

Third Session

THIRD COMMITTEE

SUB-COMMITTEE 2

SUMMARY RECORD OF THE FOURTEENTH MEETING

Held at the Palais de Chaillot, Paris,
on Tuesday, 9 November 1948, at 10.45 a.m.CONTENTS:

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

Joint draft resolution of Belgium, Netherlands, United Kingdom, United States of America (A/C.3/315) (continued) paragraphs 4, 5 and 6 of the enacting terms.

<u>Chairman:</u>	Mr. G. de BEAUMONT	France
<u>Rapporteur:</u>	Mr. G. PEREZ CISNEROS	Cuba
<u>Members:</u>	Mr. F. SCHEYVEN	Belgium
	Mr. E. ANZE MATIENZO	Bolivia
	Mr. H. CHA	China
	A. ANDRAOS Bey	Egypt
	Mr. de FOLIN	France
	later Mr. S. GRUMBACH	France
	Mrs. S.L. MENON	India
	Mr. OOSTERHUIS	Netherlands
	Mr. W.B. SUTCH	New Zealand
	Mrs. A. LYONAES	Norway
	Mr. H. ALTMAN	Poland
	Mr. BORISOV	Union of Soviet Socialist Republics
	Mr. DAVIES	United Kingdom
	Mr. WARREN	United States of America
	Mr. R. GALLEGOS	Venezuela
<u>Secretariat:</u>	Mr. KATZIN	

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

Joint draft resolution of Belgium, Netherlands, United Kingdom, United States of America (A/C.3/315)(continued).

Paragraph 4

The CHAIRMAN said that paragraph 5 of the amendment submitted by France and New Zealand was exactly the same as paragraph 4 of the enacting terms of the joint draft resolution. He therefore proposed that the Sub-Committee should pass directly to the study of paragraph 4 of the draft resolution and regretted that the representatives of France and New Zealand were not yet present to sanction that decision.

Mr. PEREZ CISNEROS (Cuba) said the representatives of France and New Zealand, having accepted the text of the joint draft resolution, could not oppose the adoption of paragraph 4, which he proposed should be put to the vote immediately.

Paragraph 4 was unanimously adopted by the ten people voting.

Paragraph 5

Mr. PEREZ CISNEROS (Cuba) remarked that it would be preferable not to number the paragraphs of the draft resolution adopted, since during discussion it had been decided to insert certain paragraphs between paragraphs 3 and 4 of the enacting terms. He added that there was a difference between the English and French texts of paragraph 5. According to the English version the Secretary-General was authorized to expend the funds received under paragraph 3 and 9 of the resolution, while the French version only mentioned paragraph 3 of the resolution. He therefore requested, if the French representative agreed, that the words et 9 be added to the French text of paragraph 5.

Mr. de FOLIN (France) accepted the addition to the text of paragraph 5 proposed by the representative of Cuba.

Mr. DAVIES (United Kingdom) pointed out that the text should read: paragraphs 3 and 4, and not paragraphs 3 and 9, since the sub-committee, at a previous meeting, had altered the order of the paragraphs adopted.

The CHAIRMAN decided, for the time being, not to number the different paragraphs. He put to the vote paragraph 5 of the joint draft resolution. Paragraph 5 was unanimously adopted by the ten people voting.

ANDRAOS Bey (Egypt) recalled that he had already expressed the intention of presenting an amendment to the joint draft resolution. He had not yet submitted the written text of the amendment to the Sub-Committee, as he thought he had until mid-day 9 November to do so.

The amendment in question was an addition to paragraph 5 of the enacting terms of the joint draft resolution. If it was considered that that paragraph had been adopted, and could not be added to, his amendment might form a separate paragraph to be inserted between paragraphs 5 and 6.

He limited himself to explaining briefly the meaning of the amendment submitted. Its aim was to indicate to the Secretary-General that in the distribution of funds, account should be taken as far as possible of the numerical importance of the populations assisted.

The CHAIRMAN said that paragraph 5, having been adopted by the Sub-Committee, could not be revised, unless the Sub-Committee, when the Egyptian amendment had been read, wished to adopt it without discussion, in which case he would propose its adoption. If, on the contrary, the amendment gave rise to discussion, he would ask the Egyptian representative to make it into a separate paragraph. He recognized however that that procedure was not absolutely in order, but if the members of the Sub-Committee raised no objection, he would none the less adopt it in order to expedite their work.

Mr. SCHEYVEN (Belgium) said he would prefer that paragraph 5 should be considered as finally adopted; he suggested that after the representative of Egypt had explained it, the Sub-Committee should decide whether the Egyptian amendment was to constitute a separate paragraph or be incorporated in paragraph 5 of the joint draft resolution.

Mr. SEA (China) joined the Belgian representative in asking the Egyptian representative to explain the amendment in question, which should be drawn up in the two working languages and distributed to members of the Sub-Committee.

ANDRAOS Bey (Egypt) in order to simplify procedure, proposed that the amendment submitted by his delegation should be considered as a separate paragraph immediately following paragraph 5, of which it was an explanation. He made it clear that the amendment was not imperative and was only intended as a directive.

He then read the proposed text:

"In the equitable distribution of relief the Secretary-General should, inasmuch as possible, take into account the numerical importance of the respective communities assisted".

He recalled that in accordance with the terms of the first paragraph of the preamble of the draft resolution relief should be brought to refugees "of all communities". The draft resolution was therefore on a strictly humanitarian plane, and established no distinction between the peoples aided; however, it should not be forgotten that if the number of Arab refugees had been half a million when the study of the problem of relief was begun, it was now 766,000. That figure might still increase rapidly in the following weeks. It was therefore appropriate to point out to the Secretary-General that it could not be a question of halving the aid between the 7,000 Jewish refugees and the 766,000 Arab refugees from Palestine.

Moreover, it should not be forgotten that the Arab communities fell into several different categories namely, the northern group, including Syria and Lebanon, the central group to which Iraq and Transjordan belonged, and finally the southern group mainly represented by Egypt. Political considerations must not disturb the normal distribution of relief to refugees within those various groups.

There would be certain objections to the absolute numerical distribution of relief; in Egypt, for example, the Arab refugees could find shelter in hospitals, barracks and schools, but in Transjordan they were in the middle of the desert and had only tents for shelter. The allocation of the same relief to countries in which reception conditions were different could not be contemplated. The task of the equitable distribution of relief to Palestinian refugees should be left to the Secretary-General, and it should not be considered that the amendment established a mathematical rule. The amendment merely laid down a principle of equity, it only offered suggestions; it was the desire to do better which made the Egyptian representative submit it for study to the Sub-Committee.

He added that as a result of a remark made by one of the members, he wished to alter the English text of his amendment. In that text the word "importance" should be replaced by the word "incidence", for which a French equivalent would have to be found. He said also that the word "should" should be replaced by "will", so that the final English text would read:

"In the equitable distribution of relief the Secretary-General will, inasmuch as possible, take into account the numerical incidence of the respective communities assisted".

The CHAIRMAN thought it would be better to retain the word importance in the French text in order to avoid an obscure translation of the word "incidence". He recalled that he had only agreed to submit the Egyptian amendment for discussion in the optimistic supposition that that amendment might find a place in paragraph 5 of the enacting terms of the joint draft resolution. If the amendment submitted by Egypt was to form a separate paragraph, its discussion would have to be postponed until later.

Mr. PEREZ CISNEROS (Cuba) recalled that it had been decided that delegations might submit amendments up to the time limit of noon. The Egyptian amendment to insert a new paragraph between paragraphs 5 and 6 of the joint draft resolution, had therefore been submitted within the required time. He recognized that certain members might find themselves in a difficult position because the text of the amendment had not been circulated to them. However, he urged that they should proceed to a study of that amendment, which was closely connected with the paragraph 5 previously adopted. He added that that procedure was in complete conformity with the rules of procedure.

Mr. BORISOV (Union of Soviet Socialist Republics) did not share the opinion just expressed by the representative of Cuba. The representative of Egypt had just read to the Sub-Committee the amendment he submitted. That document had moreover undergone alterations during that very meeting. It did not much matter whether the paragraph in question was inserted between paragraphs 5 and 6, or at any other place in the joint draft resolution. Members of the Sub-Committee must be given time to study the new paragraph which it was proposed they should adopt. Consequently, it was impossible to proceed immediately to a study of the Egyptian amendment and any measure to do so would be contrary to the rules of procedure.

The CHAIRMAN recalled that he had never said the Egyptian amendment had been presented too late. He maintained what he had declared: if the study of the Egyptian amendment had raised no difficulty, it would have taken place immediately. However, taking into consideration the objections just raised by the USSR delegation, he agreed that it would

be preferable to give members of the Sub-Committee time for reflection. He therefore announced that the amendment submitted by the Egyptian delegation would be circulated to Members and discussed later.

Mr. PEREZ CISNEROS (Cuba) said his delegation had not intended to violate established procedure. He recalled that rule 71 of the rules of procedure authorized the discussion of amendments circulated the same day; he recognized, however, the USSR delegation's right to request the translation of a text which was somewhat complex and he bowed to the reasons given by that delegation.

Paragraph 6
United States Amendment

The CHAIRMAN said the Sub-Committee might directly study paragraph 6 of the joint draft resolution, since the amendment submitted by France and New Zealand did not make any change in it. Moreover, the United States representative submitted an amendment drafting paragraph 6 as follows:

"Instructs the Secretary-General, in consultation with the Advisory Committee on Administrative and Budgetary Questions, to establish policies and adequate financial controls for the administration and supervision of the Fund;"

Mr. WARREN (United States of America) explained that his amendment aimed at solving the problem raised by the creation of a special committee to assist the Secretary-General in administering the Fund. It was a problem already visualized in paragraph 1 (e) of the Secretary-General's memorandum (A/C.3/SC.2/W 1), and by the draft resolution of France and New Zealand (A/C.3/SC.2/2) in paragraph 9. In the general discussion, the Sub-Committee had studied the problem for more than two days, and the majority of the representatives, including the United States representative, had declared itself opposed to the creation of such a committee. The Secretary-General had non the less strongly urged that the Sub-Committee should accept that solution. The United States delegation was doing its best to find a compromise between the attitude of the Sub-Committee and that of the Secretary-General.

The Secretary-General thought that a Committee composed of Government representatives rather than of experts, was required to help in fixing the line of conduct in the administration of the Fund. That administration should be kept completely apart from any political consideration. The American delegation feared, that a Committee of that kind would, on the contrary, encourage political discussions. However, struck by the definite attitude taken by the Secretary-General, it had done its best to anticipate his wishes, and it was for those reasons that it had formulated the amendment which the Sub-Committee were examining at the moment.

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/Mr. Warren

Mr. Warren had been informed that his amendment did not satisfy the Secretary-General. The latter did not think that the Advisory Committee on Administrative and Budgetary Questions was in a position to fulfil a role of that nature. In spite of the unfavourable opinion of the Secretary-General, the United States delegation was convinced that, if the expected difficulties arose during the administration of the relief programme, the Advisory Committee on Administrative and Budgetary Questions could advise the Secretary-General, since the General Assembly would have expressly authorized it to do so.

The United States amendment presented incontestable advantages. The Advisory Committee on Administrative and Budgetary Questions did in fact exist; its composition was known; it held three or four sessions annually and could consequently be consulted at any time of the year. It was true, that its terms of reference were at present limited to administrative and budgetary questions, but if the United States amendment were adopted, its terms of reference would be extended. The United States delegation was convinced that the Advisory Committee on Administrative and Budgetary Questions could furnish the Secretary-General with the aid he required in order to establish policies which, if necessary, could at any moment be revised, at his request.

Only one other solution had been proposed, which consisted in establishing a special committee to be appointed by the President of the General Assembly. The United States delegation did not think that such a Committee could be as useful as the Secretary-General thought. Mr. Warren feared that the existence of that Committee would give rise to political discussions, and he thought that it would be preferable to extend the terms of reference of the Advisory Committee on Administrative and Budgetary Questions which, at least, was secure from any intrusion of politics.

Only an amendment of the kind proposed by the United States of America was likely to solve the problem.

Mr. SUTCH (New Zealand) said that he had previously thought that the expression "policies" had by mistake slipped into the United States amendment. He was therefore the more surprised when he heard that Mr. Warren had deliberately chosen that expression. Mr. Sutch did not see how the Advisory Committee on Administrative and Budgetary Questions could establish any "policies".

The adoption of that amendment would mean an increase in the difficulties with which the Sub-Committee was confronted. The United States delegation was, of course, doing its best to meet the wishes of the Secretary-General by that amendment. Mr. Warren, had, moreover, frankly

stated that the Secretary-General did not find that amendment satisfactory.

The members of the Sub-Committee, particularly the United States representative, did not appear to be fully aware of the terms of reference and composition of the Advisory Committee on Administrative and Budgetary Questions. Moreover, many disputes had arisen recently on that point in the General Assembly, particularly concerning the composition of the Advisory Committee. Hence it was probable that the United States amendment would prove unacceptable to many delegations. Besides that general reason there were several technical reasons. The Advisory Committee on Administrative and Budgetary Questions only met every three months; it was not therefore permanently available. Moreover, its members were chosen for their individual ability, they were experts, no doubt very estimable, but there was nothing to support the view that they were also qualified to deal with refugee problems, or with those of the Middle-East. Finally, the Advisory Committee was not a body that represented Member States as a whole.

The proposal submitted by France and New Zealand was a compromise, and was moreover rather timid. At least, it left to the General Assembly the appointment of members of the Special Advisory Committee and allowed it to be hoped that the principle of geographical distribution would be observed.

The problem of the Palestine refugees concerned the whole United Nations; all the Member States should therefore take part in the administration of relief, otherwise there was a risk of encountering political bitterness.

In any case, the United States amendment was not a satisfactory solution.

Mr. GRUMBACH (France) stated that the discussion at that stage was concerned with the substance itself of the Secretary-General's memorandum, in which he had asked the Assembly to furnish the aid necessary for him to carry out the relief programme. The joint draft resolution made no allusion to that problem.

The amendment submitted that day by the United States delegation, approached the question in a different way from that which the Sub-Committee had adopted up to the present. It recognized that it would be useless to provide the Secretary-General with a sort of assisting council. Wishing to dispense with a new organ, and to avoid the intrusion of politics into the problem of aiding refugees, the United States representative did not approve of the establishment of a Special Committee.

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/Mr. Grumbach

Mr. Grumbach did not think that the Special Committee would be likely to attract political questions, as a lightning conductor attracted lightning. Obviously, it should be perfectly understood from the beginning that all political considerations should be left aside. In the Secretary-General's memorandum, in paragraphs 1 (e) and 2 (j), a Policy Committee had been mentioned. As a result of the statement of the French delegation, Mr. Katzin, representative of the Secretary-General, had consented to make certain changes in that text immediately, to replace "Policy Committee" by "Advisory Committee" and to delete the words "referred" and "policy". The French delegation had always opposed the establishment of an inter-governmental committee, which, in its opinion, would be the surest way of introducing political considerations. Moreover, Mr. Grumbach wondered what exactly was meant by political considerations. He wondered whether it was considered that they would touch, for example, on the problem of repatriation. It should in that case be recognized that that problem was far beyond the responsibilities of the Sub-Committee. It was clearly a political problem, the solution of which depended on the solution that might be given to far more important political problems.

The draft resolution which the Sub-Committee would prepare, did not have to be the result of agreement with the Secretary-General. Thus, France and New Zealand had not consulted the Secretary-General in preparing their draft resolution. Nevertheless, the fact that the Secretary-General had expressed a wish or made an observation was no reason why the Sub-Committee should immediately take the opposite view to what he had said. On the contrary, the Sub-Committee should facilitate the work of the first official of the United Nations Organization.

The principal objection of the French delegation to the United States amendment was that the Advisory Committee on Administrative and Budgetary Questions was not competent to play the part assigned to it by that amendment. It was to be feared lest an extension of its terms of reference should hamper the Advisory Committee in the accomplishment of what remained its essential task. The problem of the Palestine refugees would become increasingly dramatic, and would raise innumerable difficulties.

Mr. Grumbach thought that it would only be normal, in view of the scope of the problem, to set up a special committee to help the Secretary-General. He thought that it would be wise to lighten the burden of responsibility which rested on the latter by sharing it. The United States amendment was an effort in that direction, but he preferred the establishment of a special advisory committee responsible for helping the Secretary-General and the United Nations Director for Palestine Refugee Relief.

Mr. PEREZ CISNEROS (Cuba) appreciated the effort towards agreement which the United States amendment presented but he thought that Mr. Warren himself had put forward the principal argument against the amendment, when he had stated that the Secretary-General had not found the proposed solution satisfactory.

The United States amendment was confronted by a stronger argument, namely, that of the terms of reference of the Advisory Committee for Administrative and Budgetary Questions. Mr. Perez Cisneros read article 146 of the Rules of Procedure, particularly stressing the last phrase, according to which the Advisory Committee "performed such other duties as might be assigned to it under the regulations for the financial administration of the United Nations". It was obvious that the terms of reference of the Advisory Committee were confined to Administrative and Budgetary Questions. Mr. Perez Cisneros could not therefore understand how it could establish "policies" concerning humanitarian and social questions, which nevertheless touched upon political questions. In order to adopt the United States amendment, the Rules of Procedure would have to be amended. The United States amendment left ajar a door which, according to the French proverb, should either be open or shut.

Mr. SCHEYVEN (Belgium) considered that there were three points which needed to be elucidated.

First, as the New Zealand representative had already pointed out, the Sub-Committee should know exactly what the Advisory Committee on Administrative and Budgetary Questions was.

Secondly, since the Secretary-General had stated that the United States amendment was not to his satisfaction, it might be well to know whether his attitude was founded on the reasons he had already given, or whether he had also technical reasons.

Finally, the draft resolution submitted by France and New Zealand mentioned in paragraph 9 a Special Advisory Committee without going into the subject. He wondered how the French and New Zealand representatives envisaged the composition of that Committee, and whether it was to consist of experts or of representatives of States and, in the latter event, whether it should comprise the representatives of the Great Powers. The French and New Zealand draft resolution wished to entrust the choice of the members of that Committee to the President of the General Assembly. So vague a text, would, moreover, be liable to place the President in an awkward position.

Mr. DAVIES (United Kingdom), speaking on a point of order, said that he hoped that the Committee would decide, as it had envisaged on the previous day, to hold a night meeting in order to examine that important question of substance.

Mr. BORISSOV (Union of Soviet Socialist Republics) thought that the meeting should be adjourned and that the question of the night meeting be postponed until the afternoon.

The CHAIRMAN shared the opinion expressed by the USSR representative and pointed out that at the afternoon meeting the Sub-Committee would hear the representative of the Secretary-General as well as the representatives of France and New Zealand, who would reply to the questions of the Belgian representative.

The meeting rose at 1.5 p.m.