal was not acceptable.

/First,

First, it would not be fair to the committee itself if it were appointed by the Secretary-General. The committee should consist of highly competent persons of undeniable international reputation. The President of the General Assembly was alone qualified to appoint those persons.

Furthermore, and here a general principle was involved, it was not for the executive to appoint the advisory body which was to help it to carry out its duties. It was true that circumstances might arise, on the level of an ordinary working party, in which the Secretary-General might nominate a committee of experts. But when an important question of general policy was involved, the General Assembly should not relinquish its responsibilities, except by placing them upon a body appointed by itself.

Finally, the whole of the United Nations was concerned to see that the particular problem of the Palestine refugees was dealt with satisfactorily. It was, therefore, the General Assembly, in the person of its President, which should assume the responsibility of appointing the ad hoc committee.

Mr. Sutch reserved the right, if necessary, to raise further points in due course.

In the opinion of Mr. de FOLIN (France), both the paragraph proposed by the United Kingdom delegation and sub-paragraph (e) of paragraph 1 of the Secretary-General's memorandum called for certain drafting reservations, in any case as regards the French text. The English word "policy" was much more elastic than the French word "politique". For that reason he suggested the insertion in the French text of the words "toute question de principe et se rapportant aux directives générales à suivre" instead of "toute question de principe et de politique à suivre".

Fundamentally it was of little real importance whether or not paragraph 9 of the joint French and New Zealand amendment had been withdrawn. The United Kingdom delegation had just proposed a definite text to which Mr. de Folin might make the same objections as had already been raised by the New Zealand representative, but which might nevertheless serve as a basis for the work of the Sub-Committee. He therefore proposed the following amendment to the United Kingdom proposal: that the words "seven members to be selected by him" should be replaced by the words "seven members to be appointed by the President of the General Assembly".

Mr. SUTCH (New Zealand) agreed that that amendment should be considered as a joint amendment of the French and New Zealand delegations.

/Mr. WARREN

Mr. WARREN (United States of America) said that his delegation had always been opposed to the establishment of an ad hoc committee and had never been convinced of the necessity for such a body. However, since the text proposed by the United States delegation the previous day had satisfied neither the Secretary-General nor the Sub-Committee, and since the Secretary-General had that day accepted the text submitted by the United Kingdom delegation, the United States delegation was prepared to show a spirit of co-operation and to support the United Kingdom proposal. That proposal seemed to take account of the only reason in favour of the establishment of an ad hoc committee, namely, the insistence of the Secretary-General in asking for the support and advice of such a committee, on which Governments would be represented. The United States delegation did not think the Secretary-General's fears would be confirmed once relief operations were in progress. The United States delegation was not convinced, but, wishing to give satisfaction to the Secretary-General, it would support the United Kingdom proposal.

Mr. ANZE-MATIENZO (Bolivia) remarked that it had been in a spirit of conciliation that the Bolivian delegation had withdrawn its proposal (A/C.3/316). The Sub-Committee was at present engaged in the examination of the Secretary-General's memorandum, which, in the opinion of Mr. Anze-Matienzo, was a model compromise text. That memorandum referred to a "small" committee which, originally a "policy" committee, had become an "advisory" committee in the corrected text. The Secretary-General would consult the committee "at his discretion", and as if that reservation had not been considered adequate, the note added that the Secretary-General would consult the committee upon any matters "upon which he would like the benefit of their advice". The Secretary-General's memorandum therefore appeared mainly concerned to limit as far as possible the terms of reference of the committee. How could that memorandum convince the Sub-Committee of the absolute necessity of establishing the committee?

The Bolivian representative also considered that even the "small" committee should be appointed by the President of the General Assembly. It was now proposed that the committee should be selected by the Secretary-General. When making his choice, the latter would have to get into touch with Governments. Was it, then, really necessary to set up the committee at all, and would it not be better to authorize the Secretary-General to consult Governments direct? Twenty-five thousand dollars would thus be saved which might more usefully be devoted to actual relief work.

/ANDRAOS Bey

ANDRAOS Bey (Egypt) pointed out that his delegation had always opposed the establishment of an ad hoc committee, either in the form proposed by Bolivia or in that envisaged in the Secretary-General's memorandum. His delegation had always considered that the Secretary-General should assume full responsibility for the implementation of the relief programme, and that the United Nations would enhance its prestige by taking positive action in the matter.

He agreed that some of the arguments advanced by the Bolivian delegation deserved attention. Such a committee, by reason of its experience and because it might represent Governments, would certainly add weight to the decisions of the Secretary-General.

Unfortunately, the United Kingdom resolution offered none of those advantages. The Secretary-General hesitated to assume responsibilities which he thought too heavy; but, if the resolution were adopted, he would assume the enormous responsibility of selecting the members of the committee. It was difficult to entrust such a duty to the Secretary-General, and the President of the General Assembly, who represented not only the administration but the entire United Nations, was in a much better position to call upon the most distinguished persons.

He feared that the United Kingdom proposal might lead to a kind of dictatorship by the Secretary-General, who would appoint his own advisors, himself define the questions upon which he desired to be advised and, finally, decide whether or not he would follow their advice. It would be not only a dictatorship but an irresponsible dictatorship.

The CHAIRMAN declared the debate closed and put to the vote the amendment submitted by the delegations of France and New Zealand to replace in the United Kingdom resolution the words "selected by him" by the words "appointed by the President of the General Assembly".

The amendment was adopted by 6 votes to 1, with 7 abstentions.

Mrs. KLOMPE (Netherlands) explained that she had abstained from voting because she considered it would have been better to reach unanimity on the United Kingdom proposal.

The United Kingdom resolution, as amended by the preceding vote, was adopted by 7 votes to 3, with 4 abstentions.

Mr. PEREZ CISNEROS (Cuba) reserved the right to explain, at the beginning of the afternoon session, the position of his delegation in regard to the questions that had been voted on.

The meeting rose at 1.05 p.m.