

friends. His country would continue to speak up in their defence and to give them its protection wherever they were. No words of its opponents, no abuse or accusations and no artificially created organizations would force it to relinquish that right.

191. In view of what he had said and in view of what had been said by the Byelorussian repre-

sentative, the situation of whose countrymen in the camps for displaced persons and refugees was very similar to that of his own, the Polish delegation would obviously vote against the Committee's resolution and for the Byelorussian draft resolution.

The meeting rose at 6.10 p.m.

TWO HUNDRED AND SIXTY-FIFTH PLENARY MEETING

Held at Flushing Meadow, New York, on Saturday, 3 December 1949, at 10.45 a.m.

President: General Carlos P. RÓMULO (Philippines).

Refugees and stateless persons: report of the Third Committee (A/1118) and report of the Fifth Committee (A/1177) (concluded)

1. Mr. FREYRE (Brazil) stated that, in spite of the long discussion which had taken place in the Third Committee on the item before the General Assembly,¹ his delegation felt that it must return to the subject because of the grave responsibilities of the United Nations in the matter and because of the important precedent which would be established by a resolution such as the one proposed by the Committee (A/1118).

2. During the discussions in the Committee, much had been said about the legal protection of refugees; little, in fact, almost nothing, had been said about the problem of material assistance. If the latter aspect had finally been referred to once or twice, it was only after a few delegations, notably those of India, Pakistan, Mexico and Brazil, had emphasized the necessity for a precise formulation of the responsibilities to be assumed and, above all, of the financial consequences of the various possible solutions. The question of financial repercussions seemed to be particularly unpopular, for all the sponsors of the formula which obtained the majority of votes had systematically refused to discuss it. Despite the insistence of the Brazilian delegation, supported by several other delegations, it had been at the last moment only that the representative of the Secretary-General had found it convenient to say anything on the subject and he had merely repeated the argument contained in the Secretary-General's report (A/C.3/527) to the effect that the respective estimates could only be prepared after a decision in principle had been reached by the Committee with regard to the functions of the High Commissioner.

3. The Brazilian delegation, however, maintained that such a procedure could not be followed in a matter where decisions on principle must be based on an exact knowledge of the financial responsibility which would fall upon each Member State. Strangely enough, the Secretary-General's report, which was so precise and detailed concerning the problem of legal protection, suddenly became vague and reticent with regard to the financial implications of the other

aspects of the refugee problem, that was to say, repatriation, resettlement and care and maintenance. Thus, in taking its decision, the Third Committee had had all the details which could be desired on how much it would cost the United Nations to give the refugee legal protection, but had had not the slightest idea how much it would cost to feed and shelter those refugees while they were waiting for work, or to transport and settle them when suitable work had been found for them.

4. The IRO budget for the year 1948-1949 showed, in round numbers, the following allocations of the appropriated funds: repatriation, 2,200,000 dollars; resettlement, 68 million dollars; care and maintenance, 54 million dollars. The cost of legal protection seemed to have been so small that it had not even been mentioned in the budget under such a heading.

5. No one seemed to think that the refugee problem would be solved by the time the IRO was to cease its activities. On the contrary, the general consensus of opinion among the delegations was that by that time the problem would present itself in an acute form. That was probably the reason why the sponsors of the resolution approved by the Third Committee had found it expedient to leave the door open for the assumption by the United Nations at a later stage of the financial implications of repatriation, resettlement, and care and maintenance.

6. Paragraph 41 of the Secretary-General's report stated that the Director-General of the IRO, in a statement to the fourth session of the General Council on 13 October 1949, had expressed the opinion that, of the estimated 149,400 refugees who would still need maintenance after the IRO had ended, about 20,000 would require institutional care of an indefinite duration for reasons of old age, poor health, chronic elements, and so on, and that, in addition, there would be some 30,000 dependents of those institutional "hard core" cases.

7. It was to be noted, however, that the same paragraph described those 149,400 remaining refugees as having "limited opportunities for resettlement" and stated that on 30 June 1950 they would still remain in need of "care and maintenance".

8. Since the opening of the debate in the Third Committee, the Brazilian delegation had wished to know the approximate extent of the financial burden to be added to the regular budget should

¹ For the discussion on this question in the Third Committee, see *Official Records of the fourth session of the General Assembly, Third Committee, 256th to 264th meetings inclusive.*

the United Nations assume the responsibility for taking care of the so-called "hard core" of the refugee problem, which was at the moment the concern of the IRO. No information had, however, been given in answer to the Brazilian delegation's insistent questions. The sponsors of the resolution that had been adopted had continued to talk about legal protection and organizational details alone and had, theoretically, resolved to postpone until the fifth session the examination of the problem of material assistance. Nevertheless, they had not forgotten to include in draft resolution A and its annex a clause designed to leave the door open for future action on repatriation, resettlement, and care and maintenance.

9. Mr. Freyre wished to state, very frankly and clearly, the fears of his delegation concerning the consequences of that procedure. Such a decision would undoubtedly involve heavy commitments that might exceed the financial capacity of Member States, since, according to Article 17 of the Charter, they would have no alternative but to pay.

10. It was precisely because that duty was laid down by the Charter that Articles 57 and 59 envisaged the solution of economic and social problems through the establishment of specialized agencies, thus decentralizing from the United Nations practical and direct financial responsibilities in those fields. Draft resolution A had precisely the opposite intention, namely, to make the United Nations directly responsible for a problem which was the responsibility of an organization created by a specific recommendation of the General Assembly.

11. There seemed no reason why the United Nations should not follow the same course it had followed in 1946, which was in complete accord with the spirit of the Charter. Those who voted for the adoption of draft resolution A would also be morally compelled, when the time came, to vote for expenditures which would be a heavy additional burden on the budget of the United Nations and on the contribution of each Member State. That was a responsibility they must not ignore. The forthcoming vote would automatically lead to a second vote during the next session, which would have inescapable financial consequences.

12. He pointed out, in that connexion, that the budget estimates of the IRO amounted to about 145 million dollars. In round figures, the expenses of that Organization had amounted to 120 million dollars in 1948, while appropriations for 1949 had risen to 155 million. A comparison of those figures with the United Nations budget, whose estimates for 1950 amounted to only 40 million dollars, would show clearly that, if the views of those who wished the United Nations to take over that responsibility were to prevail, the expenditure of the Organization would be doubled, if not tripled or quadrupled, inasmuch as the IRO yearly budget level was about four times that of the United Nations.

13. In the last analysis, the potential financial commitments of the Member States of the United Nations, which were already heavy enough, would be two or three times as great. Even if the majority of Member States, considered themselves financially prepared to face that or any similar

prospect, he was compelled to state that the Brazilian Government did not, unfortunately, consider that it was in a position to assume responsibilities of such magnitude and would therefore be unable to vote in favour of any decision involving future commitments which it might find it impossible to meet.

14. All representatives were well aware that the problem of refugees was not limited to those in IRO camps. If the number of those refugees were compared with the number scattered throughout the world, it would be seen that they represented but a small proportion of the whole problem. He would not comment at that time on all the possible consequences of the extension of the definition of the term "refugee". He would, however, recall that the representative of Pakistan had spoken of the existence of millions of refugees in his country who were in need of material assistance. The representative of India had given equally high figures in connexion with refugees in India. The Greek representative had spoken of Greek refugees, and the Arab representatives of Arab refugees. There was also China, not to mention several other areas where such a problem already existed or was likely to arise shortly.

15. He would ask the General Assembly one question: would those who voted for the draft resolution under consideration later be able to deny those millions of human beings the same kind of assistance they had decided to render to the European refugees in the care of the IRO? The IRO had been created exclusively to take care of a specific category of refugees and displaced persons. It therefore had the right, even the duty, to pay attention to and take care of that category alone. The United Nations, however, could not discriminate among refugees. Such an attitude would be a clear violation of the basic principles of morality and justice.

16. To put it briefly, draft resolution A seemed to the Brazilian delegation to be a blank cheque for expenses the exact nature and scope of which were as yet unknown. It was impossible to judge by the vague terms of its clauses to what extent representatives would be committing their Governments. What was clear and certain was that the door would be open to all possibilities. Even with reference to the problem of legal protection there seemed to be no clear idea of its scope.

17. He could not refrain from recalling paragraph 16 of the Secretary-General's report, which stated that it was quite impossible to furnish any precise statistical information regarding the number of refugees who could be the concern of the proposed protection services. In spite of that fact, in spite of the complete ignorance and uncertainty of the exact scope of the problem, draft resolution A had been approved in the Third Committee. He had the impression, however, that many of the delegations which had cast affirmative votes at that stage would have decided otherwise had more relevant aspects of the question been fully debated.

18. Thus, taking into consideration the position of those delegations which, like the Brazilian delegation, could not vote for a draft resolution liable to entail future expenses which would greatly increase their respective contributions to the budget of the United Nations, the Brazilian

delegation formally submitted to the General Assembly an amendment to draft resolution A. The following text should be added after paragraph 1 of the draft resolution:

"Decides that:

"(a) no expenditure other than administrative expenditures relating to the functioning of the Office of the High Commissioner should be borne on the Budget of the United Nations;

"(b) all other expenditures relating to the activities of the High Commissioner shall be financed by voluntary contributions. They shall not be a charge on the United Nations."

19. The voluntary contributions referred to in sub-paragraph (b) could come either from governmental sources or from private sources. Thus amended, the draft resolution would follow the principle established by the United Nations at the third session of the General Assembly,¹ and again by the *Ad Hoc* Political Committee the previous day,² when dealing with the problem of the Arab refugees. Moreover, the acceptance of that amendment would assure those delegations to which he had referred that whatever decision might be adopted by the General Assembly at its next session, their contributions would not be increased to an extent that they were unable to meet.

20. The Brazilian delegation hoped that, for the reasons he had given, its amendment would receive the support of the majority of the General Assembly.

21. Mr. VOYNA (Ukrainian Soviet Socialist Republic) observed that the question of refugees and displaced persons had remained on the General Assembly's agenda for several years. A great many resolutions and recommendations had been adopted, but the problem was still unsolved. Hundreds of thousands of persons sent off to forced labour in Germany during the war by the nazis were still living as displaced persons in the Western occupation zones of Germany and Austria, or had been transported to countries far from their homelands. Incomplete statistics showed that among those displaced persons were tens of thousands of Soviet citizens of Ukrainian nationality, including thousands of children.

22. It might legitimately be asked whose fault it was that the problem of refugees and displaced persons remained unsolved, that hundreds of thousands of victims of Hitler's aggression were forced to live far from their country and their families, in camps where they dragged out a pitiful existence.

23. There was not the slightest doubt that full responsibility for the situation fell upon the Governments of the United States of America and the United Kingdom, which had refused to carry out the agreements entered into with the Soviet Union with regard to the repatriation of Soviet citizens. Nor had those Governments carried out the recommendations of the General Assembly, which in its resolutions had repeatedly emphasized that the main problem with regard to displaced persons was to encourage in every way as speedy a repatriation as possible.

¹ See *Official Records of the third session of the General Assembly, Part I, Resolutions, No. 212.*

² See *Official Records of the fourth session of the General Assembly, Ad Hoc Political Committee, 55th meeting.*

24. In spite of the agreements they had signed and of the General Assembly resolutions, the occupation authorities in the Western zones of Germany and Austria had, on the orders of their Governments, taken a series of measures to prevent repatriation. Thus pro-fascist elements, war criminals and traitors, who were carrying on anti-repatriation propaganda among the displaced persons with impunity, had been put in charge of the camps. Mr. VOYNA quoted examples from the camps of Augsburg and Bielefeld, and pointed out that besides those two examples he could quote hundreds more.

25. He was not surprised that under such circumstances, persons who attempted to return to their native countries were subjected to torture and threats, and that their very lives were in danger. Such criminal acts were encouraged by the occupation authorities. Thus on 13 October 1946, General McNarney, former commander-in-chief of the United States occupation zone in Germany, had confirmed that Soviet citizens among the displaced persons were receiving "stateless" papers. It was obvious that that was being done in order to conceal their real nationality.

26. In conjunction with the International Refugee Organization, the occupation authorities were doing their utmost to encourage the slanderous campaign waged among displaced persons against the Soviet Union by various "Ukrainian" committees and centres with fascist tendencies, which were working for the Anglo-American intelligence services. Such organizations existed by the hundred in the United States and United Kingdom occupation zones in Germany. They published newspapers, reviews and pamphlets spreading libels against the Soviet Union and the People's Democracies and endeavoured to terrorize displaced persons by saying that they would be prosecuted and punished the moment they returned to their country of origin. The occupation authorities were quite willing to grant licenses to newspapers of that kind; as for the IRO, it supplied the paper, the printing material and all other requisites for that sinister task.

27. At the same time, the British and American occupation authorities in Germany and in Austria had prohibited the import, sale and distribution of Soviet newspapers and reviews among displaced persons of Soviet nationality. Furthermore, those occupation authorities were making every possible attempt to restrict the activity of missions consisting of USSR representatives and were refusing to allow them to meet their compatriots in the camps and give them information about life in the Soviet Union.

28. Those authorities had pursued that policy to such lengths that the United States command had decided to send the Soviet missions away from its occupation zones in Germany and Austria, in spite of the fact that there were more than 130,000 USSR citizens in the camps situated in those zones.

29. All that afforded conclusive proof that the American and British occupation authorities wished to prevent repatriation and that they were responsible for the current distressing situation.

30. One might well ask what was the aim pursued by the Governments of the United States, the United Kingdom and France in taking such action. The reply could be found in the statements

made by certain representatives of the occupation authorities and of the IRO. Thus, as early as 6 December 1947, General McLean had written in the London paper *Daily Telegraph and Morning Post* that, in his opinion, the situation was quite abnormal. Displaced persons were available and cheap labour and yet they were not being used. The General had added that the obvious solution was to co-ordinate supply and demand and to transform consumers into producers.

31. It was clear therefore that, in opposing repatriation, some circles wished to set up a reserve of cheap labour. Representatives of the IRO did not even conceal those intentions. That organization was, in effect, responsible for selling displaced persons as workers.

32. On 4 May 1948 the Director-General of IRO, speaking at a meeting of that Organization at Geneva, had said that in the programmes for the recruitment of workers, displaced persons were considered as mere merchandise, and that only strong men would be recruited, while the weaker ones would be left in the displaced persons' camps.

33. Recruiting centres had been set up in the Western zones of Germany and Austria, and the recruiting officers went round the camps and forced the displaced persons, by means of threats, blackmail, violence and false information, to apply for permission to emigrate to the United States of America, Canada, the United Kingdom, Belgium and other countries. Families were broken up, the fathers and adult sons being taken away, while the old people, disabled soldiers, women and children, were left to their sad fate. The IRO itself admitted that there were more than 150,000 of those unfortunates in camps in the Western zones of Germany and Austria. In the twentieth century, slaves were being bought and sold to an extent unknown since the days of antiquity. The United States and United Kingdom representatives were fond of saying that their Governments were engaged in a great humanitarian task. What they were really doing was to transform displaced persons into slaves.

34. Moreover, the Governments of the United States, the United Kingdom and France had other reasons for opposing repatriation. They were also pursuing military and political aims. It was well known that the occupation authorities of those three countries were recruiting displaced persons who were physically fit to reinforce their armies. They were creating so-called guard companies and labour battalions, the members of which underwent military training. The men composing those units were also trained as secret service agents. Mr. Voyna knew that the representatives of the United States and the United Kingdom would deny those facts, but he had sufficient evidence at his disposal to prove that such denials were sheer hypocrisy.

35. The Ukrainian nationalist newspaper *Nedila*, published at Aschaffenburg, in Germany, had announced on 28 August 1949 that according to the IRO the United States Army had begun recruiting displaced persons to form labour battalions and guard companies. Contracts would be for periods of from one to six years. Members of those units would be maintained by the Army. Men up to the age of 44 would be accepted. The

authorities particularly wished to recruit Poles, Ukrainians and persons from the Baltic States.

36. The occupation authorities in the French zone were recruiting displaced persons for the Foreign Legion and sending them to Indo-China to fill the gaps in the ranks of their armies which were fighting against the Republic of Viet-Nam.

37. In Austria and Western Germany there were dozens of camps organized on a military basis and kept up at the expense of the occupation authorities and the IRO. The occupants of those camps were for the most part war criminals or traitors to the Union of Soviet Socialist Republics or the People's Democracies. Mr. Voyna cited the names and location of a number of such camps.

38. There were not only so-called Ukrainian camps, but also Polish, Russian, Baltic and other camps. In all of them military training was given. Mr. Voyna felt that he was quite entitled to ask the General Assembly, and the United States and United Kingdom representatives, against whom all those preparations were directed.

39. He could hardly be told that those were humanitarian activities. After the collapse of the Hitlerite armies in Eastern Europe, many quislings and fascist agents had fled from the just punishment of their crimes towards the Western zones and had placed themselves under the protection of the Anglo-American occupation authorities, who hastened to grant them the rights of refugees and displaced persons and had openly defended them. Among those "refugees" were traitors of many nationalities, among others Ukrainians. He named a number of persons who had been German agents and had since become "democrats" under the protection of the occupation authorities. Those persons were now being supported by the occupation authorities and, with their encouragement, were carrying on sabotage against the Ukrainian SSR. He could give the names of hundreds of other traitors whose hands were red with the blood of their Ukrainian compatriots, and who were under the protection of the British and United States intelligence services, which were now doing their utmost to obtain for them the status of refugees and to ensure their maintenance by the United Nations.

40. That showed what were the real aims of the Franco-American draft resolution submitted to the General Assembly by the Third Committee. The Governments of the United States, the United Kingdom and France were endeavouring to shift on to the United Nations the moral responsibility for the failure of repatriation and for the protection given to war criminals. They were deliberately ignoring the General Assembly resolution of 1946¹ which said that the main task concerning displaced persons was to encourage and assist in every way possible their early return to their countries of origin. The draft resolution did not even mention repatriation. It provided for the setting up of a High Commissioner's Office, which would inherit the shameful legacy of the IRO, an organization which in Mr. Voyna's country was called "the specialized agency for the slave trade and the concealment of war criminals". If the General Assembly adopted that draft it would be repudiating the decisions it had pre-

¹ See *Resolutions adopted by the General Assembly during the first part of its first session*, page 12.

viously taken itself, countenancing the transformation of refugees and displaced persons into slaves and endorsing the protection given to war criminals.

41. The delegation of the Ukrainian SSR considered that the problem of refugees and displaced persons could be solved only if the Governments of the United States of America, the United Kingdom and France were sincerely and wholeheartedly to fulfil their international obligations in the matter of repatriation, and if the recommendations of the General Assembly of 12 February 1946 were fully implemented. The draft resolution submitted by the Byelorussian SSR fulfilled those requirements. The delegation of the Ukrainian SSR would therefore vote for that draft and against the French and United States draft resolution which the Third Committee had adopted.

42. Mr. DE ALBA (Mexico) expressed the hope that that year would be the last at which the Assembly would have to deal with a topic which had been discussed so passionately and extensively in the Assembly and in the Third Committee. The International Refugee Organization, which had been severely criticized, was to come to an end in 1950 and the United Nations would establish in its place a new agency which would be responsible for the protection of refugees and would be directed by a High Commissioner.

43. The Mexican delegation believed that if the draft under consideration were approved, the functions of that organization would be widened and it would be given new terms of reference and a greater international role.

44. In his opinion, it was not a question of the United Nations absorbing the International Refugee Organization and taking over its financial liabilities, but of the establishment of a new organ dependent on the United Nations and responsible for the moral and legal protection of refugees and exiled and stateless persons. The new agency, under the direction of a High Commissioner appointed by the Assembly would, according to the Secretary-General's report, require a sum of only 700,000 dollars to cover its administrative expenses. Its creation would not mean any change in the administrative budget of the IRO.

45. In his opinion, the sum mentioned was not unduly large, and his delegation was ready to support the draft resolution under consideration on the basis of that amount.

46. The proposal submitted by the French delegation had been of a generous and foresighted nature and had been based on the experience of the League of Nations in that field. In a spirit of conciliation, the French delegation had agreed to make the necessary compromises so that its proposal could be amalgamated with that of the United States of America. Thus, for example, according to the United States proposal, the High Commissioner was to have been appointed by the Secretary-General, whereas the French proposal had provided that he was to be appointed by the Assembly. By reconciling both formulae, it had been established in the final working document that the High Commissioner would be appointed by the Assembly on the proposal of the Secretary-General.

47. The Mexican delegation regarded the United States amendment (A/1162) on the contribution of private agencies and non-member States as sound. His delegation would also vote in favour of the first United States amendment, on the grounds that although the High Commissioner should primarily concern himself with the refugees who had been assisted by the IRO, there would later be added other refugees and stateless persons living in other parts of the world, thus broadening the new agency's field of action.

48. The Mexican delegation warmly supported the second United States amendment (A/1162), considering that if international difficulties were to be avoided, it was necessary to have the General Assembly's consent before the services of non-governmental agencies or non-member States were requested.

49. With regard to the United States amendment (A/1162) proposing the elimination of paragraph 6 of the annex, the Mexican delegation preferred the original text of the document, since it thought that it would be well to allow for the possibility of the High Commissioner or a United Nations agency taking charge of repatriation, in accordance with the views expressed in the Assembly and in Committee by certain delegations from the Slav and Arab countries. He recalled that in the Third Committee the Mexican delegation had proposed that, if possible, the views on repatriation expressed in the Byelorussian proposal (A/1133) should be taken into account.

50. The Arab States had maintained that the refugee problem should be settled primarily by repatriation. The High Commissioner should promote bilateral agreements between the Governments concerned in order to ensure that repatriation was being carried out in accordance with the freely expressed will of the persons concerned.

51. For those reasons, the Mexican delegation would vote in favour of amendments number 1, 2 and 4 proposed by the United States, and in favour of retaining paragraph 6 of the annex.

52. The Mexican delegation viewed the Brazilian amendment with sympathy. Some representatives had expressed the opinion that such an amendment was redundant, that it had already been provided for by the Secretariat and that it would only involve an increase in the quotas relating to administrative expenditure. He did not, however, consider the amendment redundant but thought that it was of an explanatory nature and made it quite clear that those who approved the draft would not be undertaking any financial commitments other than the administrative maintenance of the new agency that the United Nations was about to create. There had been no intention of assuming the financial responsibility for a programme like the one carried out in recent years by the IRO.

53. Furthermore, as the Brazilian representative had remarked, that was a general criterion which had been taken into account in dealing with the problem of the Arab refugees in Palestine; the document to be submitted shortly to the Assembly clearly established that that campaign would be financed by voluntary contributions from States. States which had larger resources, or which were more directly concerned in the problem, would

naturally be the ones which would contribute towards financing those activities of the High Commissioner's Office which were not of a purely administrative nature.

54. The refugee problem was of the utmost importance in the maintenance of world peace. The problem of European refugees had perhaps been one of the major causes in the delay in concluding peace treaties with Austria and Germany, and it had been seen that the question of the Palestine refugees had made for great unrest in that part of the world where little desire for international co-operation had been shown. The Near East, with its refugee problems, continued to arouse misgivings throughout the world and within the United Nations, whose responsibility was involved.

55. The manner in which the IRO had functioned had been the subject of considerable discussion and criticism. Mr. de Alba expressed the hope that under the direction of the High Commissioner, assistance to refugees, stateless and displaced persons would increase the prestige of the United Nations and contribute to the maintenance of peace.

56. The President of the Assembly had said that, in spite of all difficulties, the current Assembly would be the peace Assembly. Mr. de Alba concurred in that view and said that he disagreed with those who asserted that the United Nations' work was fruitless or that it was a source of international disquiet. Happily, some people thought otherwise and believed that, without the United Nations, the international situation would be even more serious and that the world would be ruled by violence. The United Nations was an organization for the maintenance of peace and respect of law; so long as problems continued to be discussed within that Organization in good faith and in a spirit of co-operation, humanity could still hope.

57. The adoption of the draft resolution under discussion could contribute towards maintaining peace. Mr. de Alba hoped the serious problems constituted by the refugees in Europe and in Palestine would be solved in 1950 and that, in 1951, the existence of the new United Nations agency for the protection of refugees would renew international confidence and friendly relations.

58. The physical distress and demoralization of the refugees were a cause of world unrest which should be remedied if instability and discontent were not to prevail in wide areas of the world and leave it dominated by a permanent threat of war.

59. The Mexican delegation hoped that in 1951, when the United Nations High Commissioner's Office had begun to function, it would be possible to solve the urgent and distressing refugee problem and that a new era of fruitful co-operation between the Member States of the United Nations would open.

60. Mr. PANYUSHKIN (Union of Soviet Socialist Republics) noted that the United Nations had already been dealing with the question of refugees and displaced persons for nearly four years. On 12 February 1946, the General Assembly had adopted a resolution in which it had indicated that the main task with regard to displaced persons

was to make it possible for them to be repatriated as quickly as possible.

61. The USSR delegation considered that the time which had elapsed since the adoption of that resolution should have been sufficient for repatriation to be completed. Unfortunately it had not been so.

62. According to official data provided by the IRO, that Organization had repatriated only 66,000 people from 1 July 1947 to 31 August 1949. During the same space of time 600,000 people had been resettled in the countries of other Members of the United Nations. Those figures indicated the nature of the work carried out by the IRO upon the direct instructions of its masters, namely the United States of America, the United Kingdom, and France. They showed that the IRO was not dealing with the repatriation of refugees and displaced persons, but that it was resettling them in other countries. They showed also that the Governments of countries such as the three he had named, which acted through the IRO and hid behind that organization, had in reality refused to carry out the resolution adopted by the General Assembly on 12 February 1946.

63. Moreover, those Governments refused to fulfil the obligations they had assumed towards the Soviet Union concerning the repatriation and treatment of Soviet citizens freed by the allied troops. Those obligations had, as everyone knew, been assumed by the Allies as early as 1945. The USSR Government, which had concluded those agreements with the United States of America, the United Kingdom and France, had carried them out to the full. The USSR had long since repatriated all American, British and French citizens freed by Soviet troops during the Second World War. On the other hand, in the displaced persons camps in the Western occupation zones of Germany and Austria there were still hundreds of thousands of Soviet citizens who had been taken into slavery by the fascists. Hundreds of thousands of Soviet citizens, moreover, were now being taken to the United States, the United Kingdom, Canada, Australia, Belgium and the South American countries.

64. The American Press stated that for some time past ships bringing displaced persons had been arriving regularly in the United States. It had also been stated that the hundred thousandth displaced person destined for the United States had left the port of Bremerhaven on 18 October 1949.

65. The Australian Government had already accepted 75,000 refugees and displaced persons, and intended to admit a total of 150,000 persons, who would be employed on the construction of roads and on other hard manual labour.

66. Those facts confirmed that the United States of America, the United Kingdom and France, which had undertaken illegally to settle refugees and displaced persons in countries other than their countries of origin, were deliberately violating the obligations which they had assumed under the agreements they had concluded with the Soviet Union. In order better to conceal the illegal nature of that activity, those Governments had set up the IRO. They had placed war criminals and traitors at the head of the camps which that Organization had established in the Western zones of Germany and Austria.

67. The persons responsible for the administration of the camps fulfilled the task entrusted to them by their masters and carried on criminal propaganda in those camps against the countries of origin of the refugees and displaced persons. They urged those unhappy people not to return to their countries of origin and did not hesitate to resort to violence against any who asked to be repatriated.
68. Mr. Panyushkin quoted a statement made by a displaced person who had recently returned to the Soviet Union in support of his statements and said that he could produce a large number of similar proofs.
69. In objecting to repatriation, the United States of America, the United Kingdom and other countries were pursuing well-defined aims. An article in *The New York Times* of 26 August 1949 showed that, according to a member of the United States Congress, the directors of the American information services had asked for the introduction of a provision in the law on displaced persons which would allow 15,000 refugees from Eastern European countries to emigrate to the United States of America. That representative had added that the United States information services needed such people in order to obtain information on what was happening in Eastern European countries.
70. According to the official records of the discussions in the House of Representatives on 4 November 1949, one representative had said that in his opinion young Americans should not be sent to Europe to fight the USSR and the Peoples' Democracies. There were other ways of attaining that end. Germany possessed tremendous human resources; there were thousands of refugees in Western Germany. Food and shelter must be provided for such persons, he had added.
71. The foregoing merely confirmed what Mr. Panyushkin had just said, namely, that certain countries were trying to use displaced persons for espionage and other criminal purposes.
72. Moreover, the same Governments were using displaced persons as cheap man-power. They were recruiting workers from those unfortunate people for the heaviest and worst paid labour, and for work which their own citizens would not accept. It was known that recruiting agents from the United States of America, the United Kingdom, Australia, Belgium, Brazil, Canada, Turkey and other countries were freely pursuing their activities in the displaced persons' camps. Thus in the United States occupation zone of Germany there were 60 French, 49 Canadian and 30 Netherlands recruiting agents. They took only the healthy persons, and those with stamina.
73. During its 243rd plenary meeting, when the General Assembly had been discussing the question of discriminatory measures with regard to foreign man-power, the USSR delegation had brought forward a number of facts to show that such measures were employed with regard to refugees and displaced persons as far as working conditions, lodging, and social security measures and so forth were concerned. Mr. Panyushkin would not, therefore, enlarge upon the question.
74. What was the actual position of refugees and displaced persons? According to the IRO memorandum (A/C.3/528), that Organization hoped to resettle 367,500 persons by 30 June 1950. By that date, the memorandum went on, 292,000 persons would be left in the camps, without counting the 150,000 persons completely dependent on the IRO. It should be remembered that the latter category, as the IRO pointed out, comprised people who were alone in the world and who could not supply their own needs, or individuals and families who required constant care, or who for reasons of age, health or occupation had not been resettled in other countries.
75. That showed that the real masters of IRO had selected from among the displaced persons those who were in good health and could be used for various types of work, including espionage. The selection once made, they had no intention of assuming the moral responsibility and the cost of maintaining the children, women and old men who remained behind in the IRO camps.
76. It was for those reasons that the countries of the Anglo-American bloc were determined to impose on the General Assembly the Third Committee's draft resolution setting up a High Commissioner's Office for refugees. The High Commissioner would be responsible for the protection of refugees and displaced persons. The USSR delegation thought it essential to consider that question for a moment. Everyone was aware that refugees and displaced persons had been the victims of fascist aggression, that they had been deported from their countries by the fascist-occupation authorities and that they had been forced to work in Germany. Insofar as they had not been deprived of their nationality by their own country, those unfortunate persons were citizens of certain States. Quite obviously, those States owed them a protection which could not be entrusted to anyone else. For those reasons, the USSR delegation believed that the creation of a High Commissioner's Office for refugees and displaced persons, which would be responsible for the protection of such persons, would constitute an interference in the internal affairs of the Member States of the United Nations and would be contrary to Article 7, paragraph 2, of the Charter, as well as to the resolutions adopted earlier by the General Assembly.
77. The USSR delegation also wished to call attention to the justifiable anxiety felt by certain delegations which feared that the adoption of the Third Committee's proposals would entail a very considerable increase in the budget of the United Nations and, consequently, in the contribution of each of its Members. The USSR delegation had repeatedly stated and would reiterate once again that the solution of the problem of refugees and displaced persons could only be found in repatriation.
78. For the reasons it had stated, the USSR delegation would vote against the Third Committee's draft resolution and would support the Byelorussian draft resolution, which provided the means to settle the problem.
79. Mr. CORLEY SMITH (United Kingdom) stressed the great importance his Government attached to the question before the General Assembly and expressed its gratification that the Third Committee had taken such important decisions in principle.
80. The matter was both urgent and serious, affecting large numbers of unfortunate people

who, for very real reasons, were unwilling to return to their home countries from which they had fled. The proposal contained in draft resolution A, to the effect that the United Nations should establish a High Commissioner to advise Governments and generally supervise the protection of refugees, was a necessary development in the post-war world.

81. He wished to make it quite clear that the United Kingdom delegation did not look upon the establishment of a High Commissioner as the continuation of the International Refugee Organization in another form. That organization had had some urgent and special problems to deal with, and it was expected that by the time of its dissolution early in 1951 it would have satisfactorily resolved most, if not all, of those problems. The establishment of a High Commissioner for refugees was therefore a new and different development. Unlike the International Refugee Organization, the High Commissioner with his small staff would not constitute an operational agency; furthermore, he would concern himself with refugee problems of a broader and more universal nature than those faced by the IRO. He stressed that fact, because a number of delegations had expressed the fear that the setting up of a High Commissioner's Office would lead to large operational expenses which would fall upon the budget of the United Nations. That fear was not justified by the terms of draft resolution A. The United Kingdom delegation and Government had studied the text very carefully and were quite sure that it did not commit any Government to any expenses other than the administrative costs of the High Commissioner's Office and those costs seemed reasonable in view of the great value and importance of the High Commissioner's work.

82. The United Kingdom Government could not commit itself to any thing more than that in the matter of finances and it would certainly not wish to commit any other Government or the General Assembly itself any further than that. It was for those reasons that the United Kingdom delegation felt obliged, however reluctantly, to oppose the Brazilian amendment, because it prejudged an issue which was not before the General Assembly in the draft resolution submitted by the Third Committee or any other form.

83. With regard to the amendments proposed by the United States, he noted that the French representative had already accepted the amendment to paragraph 3 of the annex. The United Kingdom had made it clear in Committee that it would have liked the General Assembly to declare itself more forthrightly on the matter of definition at the current session. It would have liked the General Assembly to define a refugee as "any person who does not effectively enjoy the protection of any State"; after listening to the debate in the Third Committee, however, it had realized that many Members were not yet in a position to take a final decision on that point and it had not, therefore, pressed its suggestion to the point of making a formal proposal. It did, however, reserve the right to return to its position on the question at a later and more appropriate time.

84. With that explanation, the United Kingdom delegation would like to express its support for the amendment moved by the United States,

which it hoped would be adopted by a large majority of the General Assembly.

85. The addition to paragraph 5 of the annex proposed by the United States was most useful and constructive and the United Kingdom delegation strongly supported it. The addition was valuable in that it made it clear that whatever the circumstances, the High Commissioner would not embarrass individual Governments or the United Nations, under whose aegis he was to work, by making appeals without having first obtained the full and considered consent of the General Assembly. At the same time the amendment quite properly left the High Commissioner free to accept from public or private agencies any funds which they might spontaneously place at his disposal for general or specific purposes.

86. The United States amendment to paragraph 7 of the annex affected a part of the text which had been given its existing form by the Third Committee on the proposal of the United Kingdom delegation. He had listened with great interest to the reasons put forward by the representative of the United States for moving the amendment and he considered that there was a great deal of force in the point made. He would point out, however, that the text of paragraph 7 as it stood left the matter open for final decision at some later stage and in no way prejudged the issue.

87. In view of that fact, and since the final decision on the point would not materially affect either the budgetary or administrative issues, the United Kingdom delegation preferred to leave the paragraph as it stood.

88. He had hoped that the Assembly would have been able to keep the debate in the plenary meeting more narrowly concentrated on the issue before it, namely the creation of a High Commissioner's Office to look after refugees. He had prepared no counter-statement, although he had expected that the representatives of the Soviet Union, Poland and other countries might have something to say on the subject of their refugees. Matters had, however, gone beyond the point where remarks could be passed over in silence. He would not take up the time of the General Assembly by refuting those remarks point by point. He, and other members of the United Kingdom delegation, had done that on many occasions. He was afraid, however, that if he said nothing at all an attempt would be made to prove that he was unwilling to reply. He would therefore deal with those questions very briefly and in a most general way, without replying to individual allegations.

89. The representative of Poland had stated on the previous day that the United Kingdom had never given any reasons to explain why the Polish refugees and other refugees from Eastern European countries were unwilling to return home. Mr. Corley Smith could give those reasons briefly and in the most general terms. The General Assembly would recall that in 1939, the USSR Army had marched into Poland. He would not argue about the political or military reasons for that step; he was only dealing with the human problem of the refugees. They were reluctant to return home simply because they would rather go somewhere else. They were filled with fear and

hatred, and he would suggest that, whatever the political or military justifications might be, there was a profound human explanation for that hatred and those fears.

90. When the USSR Army had marched into Poland in 1939, hundreds of thousands of Poles had been taken prisoner. Hundreds of thousands of Poles had been in USSR concentration camps until well after the time when the nazi invader had finally attacked the Soviet Union. After they had been in those concentration camps for some two years, the Stalin-Sikorsky Agreement had been reached whereby a large number of those Poles had been released from USSR concentration camps and had been brought via Africa within the orbit of the Allied Forces in the West, where many of them had made a most courageous contribution towards the general victory.

91. What he was trying to suggest was that those people, having seen their country invaded, having spent two years or more in USSR concentration camps, were reluctant to go back to a part of the world which was under USSR control. As a matter of fact, many of them knew that their own homes were now within the frontiers of the Soviet Union. If they felt that it was no longer their home, there was a human reason for that.

92. The same applied to all those Poles who had been pushed backwards and forwards, first by the USSR forces and then by the nazi forces, as the tide of war had fluctuated. The same thing was true of the Baltic peoples. The USSR forces had invaded the three small Baltic republics and immediately after that invasion, large numbers of Balts, Estonians, Latvians and Lithuanians had been deported to the Soviet Union. After that had come the nazi invasion, and then USSR troops, in victory, had eventually returned. Those deportations had continued ever since. There had been deportations from the Baltic States to the forced labour camps in the Urals, the Arctic Circle and Siberia.

93. Mr. PANYUSHKIN (Union of Soviet Socialist Republics), speaking on a point of order, said that the representative of the United Kingdom could not deny the facts adduced by the USSR to show that the United Kingdom and its agencies—the military authorities on the Western zones of Germany and Austria—were perpetrating criminal deeds.

94. The United Kingdom representative could not deny the facts cited as examples by the delegations of the USSR, the Ukrainian SSR, and the Byelorussian SSR.

95. Was it not true that the United Kingdom authorities in the Western zones of Germany and Austria were forming guard units and labour battalions? Was it not true that those displaced persons who had been formed into units and battalions were undergoing military training? Against whom were those preparations directed? Those were the humanitarian questions which should be answered first.

96. The United Kingdom representative's remarks concerning Latvia, Lithuania and Estonia were completely irrelevant to the question under discussion, and Mr. Panyushkin would ask him not to refer to such matters. History had shown that the Latvians, Lithuanians and Estonians, together with the peoples of the Soviet Union, had

defended their countries against the fascist scourge.

97. The PRESIDENT ruled that the point of order raised by the representative of the Soviet Union was not sustained. The reference made by the representative of the United Kingdom was relevant to the question at issue.

98. Mr. CORLEY SMITH (United Kingdom) repeated that he had not come prepared to make a speech on that subject; he had come to make a speech about the protection of refugees and about the creation of a High Commissioner's Office to look after those unfortunate people. The point in question had been raised by the representatives of the Soviet Union, the Ukrainian SSR and the Byelorussian SSR, who had made such accusations.

99. All he was trying to say was that if people had been removed from their homes and sent to concentration camps by hundreds of thousands, it was only natural that those who were still outside the control of the Soviet Union should hesitate to go back there, when they knew what had happened to their families. It was most natural that in ordinary circumstances people should want to go home. Circumstances could, however, become so desperate that people would not willingly return to their own homes.

100. The object of the United Kingdom in supporting IRO had been to try to find some other solution. It had never tried to persuade those people not to go home. It had simply refused to compel them by force to go home.

101. The Soviet Union representative was entitled to deny what Mr. Corley Smith had said about the deportation of the peoples of the Baltic States. Mr. Corley Smith had detailed figures, however, with regard to the various mass deportations which had taken place there; he had merely summarized them by saying that something like a million and a half people from those three small Baltic States had, to his knowledge, been deported. If the Soviet Union representative denied that, could there not be an investigation? The representatives of the Soviet Union, Poland and other Eastern European countries had charged that the United Kingdom Government was ill-treating refugees in the United Kingdom, that it was using them as cheap labour and as slave labour, and that it was preventing them from returning home. He had denied those charges not once, but several times, during both the previous and the current sessions of the Assembly, as had other members of his delegation. If representatives in the Assembly believed the charges that the United Kingdom was ill-treating refugees and preventing them from returning to their homes, they were welcome to go to the United Kingdom and see for themselves. They could travel round and visit any of the hostels for displaced persons. Those people were not behind barbed wire; there were no machine guns; there were no secret police watching over them. He repeated his invitation to any representative who believed that the United Kingdom was ill-treating refugees to go and see for himself. The United Kingdom had issued that invitation many times, but the representative of the Soviet Union had never taken up the offer.

102. Would the representative of the Soviet Union issue a similar invitation to Members of

the General Assembly to visit the Baltic States? Would he allow a United Nations commission to visit the Soviet Union and inspect concentration camps, corrective labour camps and forced labour camps, in conformity with the Economic and Social Council's request?¹ The Soviet Union reply to this question might be evasive, but he could assure the General Assembly that, in practice, it would amount to a firm "no".

103. In conclusion, he stated that it must be obvious to all that the United Kingdom delegation would vote against the draft resolution submitted by the Byelorussian SSR. He hoped that it would receive the usual five votes, and no more.

104. There was one other resolution before the General Assembly, namely draft resolution B, which had been adopted in the Third Committee, having been proposed by the French representative, Mr. Rochefort, whose burning interest in the plight of those victims of oppression and persecution was apparent to all who had met him. That draft resolution was based on the urgent appeal of the General Council of the International Refugee Organization, whose report to the General Assembly was to be found in document A/C.3/528. In bringing that appeal to the attention of the General Assembly and of all the Governments of the world, the French representative had once again given proof of his steadfastness of purpose in that humanitarian cause. The United Kingdom delegation strongly supported that resolution.

105. Mr. ROCHEFORT (France) announced that his delegation wished to clear up certain misunderstandings which might have been caused by the statements made by the Brazilian representative and was therefore proposing an amendment to the text submitted by the Brazilian delegation.

106. That amendment proposed first, to add the words "unless the Assembly should decide otherwise in the future" in sub-paragraph (a) and secondly, to delete the last sentence of sub-paragraph (b), namely "They shall not be a charge on the United Nations".

107. In submitting that amendment, the French delegation was actuated by the desire to clear up any misunderstanding that might arise, for it did not consider the Brazilian text necessary. There was no Machiavellian intent in the draft adopted by the Third Committee, no question of any financial commitment or even of a promise of such commitment. Otherwise his delegation would probably not have voted in favour of that draft, for the French Government did not possess unlimited financial resources. The French Government's contribution to the International Refugee Organization had been made at the cost of heavy sacrifices which it did not wish to repeat continually. During the existence of the IRO, no country had been obliged to give financial support to that organization; similarly in the future no country would be compelled to participate in the assistance which the High Commissioner might give. An important problem of assistance might arise one day, and the High Commissioner might ask a certain number of Governments, with the approval of the General Assembly, to help

him to deal with some crisis. What had happened in the case of IRO would then happen again: a certain number of Governments would respond to the appeal, but no Government, Brazil any more than the others, would be under an obligation to do so.

108. The original form of the amendment had not been acceptable because the Assembly would have been committed for the future in a matter which had not so far been thoroughly discussed.

109. He thought that the Brazilian text, as amended by the French proposal, would neither add to nor detract from the effectiveness of the plan to establish a High Commissioner's Office. His delegation therefore considered that text unnecessary, but it had thought it advisable to clear up any misunderstandings, in order to increase the possible majority. It thought that at the price of that effort for a wider comprehension, a greater number of delegations would be able to support the French draft resolution.

110. Mr. FREYRE (Brazil) stated that his delegation considered that the idea expressed in the amendment submitted by the representative of France was already embodied in the Brazilian proposal. Nevertheless, if the wording proposed by the representative of France was considered more satisfactory by some delegations, the Brazilian delegation, in an equal spirit of compromise, would have no objection to accepting it.

111. Mr. VOYNA (Ukrainian Soviet Socialist Republic), replying to the United Kingdom representative's remark that the statements made by his own and other delegations did not correspond to the facts, said that every one of his statements was based on documentary data, on facts taken from the United Kingdom and the United States Press, on IRO reports and on statements by the Ukrainian nationalist Press. Consequently, he had not made any attacks upon the United Kingdom, but had merely cited documents and facts. The United Kingdom representative, on the other hand, instead of refuting those facts, had merely repeated his earlier empty denials. While it was possible to cite out of context certain passages in the report, the facts could not be denied.

112. The United Kingdom representative had presumed to state that draft resolution A, proposed by France and the United States, and approved by the Third Committee, would receive the support of the majority, whereas the Byelorussian draft resolution would receive the usual five votes. There had been a time, after the Great October Revolution, when the Soviet Union had had only one vote, yet it had voted confidently and resolutely. Now there were five votes; more would follow. Those five votes were backed by millions of people, not only in the countries which they represented, but in other countries the representatives of which were at present voting against them. Those five countries were not discouraged; they had fought for the truth in the past and would continue to fight for it until the victorious end.

113. Mr. CORLEY SMITH (United Kingdom) wished to express the gratitude of his delegation to the representatives of Brazil and France for the hard work they had done together and for the spirit of compromise they had shown. Although he had said that his delegation would be obliged

¹ See *Official Records of the Economic and Social Council, Resolutions*, eighth session: No. 195 and ninth session: No. 237.

to oppose the Brazilian amendment, he felt that with the change suggested by the French delegation, provided that it applied to both sub-paragraphs (a) and (b), he could accept the amendment.

114. Mr. KRAJEWSKI (Poland) stated that the Polish representative had not asked why the refugees did not return. His delegation was well aware why repatriation was being hampered by the Western Powers, among them the United Kingdom. It did not need an answer to that question. The question it had asked, and to which the representative of the United Kingdom had not replied, was for what purposes, if not for military purposes, military battalions were being kept in Germany.

115. The territories concerned that were East of the River Bug, behind the so-called "Curzon Line", had always been inhabited by an overwhelming majority of Ukrainians and Byelorussians. The representative of the United Kingdom knew that very well, although he had repeated, for perhaps the third time that session, that Poland had been invaded by the Red Army. In reality the Army of the Soviet Union had liberated Poland.

116. Mr. STEPANENKO (Byelorussian Soviet Socialist Republic) stated that when it had submitted its draft resolution, his delegation had given a number of facts in support of its assertions and had made it clear where the responsibility lay for the creation of the problem of refugees and displaced persons and the failure to solve it.

117. None of those who had spoken since had refuted the facts submitted by the delegation of the Byelorussian SSR, for the simple reason that they were irrefutable. Sometimes, however, when facts could not be denied, recourse was had to lies and slander.

118. He would reply to the United Kingdom representative who seemed to have learned a phrase which he repeated almost automatically; he had just done so for the ninth time. When he was asked to give information concerning displaced persons, he always replied that in the USSR there were concentration camps.

119. Mr. Stepanenko considered that he was entitled to use such language because, at the previous session of the Economic and Social Council, the United Kingdom representative had been unable to disprove any of the facts advanced by the delegation of the Byelorussian SSR, which had stated that the United Kingdom Government was deliberately sabotaging repatriation and exporting Soviet citizens, and because the United Kingdom representative in the Third Committee had not been able to contest effectively the statements made there. On that occasion the latter had spoken in such a confused manner that he had subsequently been obliged to explain himself and apologize to the delegation of the Byelorussian SSR.

120. The United Kingdom representative had said that, in his country, displaced persons were living in hotels, that each one had a bathroom, a shower, a bedroom, a drawing-room and a dining-room. Mr. Stepanenko asked the United Kingdom representative why the Economic and Social Council's report (E/816) had shown that 320 displaced persons had, in the space of a few months, re-

turned from the United Kingdom to camps in Germany, where they were devoured by vermin and where they were housed twelve at a time in huts previously occupied by troops and by prisoners of war.

121. It would appear, therefore, that the situation in the United Kingdom was not as described by that country's representative. Mr. Stepanenko did not have the time to refer once again to the facts which he had already cited in the Committee and which showed that displaced persons in the United Kingdom were living apart from their families, behind barbed-wire, and in huts, twelve or fifteen persons in a room. The Economic and Social Council's report stated that the mortality rate in the British occupation zone of Germany was particularly high. Thus, the conditions of displaced persons in the British zone of occupation were worse than those of other displaced persons. The United Kingdom representative had not, however, made any reference to that state of affairs.

122. It had always been the view of the Byelorussian delegation that the situation of hundreds of thousands of displaced persons could be improved by voluntary repatriation. It had never demanded compulsory repatriation; it had merely asked that no obstacles should be placed in the way of those who wished to return to their country of origin. The report of the Economic and Social Council, however, indicated that those obstacles did, in fact, exist. The report, which was drawn up in such a way as to evade thorny questions, indirectly gave a most unfavourable picture of the conditions of displaced persons residing in camps.

123. The Byelorussian delegation thought that the draft resolution which it had submitted to the General Assembly not only took into account the interests of displaced persons, but also the interests of the States from which those persons came. It was also of the opinion that only the implementation of the General Assembly resolution of 12 February 1946 would solve that problem.

124. The PRESIDENT put to the vote the Brazilian amendment, as amended by France, to draft resolution A. If adopted it would constitute paragraph 2 of the resolution. He asked the Assembly to vote first on sub-paragraph (a) of the amendment which read:

"Decides that:

"(a) Unless the Assembly subsequently decides otherwise, no expenditure other than administrative expenditures relating to the functioning of the Office of the High Commissioner should be borne on the Budget of the United Nations . . ."

Sub-paragraph (a) of the amendment was adopted by 36 votes to 5, with 12 abstentions.

125. The PRESIDENT put to the vote sub-paragraph (b) of the amendment, which read:

"All other expenditures relating to the activities of the High Commissioner shall be financed by voluntary contributions."

Sub-paragraph (b) of the amendment was adopted by 26 votes to 5, with 20 abstentions.

126. The PRESIDENT put to the vote the United States amendment (A/1162) to paragraph 3 of the annex to draft resolution A.

The amendment was adopted by 36 votes to 6, with 12 abstentions.

127. The PRESIDENT put to the vote the United States amendment, proposing the addition of a further sentence to paragraph 5 of the annex.

The amendment was adopted by 37 votes to 5, with 11 abstentions.

128. The PRESIDENT put to the vote the United States amendment calling for the deletion of paragraph 6 of the annex.

The amendment was rejected by 11 votes to 9, with 31 abstentions.

129. The PRESIDENT put to the vote the United States amendment, proposing a substitute text for paragraph 7 of the annex.

The amendment was adopted by 29 votes to 6, with 14 abstentions.

130. The PRESIDENT put to the vote draft resolution A, as amended.

Resolution A was adopted by 35 votes to 7, with 13 abstentions.

131. The PRESIDENT put to the vote draft resolution B submitted by the Third Committee (A/1118).

Resolution B was adopted by 32 votes to 6, with 17 abstentions.

132. The PRESIDENT asked whether the representative of the Byelorussian Soviet Socialist Republic insisted on a vote being taken on his draft resolution.

133. Mr. STEPANENKO (Byelorussian Soviet Socialist Republic) stated that he wished a vote to be taken on the Byelorussian resolution, paragraph by paragraph.

The first paragraph of the Byelorussian draft resolution (A/1133) was rejected by 20 votes to 12, with 20 abstentions.

The second paragraph was rejected by 22 votes to 11, with 15 abstentions.

The third paragraph was rejected by 22 votes to 6, with 21 abstentions.

The fourth paragraph was rejected by 23 votes to 6, with 20 abstentions.

The meeting rose at 1.30 p.m.

TWO HUNDRED AND SIXTY-SIXTH PLENARY MEETING

Held at Flushing Meadow, New York, on Saturday, 3 December 1949, at 2.45 p.m.

President: Mr. Benjamin COHEN (United States of America).

Later: General Carlos P. RÓMULO (Philippines).

Draft rules for the calling of international conferences: report of the Sixth Committee (A/1165)

1. Mr. FERRER VIEYRA (Argentina), Rapporteur of the Sixth Committee, presented the report of the Committee and the accompanying resolutions (A/1165).

2. Mr. ALVAREZ (Cuba) said that the Cuban delegation recognized the importance of the international conferences which the Economic and Social Council might call on matters falling within its competence under Article 62, paragraph 4, of the Charter. It also recognized that the holding of such conferences was a method of implementing the intention of Article 55 of the Charter, namely the creation of conditions of stability and well-being which were necessary for peaceful and friendly relations among nations, based on respect for the principle of equal rights and self-determination of peoples. His delegation was considerably disturbed, therefore, by the restrictive clause imposed on the Economic and Social Council in rule 4 of the draft rules for the calling of such conferences (A/1165).

3. In accordance with that rule the Council could invite to a conference of States a territory which was self-governing in the fields covered by the terms of reference of the conference only with the approval of the responsible State, despite the fact that, under rule 8 of the same draft rules, the Council was authorized to invite specialized agencies in relationship with the United Nations and non-governmental organizations having consultative status with the Council to take part in such conferences, and also despite the fact that rule 4 itself laid down the restrictions to which

the participation of such a territory in the conferences would necessarily be subject.

4. The consequences of such a restriction were obvious: the responsible State could, without adequate motive, refuse to agree that the territory concerned should participate in the conference, despite a decision taken by a main organ of the United Nations under the prerogatives conferred on it by the Charter.

5. Mr. Alvarez thought that that was a typical application of the colonial clause in a case which had ceased to be within the special jurisdiction of the responsible Power to which the rules referred. The political and legal status of territories lacking self-government had undergone a far-reaching change during the last thirty years. The Covenant of the League of Nations had put an end to the principle of the historic colonial system, in which the Administering Power could direct the affairs of its colonies or its dependencies with absolute freedom. In Article 22 of the Covenant that principle had been replaced by the principle that the well-being and development of peoples which were not yet able to stand by themselves was a sacred trust of civilization. Furthermore, certain safeguards had been incorporated in that Article against the free exercise of power by the responsible authority.

6. Such restrictions on the sovereignty of the Administering Power, however, had been applicable only to mandated territories. In that connexion the Charter of the United Nations had gone further than the League of Nations Covenant, because it had extended the general principles of protection to all territories the people of which had not yet obtained a full measure of self-government.