



SUMMARY RECORD OF THE 23rd MEETING

Chairman: Mr. PIZA-ESCALANTE (Costa Rica)

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

ORGANIZATION OF WORK

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The meeting was called to order at 11.05 a.m.

AGENDA ITEM 54: UNITED NATIONS RELIEF AND WORKS AGENCY FOR PALESTINE REFUGEES IN THE NEAR EAST (continued) (A/33/13, A/33/276, A/33/285-287, A/33/320; A/SPC/33/L.8/Rev.1, L.9-L.11)

1. The CHAIRMAN invited members to consider the four draft resolutions which were before the Committee: A/SPC/33/L.8/Rev.1, A/SPC/33/L.9, A/SPC/33/L.10 and A/SPC/33/L.11.
2. Mr. ERELL (Israel), speaking in explanation of his vote before the vote said that his delegation would vote against draft resolution A/SPC/33/L.11. Operative paragraph 1 of the draft sought to assert new propositions and principles for which there was no justification whatsoever and which ran counter to the sovereign rights of States, the Charter of the United Nations and international law. The demands formulated in it were impractical and contrary to the basic requirements of Israel's security. The draft resolution took no account of the possible new developments in the refugee situation resulting from the peace negotiations in progress under Security Council resolution 242 (1967), which inter alia pointed the way to a permanent solution of the refugee problem. His delegation was convinced that support for the draft would encourage incorrect and irresponsible attitudes. The resulting precedent would be prejudicial to the norms of international life.
3. The CHAIRMAN announced that Cyprus had joined the sponsors of draft resolution A/SPC/33/L.11.
4. Mr. ORTNER (Austria) reconfirmed his delegation's sponsorship of draft resolution A/SPC/33/L.8/Rev.1, which it had temporarily withdrawn at the last meeting.
5. Mr. TERZI (Observer, Palestine Liberation Organization) noted that, according to article 13 of the Universal Declaration of Human Rights, "Everyone has the right to leave any country, including his own, and to return to his country". In reaffirming the inalienable right of return, the United Nations was not intervening in the internal affairs of any State. His delegation did not believe that the new situation referred to by the Israeli representative or the Camp David documents afforded any guarantee that the Palestinian people would be permitted to exercise that right.
6. The CHAIRMAN invited the Committee to adopt draft resolution A/SPC/33/L.8/Rev.1 without a vote.
7. Mr. ERELL (Israel) requested that the draft resolution should be put to the vote.
8. The draft resolution was adopted by 111 votes to none, with 2 abstentions.

9. The CHAIRMAN invited the Committee to adopt draft resolution A/SPC/33/L.9 without a vote.
10. The draft resolution was adopted by consensus.
11. The CHAIRMAN invited the Committee to adopt resolution A/SPC/33/L.10 without a vote.
12. Mr. ERELL (Israel) requested that the draft resolution should be put to the vote.
13. The draft resolution was adopted by 109 votes to 1, with 2 abstentions.
14. Mr. DIAKITE (Mali) said that he wished to join the sponsors of draft resolutions A/SPC/33/L.10 and A/SPC/33/L.11.
15. The CHAIRMAN asked the Committee whether any delegation requested a vote on draft resolution A/SPC/33/L.11.
16. Mr. ERELL (Israel) requested a vote on the draft resolution.
17. The draft resolution was adopted by 95 votes to 4, with 18 abstentions.
18. Mr. RUDOLPH (Federal Republic of Germany), speaking in explanation of vote, said that he was making a statement on behalf of the nine States members of the European Economic Community. After careful consideration and with great regret, the Nine had decided that they could not support draft resolution A/SPC/33/L.11 and had abstained in the vote on it. While recognizing the right of all displaced inhabitants to return to their homes in the territories occupied by Israel since 1967, they were concerned that the wording of operative paragraph 1 of the resolution might in practice rule out any possibility of a negotiated arrangement for the return of the refugees.
19. Mr. DUPRAS (Canada) said that his delegation had voted against draft resolution A/SPC/33/L.11 because operative paragraph 1 could prejudice peace negotiations in the Middle East. The framework for peace in the Middle East agreed upon at Camp David contained a good basis on which a just and equitable solution could be achieved and should be the basis for negotiations.
20. Mr. ORTNER (Austria) said that his delegation had always supported past General Assembly resolutions reaffirming the right of refugees to return to their homes in the territories occupied by Israel since 1967, because it approved of the principle involved. However, his delegation had abstained in the vote on draft resolution A/SPC/33/L.11 because of the lack of clarity of the latter part of paragraph 1. His delegation continued to support the right of refugees and persons displaced since 1967 to return to their homes.
21. Mr. SUNDFELDT (Sweden) said that it had been the long-standing position of his delegation to support the right of displaced inhabitants to return to their homes in the territories occupied by Israel since 1967. However, while maintaining that position, his delegation had unfortunately been compelled to abstain in the vote on draft resolution A/SPC/33/L.11 because the wording of paragraph 1 of that draft was unclear and went further than previous resolutions on the same question.

22. Mr. NYAKYI (United Republic of Tanzania) said that if his delegation had been present during the voting on draft resolutions A/SPC/33/L.9 and A/SPC/33/L.10, it would have voted in favour of both drafts.

23. Mr. ERELL (Israel) said that his delegation had abstained in the vote on draft resolution A/SPC/33/L.8/Rev.1. His Government favoured the provision of every assistance necessary to enable refugee students to continue their higher education, including vocational training, and had made substantial contributions to that end. It was of great importance to reintegrate refugees into society as normal, productive citizens. The Palestinian universities referred to in paragraph 4 of the draft resolution had not existed when the area in question had been under Jordanian control but had been established with the assistance of the Israeli authorities. Those universities represented an improvement in the lives of the refugees in the region. Some expression of appreciation to that effect might have been included in the text of the draft resolution.

24. His delegation had abstained in the vote on the draft resolution because of the political implications of the second preambular paragraph and because of the wording of paragraph 4. Nevertheless, there would be no reduction in Israel's assistance to the education of refugee students. He urged wealthy countries in the region to provide similar assistance. The three universities in question had been in operation for five years, during which time the student population had doubled. Continued growth of the student population was foreseen.

25. His delegation had also abstained in the vote on draft resolution A/SPC/33/L.10 because the measures called for in that draft defied reason and completely disregarded the welfare and wishes of the refugees. Under the terms of the draft, the refugees would be forced to evacuate good housing in order to return to primitive shelters. In that connexion, he objected to the earlier suggestion that the road construction undertaken in the Gaza Strip had been unnecessary and undesirable. The measures taken in the Gaza Strip had brought peace and prosperity to the area, as was borne out by the report of the Commissioner-General of UNRWA. The draft resolution was unacceptable because it did not take account of the negotiations currently in progress in accordance with Security Council resolution 242 (1967).

26. Mr. GIBSON (New Zealand) expressed regret that his delegation had been unable to support draft resolution A/SPC/33/L.11. In the past, it had voted for the right of refugees to return to their homes in the territories occupied by Israel since 1967, and it continued to support that principle. However, his delegation had difficulty with the second part of paragraph 1 of the draft resolution, which seemed to rule out the possibility of negotiating arrangements for the return of displaced inhabitants, and it had therefore been compelled to abstain in the vote.

27. Mr. JACKSON (Australia) said that his delegation had voted in favour of five of the six draft resolutions relating to the work of UNRWA. However, it had voted against draft resolution A/SPC/33/L.11 because paragraphs 1 and 2 of that draft did not reflect recent developments towards the attainment of a peaceful settlement in the area.

28. Mr. SAMPOVAARA (Finland) expressed regret that his delegation had been unable to vote in favour of draft resolution A/SPC/33/L.11. His delegation recognized the right of refugees to return to their homes in the territories occupied by Israel since 1967, as had been shown by its votes in previous years. However, the wording

(Mr. Sampoavaara, Finland)

of paragraph 1 of the draft resolution was unclear and did not reflect all sides of the complex problem under consideration.

29. Mr. MANSOURI (Syrian Arab Republic) said that his delegation had voted in favour of draft resolution A/SPC/33/L.6/Rev.1, which had been adopted at an earlier meeting. Any comprehensive solution of the problem of the Middle East must guarantee the implementation of the many United Nations resolutions on the question and recognize the right of refugees to decide whether or not to return to their homes. That right was established in a number of United Nations resolutions, and its exercise must be ensured in order to achieve a lasting peace.

30. Mr. HABYARIMANA (Rwanda) said that, if his delegation had been present during the voting on draft resolutions A/SPC/33/L.8/Rev.1, A/SPC/33/L.9, A/SPC/33/L.10 and A/SPC/33/L.11, it would have voted in favour of all of them.

31. Ms. STAHL (United States of America), speaking in explanation of vote, said that her delegation had supported draft resolutions A/SPC/33/L.6/Rev.1, A/SPC/33/L.7 and A/SPC/33/L.9, since they were consistent with its long-standing support of the work of UNRWA. However, it had abstained in the vote on draft resolution A/SPC/33/L.10 because it felt that it was illogical for a resolution purporting to relieve the plight of the refugees to call for their return to the camps in the Gaza Strip when they had been provided with more adequate housing. Furthermore, paragraph 2 of the draft resolution was outdated, since it failed to take account of the provisions agreed upon at Camp David concerning arrangements for the restoration of peace to the area.

32. Mr. SHAMMA (Jordan), referring to the statement by the representative of Israel, said that the three Arab universities in the occupied territories had originally been colleges and had been transformed into universities at the initiative of the local inhabitants. The improvements had not been brought about by the Israeli military authorities, which had obstructed the development of the educational process in the area.

33. Mr. ERELL (Israel) noted that the Jordanian delegation was not entitled to an explanation of vote, since it was a sponsor of the draft resolution in question.

34. The CHAIRMAN said that he had been in error in allowing the representative of Jordan, as a sponsor of the draft resolution in question, to explain his vote.

35. Mr. MATHIAS (Portugal), speaking in explanation of vote, said that his delegation had voted for draft resolution A/SPC/33/L.11. However, he shared the reservations already expressed with regard to the terms used in paragraph 1 of the draft resolution, which seemed unnecessary, particularly at a time when negotiations were in progress.

36. Mr. McELHINEY (Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East) thanked those members of the Committee who had commended UNRWA on its work. He also thanked those whose generosity made that work possible. He assured all members that he had noted their constructive advice and comments and would carefully consider them.

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(Mr. McElhiney)

37. Referring to points that had arisen during the debate, he said that he had been rather surprised that the matter of terminology had been raised, since, in referring to the Agency's fields of operations, he had continued to use the same terminology as had been used in previous annual reports to the General Assembly.

38. On the matter of financing, he had been considerably encouraged by the emphasis placed in the debate on the need for non-contributing Member States to begin contributing and for contributing States to regularly increase their contributions, as urged in General Assembly resolutions. Another encouraging circumstance was the recognition of the importance of contributions from Member States which, for completely understandable reasons, could not contribute large amounts. He shared the view expressed by the representatives of the Philippines, Tunisia and others that even small contributions by Member States were very important symbols of solidarity with the Palestine refugees. As table 16 in the annual report showed, many Governments contributed from \$1,000 to \$10,000. Every Government in the world could afford to contribute within that range. Yet another encouraging aspect of statements on the Agency's finances had been the wider acceptance of the view that, while the refugee problem was essentially a political one, political attitudes should be accorded a less important role than humanitarian considerations in determining whether contributions should be made and, if so, at what level. He expressed the hope that those views would be given practical expression at the pledging conference for UNRWA to be held early in December.

39. With regard to the concern expressed about reductions in services to the Palestine refugees, he said that the Agency wished to continue to provide, and even improve, services to the refugees and would do its utmost to accomplish that objective. As had been emphasized in the report, it was the members of the international community, not the Agency, which determined the level of services by the level of their contributions.

40. With regard to the relocation of the Agency's headquarters, he understood the underlying principle of paragraph 3 of draft resolution A/SPC/33/L.6/Rev.1 to be that it was preferable for UNRWA headquarters to be in the area of operations. He had always fully agreed with that principle and had enunciated it from the beginning of his consultations with the Lebanese, Syrian, Jordanian and Austrian Governments in April. As was stated in paragraph 22 of the report, the Agency would have preferred to relocate all of its headquarters in the area of operations and regretted that it had not been feasible to do so. As to practicability, the most obvious element was that the Agency's requirements must be met. Those requirements were still as stated by the Agency to the Syrian and Jordanian Governments in writing early in May, namely, 6,000 square metres of net usable office space, rent-free, in one location; a carefully controlled environment and adequate power supply for a computer and other equipment, and an adequate number of telephone lines; freedom of appointment and movement of staff; and adequate housing and schooling for staff. With regard to those requirements, he felt that the Agency should maintain the position taken during the six weeks of consultations with Governments on relocation, namely, that all space and facilities required must be actually available before a decision to relocate could be taken. Those considerations of practicability would apply to all three contemplated relocation sites; in addition, with respect to Beirut, the security situation would have to be

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such that, for the foreseeable future, the Agency could be assured of operating with reasonable effectiveness, and the Lebanese Government would have to be in a position to fulfil its obligation to protect Agency staff and property.

41. With its present locations and organization, headquarters' efficiency and effectiveness in over-all management of the field offices' provision of services to refugees was rapidly reaching the highest level that it was likely to achieve; that was due largely to the excellent communications and other facilities available in Vienna. He was very grateful to the Austrian Government for its most generous assistance, not only in providing office space and facilities but also in the very effective help it had extended to Agency international and Palestinian staff members in finding housing and schooling and in adjusting to an environment unfamiliar to many of them. He was also grateful to the Government of Jordan for assisting the Agency in finding office space for that part of the headquarters staff which had moved to Amman.

42. It was his understanding that the term "practicable" as used in paragraph 3 of draft resolution A/SPC/33/L.6/Rev.1 encompassed the relative efficiency and effectiveness of headquarters in various locations, since the overriding consideration in all decisions was the needs of the refugees and the Agency's ability to meet those needs was directly affected by headquarters' efficiency and effectiveness. He also understood practicability to encompass considerations of cost. Without knowing where or when headquarters might be relocated, it was impossible to say what the cost of yet another move might be. However, a judgement on that aspect of practicability should be made in the light of the remaining term of the Agency's mandate. It would be impracticable, indeed pointless, to spend money to consolidate headquarters in one of the three contemplated sites unless the Agency could be assured of a reasonable subsequent lease on life. Finally, he understood that practicability also encompassed an orderly termination of commitments entered into in Vienna, and possibly in Amman, if such termination became necessary. The cost of termination would depend largely on its timing. In short, he understood paragraph 3 of the draft resolution to mean that the Agency should, at some point in the future, try once again to consolidate its headquarters in Beirut, Damascus or Amman. The three previous attempts to do so had been unsuccessful because it had proved impossible to meet the Agency's essential requirements in a reasonably secure location. As the representative of the Federal Republic of Germany, speaking for the members of the European Community, had observed, the immediate need was for headquarters to settle down again and to concentrate on maintaining the Agency's services. If the draft resolution was adopted, any of the three Governments concerned which was willing and able to meet the Agency's requirements could consult with the Agency with a view to arranging for examination of the practicability of consolidation of headquarters in its capital. He continued to believe that the most appropriate forum for discussion of the location of headquarters was the Advisory Commission of UNRWA, of which all three Governments were members. The Agency should, of course, be invited to participate in such a discussion.

43. The CHAIRMAN announced that the Committee had concluded its consideration of the item.

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ORGANIZATION OF WORK

44. The CHAIRMAN read out a communication from the President of the General Assembly to the effect that the Assembly, pursuant to a decision taken at its 5th plenary meeting in connexion with agenda item 28 concerning the question of Cyprus, had decided, at its 45th plenary meeting, to invite the Committee to meet on Tuesday, 7 November, to hear the views of the representatives of the Cypriot communities, on the understanding that verbatim records of the meeting would be provided. The Assembly would resume consideration of the item on Wednesday, 8 November, in the light of the Committee's report.

The meeting rose at 12.20 p.m.