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Chairman:

Mr. M.G. PEREZ CISNEROS

Cuba

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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.3/317, A/C.3/318, A/C.3/SC.2/2, A/C.3/SC.2/W 1) (continuation)

JOINT DRAFT RESOLUTION SUBMITTED BY BELGIUM, THE NETHERLANDS, THE UNITED KINGDOM, UNITED STATES OF AMERICA (A/C.3/315)(discussion continued)
PROCEDURE TO BE FOLLOWED IN THE CONSIDERATION OF PARAGRAPH 2

Mr. DEHOUSSE (Belgium) suggested that in order to avoid prolonging the discussion, the Sub-Committee should close the procedural debate, after hearing the statements of the last speakers on the list.

The Belgian representative wondered whether the draft resolution submitted by the delegations of France and New Zealand (A/C.3/SC.2/2) was a new resolution, or whether it constituted a series of amendments to the joint draft resolution.

The CHAIRMAN said that after hearing the last speakers on the list, the Sub-Committee could take a decision on the closure of the procedural debate.

In reply to the Belgian representative, he said that France and New Zealand had originally submitted their draft as a separate resolution, but that at its previous meeting the Sub-Committee had decided that it could be considered as a series of amendments to the joint draft resolution (A/C.3/315).

Mr. WARREN (United States of America) recalled that the New Zealand delegation had proposed to replace the word "Determines", in paragraph 2 of the operative part of the joint draft resolution by the word "Notes". The Sub-Committee should take a decision on the matter. In his opinion, the Sub-Committee should differentiate between the amendments which the representative of New Zealand had proposed orally at the preceding meeting, and the text of the amendment contained in paragraph 2 of the operative part of the draft resolution submitted by France and New Zealand.

Paragraph 2 of the operative part of the draft resolution submitted by France and New Zealand made no reference to the information presented in the Mediator's report, whereas paragraph 2 of the operative part of the joint draft resolution on the basis of the Mediator's report stated that a sum of \$29,500,000 would be needed to cover the relief operations for the Palestinian refugees. Therefore, while the second paragraph of the resolution of France and New Zealand would completely alter paragraph 2

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of the operative part of the joint draft resolution, the oral suggestion of the New Zealand representative was for a mere drafting change. Mr. Warren felt that the Sub-Committee should decide on the oral suggestion made by New Zealand.

Furthermore, the Sub-Committee should consider what repercussions the information contained in the Secretary-General's memorandum (A/C.3/SC.2/W 1) would have on the provisions of paragraphs 2 and 7 of the joint draft resolution. The Sub-Committee should request some explanations from the Secretariat in that connexion. It could, if necessary, amend paragraphs 2 and 7, and refer the financial problems which they raised to the Fifth Committee for study while it continued the consideration of the other paragraphs of the draft resolution.

Mr. KATZIN (Secretariat) recalled the suggestion made by the representative of Egypt to refer to the Secretary-General's memorandum in paragraph 2 of the operative part of the joint draft resolution. It would, however, be preferable to include such a reference in paragraph 7 of the joint draft resolution or in paragraph 8 of the draft resolution of France and New Zealand. As a matter of fact, the Secretary-General's memorandum did not give the Fifth Committee any information concerning the sum which would be required to cover the administrative and executive expenses, the total of which would depend on the relief programme adopted. In order to specify the extent of those administrative expenses, a preliminary study should be undertaken by the director of the relief programme and the voluntary relief agencies.

The sum for administrative expenses would have to be fixed later by the General Assembly, upon the recommendation of the Fifth Committee. The Secretary-General thought that the Fifth Committee would be prepared to calculate the sum needed for administrative expenses on the basis of a percentage of the total sum provided for the relief programme. It had not been possible for the Secretariat exactly to calculate the total expenditure required by relief operations. In Mr. Katzin's opinion, it should be established by the Fifth Committee rather than by a resolution of the Sub-Committee.

Furthermore, Mr. Katzin thought that the Sub-Committee should confine itself to taking note of the Secretary-General's plan rather than discussing it in detail. There were no differences of principle between the provisions of that plan and those of the two draft resolutions submitted to the Sub-Committee. The respects in which they differed were on the one hand, the establishment of a special advisory committee, and on the other, the setting up of a special fund. In order to clarify the

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Secretariat's position Mr. Katzin intended to make a statement later concerning those two points.

The CHAIRMAN said that the Sub-Committee could choose one of two procedures to continue its discussion: it could either consider paragraph 2 of the joint draft resolution and the amendments submitted thereto, or it could take the Secretary-General's plan as a basis for discussion.

He proposed that the Sub-Committee should continue the discussion and take its decisions on the basis of the Secretary-General's memorandum.

The Chairman's proposal was rejected by 7 votes to 5, with 2 abstentions.

SUBSTANTIVE CONSIDERATION OF PARAGRAPH 2 OF THE OPERATIVE PART.

Mr. SUTCH (New Zealand) noted that the authors of the joint draft resolution had thus far not sought a basis for compromise with the delegations which had submitted amendments to their resolution. The representatives of Belgium, the Netherlands, United Kingdom and United States would make no concessions on any point and wished the Sub-Committee to adopt their draft as it stood. The New Zealand representative deplored such lack of conciliatory spirit.

The New Zealand delegation had made a thorough study of the question and had attempted to prepare a text in consultation with the Secretariat.

The New Zealand delegation had proposed that the opening word of paragraph 2 in the operative part of the joint draft resolution should be changed from "Determines" to "Notes", in order to obtain greater subtlety of drafting.

If the Sub-Committee adopted paragraph 3 of the draft resolution submitted by France and New Zealand, the New Zealand delegation asked that it should be incorporated in paragraph 2 of the joint draft resolution, which would thus consist of two sub-paragraphs. The New Zealand representative added that he was interested only in obtaining an agreement in principle; he would gladly compromise on the drafting of the paragraph.

The present stand of the New Zealand delegation was based on various motives.

In the first place, certain indispensable measures connected with the relief operations for the Palestinian refugees would have to be taken during the coming two or three months. The transportation of supplies and the unloading of vessels, for example, would have to be assured; in order to meet the expenses which such measures would entail it was imperative to allocate funds immediately.

In the second place, the New Zealand delegation thought that the cost of carrying out the relief programme should be borne by the United Nations. Thus, plans were being made to ask Governments to contribute; but the relief organization would have immediate need of a sum of approximately \$5,000,000, for which the different Governments should not be approached. That sum should be a charge on the United Nations. Each Member of the organization should contribute, within the framework of the United Nations budget a sum reckoned on the basis of the scale of contributions. It was exactly the same problem as when missions were sent to Greece or Korea. The expenses of those missions were borne by the United Nations; the same should be true of the expenses resulting from the implementation of the relief programme. The principles, which prevailed in the operations of UNRRA should be applied in that connexion.

Further, the New Zealand representative pointed out that in order to meet expenses in countries where relief operations would be carried out, the relief organization might need not only dollars but other currencies as well. Contributions should therefore be made in those various currencies.

Mr. Sutch concluded by stating that the aim of his delegation's proposal was not in any way to hamper relief operations but to obtain the funds necessary for the aid of which the Palestinian refugees stood in need.

Speaking on a point of order, Mr. DAVIES (United Kingdom) asked the representative of New Zealand to give the Committee the exact text of the amendment submitted by him to paragraph 2 of the joint draft resolution.

ANDRAOS Bey (Egypt), speaking on a point of order, said that however paradoxical it might appear, the Third Committee was not seized of any amendment to paragraph 2 of the joint draft resolution. The New Zealand representative's statement in fact applied to paragraph 9 of the joint draft resolution, and paragraphs 3 and 4 of the draft resolution submitted by New Zealand and France, referred to the same paragraph. The suggestion made in the New Zealand-France resolution concerning the methods of payment was interesting in itself; but it was premature to approach that question at the present stage in the discussion.

The CHAIRMAN pointed out that the Egyptian representative had criticized the amendments submitted, that was to say, that he had not confined himself to speaking on a point of order.

Mr. PAVLOV (Union of Soviet Socialist Republics), speaking on a point of order, asked the Chairman to make clear on what points the discussion bore. He remarked that paragraph 2 of the draft resolution had been the subject not of one, but of several amendments; Norway and Venezuela had submitted written amendments (A/C.3/317, A/C.3/318) and New Zealand had submitted an oral amendment.

If the discussion did not bear on those amendments, but on the text of paragraph 2 of the joint draft resolution, Mr. Pavlov considered that it would be preferable to use the words "takes note" instead of "determines" and to insert the adjective "provisional" before the word "recommendation". He also suggested that the actual words of the Acting Mediator's report should be used and that it should be indicated that "a sum up to about \$29,500,000" was required.

Mr. Pavlov wished to know what procedure the Sub-Committee was going to adopt; was the amendment furthest from the original proposal to be voted on first before the Committee decided on the original text, or was another procedure to be adopted? Or, again, were paragraphs 2 and 3 to be considered together?

The CHAIRMAN pointed out that the USSR representative had in fact just submitted amendments to paragraph 2 of the joint draft resolution.

He explained that the Committee would first study the New Zealand amendment, and then go on to consider the texts submitted by Norway and Venezuela. He added that the request of the New Zealand representative, that paragraphs 2 and 3 of the joint draft resolution should be merged, was entirely justified.

The New Zealand amendment had now been submitted in written form and read as follows:

"The General Assembly determines that all Members of the United Nations shall make a supplementary contribution to the budget of the United Nations, reckoned on the basis of the scale of their contributions to that budget, in order to obtain, as soon as possible, a sum equivalent to "X" million dollars, which would immediately be placed at the disposal of the relief organization for Palestine Refugees.

"This contribution could be paid by Members in currencies other than the United States dollar, in-so-far as the expenses of the relief organization can be paid in these currencies.

"Note: the letter "X" denotes a figure to be determined by the Fifth Committee on the basis of the urgent necessity for each to carry out the relief programme for a period of two months."

The CHAIRMAN informed the Committee that his list of speakers was closed.

Speaking on a point of order, Mr. GRUMBACH (France), admitted that it was logical to merge paragraph 3 of the New Zealand and French draft resolution with paragraph 9 of the joint draft resolution. It was therefore only paragraph 2 of the joint draft resolution which was at present under discussion.

Mr. PLAZA (Venezuela) considered that the amendment submitted by his delegation was an addition to paragraph 3 and not to paragraph 2 of the joint draft resolution.

Mr. SUTCH (New Zealand) recognized that the amendment submitted by his delegation could be added to paragraph 9 of the draft resolution, and he pointed out that that amendment could also constitute a separate paragraph. He agreed to withdraw that amendment but reserved the right to submit it again when the Committee began consideration of paragraph 9 of the joint draft resolution. He hoped that the Committee would then agree to discuss it once again.

The CHAIRMAN said that he could not allow resumption of the discussion on an amendment which had already been studied at length. He asked the New Zealand representative whether he consented formally to withdraw the amendment submitted by his delegation. He assured him

that it would be possible for him to speak again when paragraph 9 of the joint draft resolution was discussed, and he added that Members of the Committee, who had not yet stated their opinions on the subject of that text, could also do so at that time.

Mr. SUTCH (New Zealand) said that he would withdraw the amendment to paragraph 2 submitted by his delegation.

Mr. PAVLOV (Union of Soviet Socialist Republics) said that he would make some remarks on the substance of paragraph 2 of the joint draft resolution. He stated once more that the exact terms of the Acting Mediator's report should be adopted. The word "determines" should be replaced by "takes note", the expression "provisional recommendation" should be used; and finally, the sum of \$29,500,000 should be regarded as a maximum not to be exceeded.

Mr. Pavlov pointed out that the three amendments submitted by him were of a purely technical character. If the Committee adopted them, his delegation would not oppose the adoption of paragraph 2 in its present form.

Mr. Pavlov stressed the necessity for complete exactitude in dealing with the financial aspects of the refugee problem. He pointed out that, according to the terms of the annex to the Acting Mediator's report (A/689/Add 1, paragraph 77), the estimate of the number of refugees in Northern Syria made by the Arab authorities reached a total of 30,000 refugees who were distributed as follows:

Latakia.....	5,000
Aleppo.....	10,000
Hama.....	7,000
Homs.....	8,000

As a result of a detailed study those figures have been modified in the following way:

Latakia.....	880
Aleppo.....	8,000
Hama.....	3,900
Homs.....	3,200

The total number of refugees did not exceed 15,800.

The figure of \$29,500,000 mentioned in the report had not been verified in any way. It was for those reasons that he favoured the use of the terms "provisional recommendation" or "preliminary recommendation". In conclusion, Mr. Pavlov expressed the hope that the Sub-Committee would

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adopt paragraph 2 thus amended.

Mr. GRUMBACH (France) said that he would make some remarks on the form of paragraph 2. He suggested that the word "determines" which appeared at the beginning of the paragraph, should be replaced by the word "considers". The Third Committee was not, in fact, competent to take a decision on financial questions. Moreover, the French representative thought that, since the Third Committee was not qualified to examine the budgetary provisions of the Acting Mediator as regards substance, it should trust the report and take a basic figure. That was why he approved the figure of \$29,500,000 in paragraph 2. He added that it was for the Fifth Committee to make a more detailed study of the merits of that estimate. Any other decision would involve the immediate suspension of the work of the Sub-Committee, and would make it necessary to send a commission on enquiry into Palestine.

He feared that the proposed sum of \$29,500,000 would not be sufficient to ensure relief of the refugees. In the unlikely event that that sum proved too great, the authorities responsible for the distribution of relief would repay the surplus into the treasury of the United Nations. Mr. Grumbach stressed once more that the figure of \$29,500,000 should be retained in the text of the draft resolution and be adopted by the Sub-Committee without being made the subject of a special amendment.

The French delegation would vote in favour of the original text of paragraph 2.

Mrs. LIONAES (Norway) wished to make only a few remarks regarding paragraph 2 of the joint draft resolution. She suggested that the words "determines upon the basis of the Acting Mediator's recommendation, that the sum of \$29,500,000 will be required to provide relief" should be replaced by the phrase "takes note of the Acting Mediator's recommendation that the sum of \$29,500,000 will be required". The Mediator's report did, in fact, mention the above figure without explaining it.

Mrs. Lionaes recalled that the United States representative had stated that he would not vote for the inclusion of the New Zealand-French draft resolution in the recitals of the joint draft resolution, because that resolution, based on the Acting Mediator's report had fixed a sum of \$30,000,000, and the situation in Palestine had changed since the Mediator had written his report. Mrs. Lionaes shared that point of view and it was for that reason that she suggested the words "takes note" instead of "determines".

Mr. WARREN (United States of America) pointed out that his delegation had always understood that the Acting Mediator's forecasts were to be submitted to the Fifth Committee for examination and that that Committee should make a recommendation as to the exact sum it deemed necessary. It had always been considered that the sum of \$29,500,000 could be modified by the Fifth Committee. It was for that reason that the Third Committee had decided to refer paragraph 2 of the draft resolution to the Fifth Committee for consideration. Acting in his capacity of member of the United Nations Staff, the Acting Mediator had drawn up a budget. That budget must therefore necessarily be examined by the Fifth Committee.

If the Third Committee thought that it was competent to decide whether the sum of \$29,500,000 was proportionate to the existing needs, the United States representative would not object, although, in his opinion the figure was too small. He wished to observe, however, that the Sub-Committee had not considered the Acting Mediator's budget. It was therefore for the Third Committee to take a decision in principle and for the Fifth Committee to decide the budgetary question.

Moreover, the second part of paragraph 2 provided that administrative expenditures should be determined by the General Assembly on the recommendation of the Fifth Committee, which, there again had an all-important role to play.

The Secretariat had made provisions since the Mediator had written his report: it had provided in particular that only part of the staff necessary for the organization entrusted with refugee relief should be drawn from United Nations personnel. It had also contemplated making an appeal to philanthropic organizations. The Acting Mediator's report was therefore liable to revision.

Thus it was not for the Sub-Committee to determine an exact total. Whether paragraph 2 began with the word "determines" or with the word "considers" was of little importance; for his part, he was prepared to accept the word "considers".

Lastly, as the Committee did not know yet how the Fifth Committee would wish the funds to be used and to be divided between administrative expenses and operational expenses, he proposed the addition of the words "and operational" after the word "administrative". It would be for the Fifth Committee to submit appropriate proposals to the General Assembly.

ANDRAOS Bey (Egypt) recalled that the Sub-Committee was still trying to reach a decision on paragraph 2. No amendments had, however, been suggested to that paragraph since the New Zealand representative had admitted -- and the French representative had agreed with him -- that his amendment

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applied rather to paragraph 9. On their side, the representatives of Norway and Venezuela recognized that their amendments concerned article 3.

He felt sure that there was full justification for the point of order he had raised earlier. Speaking on a point of order meant making a brief concise statement on a question of procedure which had to be settled immediately.

The Sub-Committee now had before it the French, Norwegian and USSR amendments to paragraph 2.

The French proposal was to replace the word "determines" by the word "considers" at the beginning of the paragraph. The Norwegian amendment, which proposed the words "takes note" was substantially the same.

The USSR amendment dealt with two points: it proposed the insertion of the word "provisional" between the words "Acting Mediator's" and "recommendation" and substitution of the expression "a sum up to \$29,500,000" for the expression "the sum of \$29,500,000". He felt that those two amendments were somewhat contradictory; it was impossible to look upon the sum of \$29,500,000 as being both a provisional estimate subject to revision and a limit that could not be exceeded. Furthermore, the USSR representative had discovered some errors in the figures contained in the Acting Mediator's report. On the previous day, however, the very same representative of the USSR had emphasized that the Third Committee was not competent where figures were concerned and that it should leave discussions of budgetary matters to the Fifth Committee. Why should he change his attitude now?

The representative of Egypt felt that he could not therefore support the USSR amendments; on the contrary, he would vote for the French amendment, which had also been accepted by several other representatives.

The CHAIRMAN agreed with the Egyptian representative's definition of a point of order. He felt, however, that the question raised by the Egyptian representative did not fully correspond to that definition: it had not required a ruling from the Chair. The Sub-Committee was discussing paragraph 2 and it was not for the Chairman to open the discussion on paragraph 9.

He hoped he would be able to end the discussion and put the question to a vote after the New Zealand and USSR representatives had spoken.

Mr. SUTCE (New Zealand) thought that the question required thorough examination and that it would be advisable to have the Secretariat's opinion thereon although he thought, therefore, that the discussion should be postponed, he was prepared to outline his point of view so that it could be continued.

Mr. DAVIES (United Kingdom) noted that the Sub-Committee had not reached any positive result so far. He hoped that those who had put their names down would be allowed to speak and that a vote could then be taken.

The CHAIRMAN decided that the discussion should be continued.

Mr. SUTCH (New Zealand) thought it would be a mistake to retain the text of the joint draft resolution unchanged. The Acting Mediator's report dealt with a real situation but the accuracy of the terms in which it did so could not be verified at present.

Why should it be considered that the whole resolution hinged around the sum of \$29,500,000? If the Sub-Committee had agreed to the New Zealand suggestion to include the reference to the Mediator's report in the recitals of the resolution, the present difficulties would not have arisen. The New Zealand delegation refused to quote the figure given in the Acting Mediator's report in the body of the resolution; it did not think the figure was inaccurate but wished it to be checked by the Fifth Committee. The New Zealand and USSR delegation agreed on that point.

The addition of the word "approximately" after the words "the sum of" would allay the anxiety of both those who believed the figure to be too high and those who believed it to be too low; moreover, it would prevent paragraph 2 from losing any meaning when the remainder of the resolution was adopted.

The New Zealand delegation was still convinced that any reference to the Mediator's report was valueless in the body of the resolution and that it would have been more appropriate in the preamble.

Mr. PAVLOV (Union of Soviet Socialist Republics) wanted to know whether the United Kingdom and the United States representatives had any objections to his amendments.

Mr. DAVIES (United Kingdom) did not wish to be drawn into any hasty decision. He could not agree to the expression "a sum up to \$29,500,000" as the figure was a mere estimate and could not be regarded as a limit.

Mr. WARREN (United States of America) also could not accept the USSR amendment as the Fifth Committee had not yet considered the question.

Mr PAVLOV (Union of Soviet Socialist Republics) thought that the Egyptian representative's fears were exaggerated. The only aim of the USSR amendments was to ensure a certain harmony between the resolution and the Acting Mediator's report. The Mediator himself had used the expression "tentatively" in his report (A/619 paragraph 22). He wished to reassure the United Kingdom and the United States representatives that the USSR amendments did not constitute a Trojan horse.

The French, New Zealand and Norwegian representatives had accepted either the word "determines" or the word "considers". In addition, the United States representative had made it clear that it was not for the Third Committee to take a decision on a financial question. It was obvious, therefore, that paragraph 2 should not begin with the word "determines".

When the USSR proposed to speak of "a sum up to \$29,500,000" it agreed with the Acting Mediator, who had referred to possible economies in paragraph 2 of his report.

The USSR delegation would also agree to the expression "a sum of approximately \$29,500,000 might be required".

Clarity in drafting was the only aim of the USSR amendments. They did not deal with the substance. The USSR delegation regretted that many representatives displayed mistrust as soon as the USSR suggested the slightest amendment.

In reply to a remark by the representative of China, the CHAIRMAN thought that even if paragraph 2 began with the word "considers" it would be more appropriate in the body of the resolution than in the recitals. By adopting that paragraph the General Assembly would be taking some sort of a decision. It would be taking a definite stand instead of merely noting something which had already happened.

The first amendment to paragraph 2 of the draft resolution (A/C.3/315), which proposed replacing the word "determines" by the word "considers", seemed to have been accepted by most representatives.

As there were no objections the amendment was adopted.

The CHAIRMAN put to the vote the USSR amendment which proposed the addition of the word "provisional" between the words "Acting Mediator's" and "recommendation".

The amendment was rejected by 6 votes to 4 with 3 abstentions.

The CHAIRMAN put to the vote the USSR amendment which proposed the following wording: "the sum of \$29,500,000 might be required" or better still "would be required" as suggested by the representative of France.

The amendment was not adopted, 5 votes being cast in favour and 5 against, with 3 abstentions.

The New Zealand proposal to add the word "approximately" was adopted by 7 votes to 5, with one abstention.

In reply to the New Zealand representative, the CHAIRMAN said he felt no vote should be taken on the Norwegian amendment suggesting the words "takes note" as the Sub-Committee had just adopted the word "considers".

The CHAIRMAN put to the vote the United States proposal to add the words "and operational" after the word "administrative" at the end of paragraph 2.

Mr. PAVLOV (Union of Soviet Socialist Republics) said he did not understand the meaning of that amendment and wished to have it explained by the United States representative.

The CHAIRMAN said the discussion was closed; voting had begun and he could not allow any further interventions.

Mr. PAVLOV (Union of Soviet Socialist Republics) appealed against the Chairman's ruling on that point.

The Chairman's ruling was upheld by 9 votes to none, with 2 abstentions.

The United States proposal to add the words "and operational" was adopted by 7 votes to 3, with 3 abstentions.

Mr. GRUMBACH (France) said he had abstained from voting on that amendment because, like the USSR representative, he had not understood its exact meaning.

The CHAIRMAN regretted that the discussion had not been sufficiently clear for some representatives, but recalled that any representative could ask for explanations before, not after, the list of speakers had been closed.

The whole of paragraph 2 as amended was adopted by 13 votes to one.

Mr. SUTCH (New Zealand) said he had voted against the whole of paragraph 2 as amended because the adoption of the United States amendment had deprived it of any meaning and had opened the way to an unlimited number of interpretations. No ceiling had been fixed for the operational expenditure.

Mr. PAVLOV (Union of Soviet Socialist Republics) referred to rule 104 of the General Assembly's rules of procedure which provided for the right of reply even after the list of speakers had been closed and protested against the Chairman's decision which had resulted in a meaningless amendment being adopted at the last moment.

The sum of \$29,500,000 could now be increased ad infinitum. The Acting Mediator had found it necessary to provide a sum of \$5,000,000 for administrative expenses (A/689 paragraph 24). There was no limit now to the elasticity of that sum.

The CHAIRMAN believed in all good faith that he had acted in accordance with the rules of procedure. At the request of the USSR representative he had accorded the right to speak to the representatives of the United Kingdom and of the United States after the closing of the debate.

Rule 104 laid down that the Chairman "may, however, accord the right of reply...". There was therefore no strict obligation to do so.

Mr. PLAZA (Venezuela) felt that to be effective the resolution should have fixed a precise figure. That was the explanation of his vote against the addition of the word "approximately".

The meeting rose at 12.35 a.m.