



Friday, 11 January 1952, at 3 p.m.

Palais de Chaillot, Paris

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Chairman: Mrs. Ana FIGUEROA (Chile).

In the absence of the Chairman, Mr. Dehousse (Belgium), Vice-Chairman, presided.

Refugees and stateless persons (*continued*)

[Item 30]*

Problems of assistance to refugees: reports of the International Refugee Organization and of the High Commissioner for Refugees (A/1884 (chapter VI), A/1948, A/2011, A/C.3/563, A/C.3/L.210, A/C.3/L.212, A/C.3/L.213) (*continued*)

[Item 31]*

COMMENTS ON THE PUBLICATIONS "THE REFUGEE IN THE POST-WAR WORLD" (*continued*)

1. AZMI Bey (Egypt) said that he had never had any intention of casting aspersions on the good faith of the Rockefeller Foundation, which had subsidized the publication of *The Refugee in the Post-War World* nor upon the director of the survey, Mr. Jacques Vernant. Many works on Egypt contained errors, but *The Refugee in the Post-War World* contained libels against which the Egyptian Government would unfortunately be compelled to take court action. He was willing to go as far as the Turkish representative had gone (383rd meeting) along the way to conciliation, but he felt impelled to introduce a draft resolution (A/C.3/L.210) with regard to the matter of principle at stake.

2. Mrs. DOMANSKA (Poland) said that, although under rule 47 of the rules of procedure the Secretariat must print and distribute documents of the General Assembly, it was not bound to print documents compiled by private individuals nor to give them a United

Nations symbol. No one could prevent Mr. van Heuven Goedhart from asking for funds for his personal publications nor prevent the Rockefeller Foundation from supplying them. Such papers, however, could obviously have no connexion with the documentation of the General Assembly. The Secretariat should have explained to the High Commissioner and to the Rockefeller Foundation that the General Assembly had not asked for any such survey dealing with the refugee problem.

3. The book—which could in no circumstances be described as a United Nations document—was inaccurate and biased; it might well reflect the Rockefeller Foundation's views, but not those of the United Nations. Certain passages dealing with what was called the post-war Polish emigration were striking examples of the difference in standpoint. The book mentioned a non-existent agreement between Poland and Israel alleged to have been signed in 1949. It also referred to eastern portions of Poland as having been annexed by the USSR, whereas the frontier between Poland and the USSR had been fixed by international agreement. Such statements were not only bad history, but politically tendentious. It was unworthy of a person whom the High Commissioner supposedly guaranteed to be impartial and of the *Centre d'Etudes de politique étrangère*, which was assumed to be a well-informed body.

4. The Rockefeller Foundation might plausibly object to a genuine portrayal of conditions which had led to the prevention of the repatriation of Polish nationals, but the United Nations should not lend itself to such political falsification.

5. The Polish delegation therefore demanded that steps should be taken to withdraw the book from circulation and that a full report should be submitted to the Third Committee on the action taken to that end.

6. Mr. MUFTI (Syria) felt that attempts had been made, possibly by some countries not mentioned in the

* Indicates the item number on the General Assembly agenda.

¹ Document A/AC.36/6 (Geneva, December 1951).

book under discussion, to take advantage of that fact and to disregard the whole incident.

7. Some delegations had argued that the book could not be regarded as a United Nations document; but the cover, symbol number and the High Commissioner's introduction easily refuted that contention. Others had said that the book might in fact be regarded as a United Nations document and that it was not so bad as it might seem; but working papers to be used in the United Nations debates should be objective and assist delegations in coming to independent conclusions about the matters under debate. It had also been contended that it was very hard to tell the true from the false in reading such a book; but it was always possible to see what was relatively true; otherwise, the Committee would be unable to take any decisions at all. Certainly, alleged impartial and responsible experts, who had been able to verify the facts on the spot, should have been able to distinguish fact from fiction, unless they had harboured such prejudices that they could not be permitted to enter any country again to make an alleged investigation. Worst of all, the authors had used the name of the United Nations as a cover for their biased statements.

8. His delegation was not opposed to the freedom of information. Indeed, it would welcome the circulation of a large number of copies of the book in Syria. It was, however, against the dissemination of information drawn from a single source. To gather all news from a single source, possibly alien and even hostile to the country concerned, was merely to encourage the spread of false information. If such partial material was to be published under the United Nations imprint, all countries ought to demand the same privilege.

9. Needless to say, the Rockefeller Foundation had the right to print anti-Soviet or anti-Arab propaganda if it deemed fit; but it had no right to use the United Nations as a channel for such publications.

10. Although a really satisfactory settlement of the incident was more than he could hope for, at least the General Assembly might place on record the fact that the book had been published without the consent of the United Nations by a group of investigators outside the Organization. The General Assembly should request the High Commissioner and the Secretariat to take the necessary steps to see that the cover and other identifying marks were removed from all copies still in stock. The High Commissioner should take into account all the criticisms made by the Governments concerned before the final edition was issued. Furthermore, the Secretary-General's attention should be drawn to the requirement that all countries concerned should be given the opportunity to comment on any such work before it was published and that the authors should be clearly indicated. He would strongly support any draft resolution that might be submitted to that effect.

11. If, on the other hand, no such draft resolution was adopted, his Government would be compelled to give the incident full publicity through its national Press, to regard United Nations working documents with some scepticism, to withdraw its draft resolution regarding

the usefulness of commissions of investigation into breaches of human rights and to carry out its own inquiry into the facts of the case under discussion.

12. Mr. PAVLOV (Union of Soviet Socialist Republics) said that the unprecedented case before the Committee resulted from a flagrant violation by a United Nations official of the statute under which he was directed to work. The publication of *The Refugee in the Post-War World* and the nature of its contents transgressed the mandate laid down for the High Commissioner in paragraphs 2 and 3 of his Statute (General Assembly resolution 428 (V), annex). The book contained political attacks on the structure of the USSR such as had once been made by Nazi German propagandists. The High Commissioner was bound by his Statute to accept policy directives only from the General Assembly and the Economic and Social Council. The book in question did not reflect the current views of those bodies; far from it. They had not asked the High Commissioner to publish any such book; the publication showed that the High Commissioner was assuming an unwarranted independence. Any person was of course free to express his own views, but the High Commissioner was a United Nations official and had no right to give his *imprimatur* to statements offending the susceptibilities of any Member State.

13. The Third Committee could not possibly disregard its responsibility in the matter, but must take positive measures to stop the distribution of such a document. It must do so at once, before the harm was aggravated. Subsequently, it might well have again to review the High Commissioner's activities as a whole.

14. Mr. BAROODY (Saudi Arabia) was inclined to blame the Secretariat rather than the High Commissioner; it should have warned him of the serious implications inherent in the publication of such a book. It was not the first time that the Secretariat had been responsible for an unfortunate situation; everything possible must be done to prevent the repetition of such incidents.

15. He was therefore introducing a detailed draft resolution (A/C.3/L.212) concerning the case under discussion.

16. Mr. VAN HEUVEN GOEDHART (United Nations High Commissioner for Refugees) said that, though it was true that he had applied to the Rockefeller Foundation for funds, and had invited Mr. Vernant to take charge of the group of investigators, neither he nor the United Nations had any responsibility with regard to the contents of the report. The survey had been made absolutely independently, and the Office of the High Commissioner had brought no influence to bear in respect of its contents. That point had, moreover, been made amply clear by Mr. Vernant in the third paragraph of his foreword where he stated that the group as a whole and the director in particular accepted sole responsibility for the contents of the report. He had made it clear also that the book was provisional, and had invited criticism and suggestions. Mr. van Heuven Goedhart had complete confidence in Mr. Vernant's honesty and scientific approach to his work.

17. The High Commissioner deplored the fact that the method of publication of the report had raised so many difficulties. In his introduction, which had been written before the publication of the report, he had confined himself to stating that he "hoped" it would provide the necessary material for a study of the refugee problem.
18. Mr. van Heuven Goedhart, as the former editor of a resistance movement newspaper in his own country during the war, was surprised that he should be described by the Soviet representative as a propagandist of fascist theories.
19. As regards the distribution of the book, he had never asked for it to be given a United Nations symbol; though he understood that for purposes of distribution any document had to be so numbered. He wished to stress again that all printing and distribution costs had been borne by the Rockefeller Foundation.
20. He was prepared to take three measures in an attempt to solve the difficulties which had arisen; first, to issue a Press release disclaiming United Nations responsibility for the book; secondly, to have a slip to that effect inserted in all copies that had not yet been distributed; and thirdly, to find another channel for distribution of the final version. He hoped those three measures would eliminate the difficulties.
21. He pointed out, in conclusion, that the Economic and Social Council, when informed of his request to Mr. Vernant to undertake the survey, had raised no objections.
22. Mr. HAJEK (Czechoslovakia) submitted a draft resolution (A/C.3/L.213) proposing practical measures to bring about the immediate withdrawal of the book from circulation; it was not enough to express formal disapproval of the report.
23. Mr. DE ALBA (Mexico) thought that the problem had arisen as a result of a misunderstanding and stated that the High Commissioner's good faith in the matter could not be questioned.
24. A vote on the draft resolutions submitted would be premature and might embarrass the States mentioned in the report. He therefore proposed that a sub-committee or working group be set up, composed of the authors of the draft resolutions and possibly other members of the Committee, to consult with the Secretariat and the High Commissioner on a satisfactory solution.
25. The Committee could then devote the remainder of the meeting to the draft covenant on human rights.
26. Mr. ROY (Haiti) approved the Mexican proposal, but thought it would be advisable to take a vote on the proposals just put forward by the High Commissioner, since that might eliminate the need for any further discussion.
27. The CHAIRMAN recalled that it was for the Committee to decide whether it would consider the draft resolutions at the current meeting. Nevertheless, the solutions proposed by the representatives of Mexico and Haiti seemed to be preferable, in view of the fact that the High Commissioner would be obliged to return home for personal reasons and could not therefore attend the following meeting.
28. AZMI Bey (Egypt) did not consider that the adoption of the Haitian proposal would in fact save the Committee's time, since members could not vote on the High Commissioner's proposals without preliminary discussion.
29. He was willing to accept the Mexican proposal.
30. Mr. HARRY (Australia) felt that the submission of draft resolutions on the subject was not appropriate, since that procedure would merely provide the High Commissioner's detractors with a fresh opportunity for further attacks.
31. He submitted a motion for the closure of the debate.
32. Mr. PAVLOV (Union of Soviet Socialist Republics), speaking against the closure of the debate, pointed out that the subject was on the Committee's agenda for the first time and that it had therefore been impossible to submit draft resolutions before the current meeting. The question of the draft resolutions that had been submitted could not be decided by the closure of the debate; those texts had to be discussed and voted upon.
33. He did not think that a vote could be taken on the High Commissioner's proposals unless they were embodied in a draft resolution submitted by a delegation. The High Commissioner was not a member of the Committee; hence, the Haitian proposal was not in order.
34. The working group proposed by the Mexican representative could only be set up with the agreement of the sponsors of the draft resolutions and he thought it would be preferable for them to amalgamate their texts in a single draft. The Mexican representative had implied that the States mentioned and those not mentioned in the report had differing degrees of responsibility in the matter; that argument was absolutely incorrect, since the United Nations as a whole was collectively responsible for dealing with aspersions cast on Member States. The dignity and honour of the Organization were involved, and any evasion of responsibility would set a dangerous precedent.
35. He did not consider that the High Commissioner's statement absolved that official from blame. Although the High Commissioner had not read the book before attaching his name to it, that book had the sanction of the High Commissioner's official status; that sanction should not have been given without the authorization of the General Assembly or the Economic and Social Council.
36. The CHAIRMAN stated that the Haitian proposal was in order, since the Committee could take note of the High Commissioner's statement without voting on his proposals as such.
37. Mr. MUFTI (Syria), speaking against the closure of the debate, stated that the Australian proposal would merely drag out the Committee's discussions.

38. He agreed with the USSR representative that the authors of the three draft resolutions might well amalgamate their texts.

39. The CHAIRMAN put to the vote the Australian motion for the closure of the debate.

The motion was adopted by 31 votes to 11, with 8 abstentions.

40. Mr. DE ALBA (Mexico) regretted that the USSR representative had misinterpreted his references to the States mentioned in the report. His intention had been to convey the sympathy felt by States not mentioned for those which had been misrepresented.

41. Mr. PAVLOV (Union of Soviet Socialist Republics) thanked the Mexican representative for his explanation. He recalled that the problem was urgent since the book was still being distributed. He would be prepared to vote at once on the Czechoslovak (A/C.3/L.213) and Saudi Arabian (A/C.3/L.212) draft resolutions, which proposed immediate practical measures. If other delegations felt unable to cast their votes at once, it would be advisable for the authors of the drafts to combine their texts in a single draft resolution by the next meeting.

42. The CHAIRMAN said that a vote should be taken first on the Haitian proposal, next on the Mexican proposal and then on the draft resolutions in the order in which they had been submitted.

43. Mr. ROY (Haiti) pointed out that the authors of the draft resolutions were entitled to insist that their texts should be discussed and voted on; if the representatives concerned wished to avail themselves of that right, he would withdraw his proposal.

44. Mr. Altaf HUSAIN (Pakistan) said that the purpose of the amendment proposed by his delegation (A/C.3/L.211) to the Egyptian draft resolution (A/C.3/L.210), which arose naturally from the statements made during the debate, was to prevent the repetition of similar incidents. The High Commissioner for Refugees had agreed, in the case under discussion, to the insertion of a slip disclaiming United Nations responsibility for the publication; it was important that similar future publications should also bear a notice to that effect, so as to avoid misleading the general public.

45. AZMI Bey (Egypt) was unable to support the Haitian motion. If it accepted that motion, the Committee would in effect be declaring itself satisfied with the High Commissioner's explanation. It was in any case impossible to "take note" of the High Commissioner's statement, which had not yet been distributed in written form. He therefore, in all good faith, insisted on maintaining his delegation's draft resolution (A/C.3/L.210).

46. Paragraph 1 of that draft resolution confirmed the statement made in the Third Committee by a representative of the Secretariat (380th meeting) that *The Refugee in the Post-War World* was not a United Nations document. Paragraph 2 (a) was a logical corollary of paragraph 1: the United Nations Department of Public Information had already cabled to Geneva asking

for more copies of the publication, for distribution to the Press, in view of the interest aroused, and it was, therefore, essential that the Secretariat issue a Press release on the subject and ensure it the widest possible circulation.

47. Meanwhile, steps must be taken to stop the circulation of the book by the Secretariat; the mistake which had been committed must be rectified. In law, the distributor as well as the author of a publication was legally responsible for it. When those steps had been taken, Egypt would consider the incident closed as far as the Third Committee was concerned, though not as far as his country was concerned.

48. The section of the book dealing with Egypt contained slander, to which his country must object.

49. He would accept the Pakistan amendment to his draft resolution, provided it appeared as paragraph 2 (c).

50. Mr. BAROODY (Saudi Arabia) said that his draft resolution (A/C.3/L.212) though similar to the Egyptian resolution (A/C.3/L.210), supplemented the latter by proposing a number of practical measures.

51. Paragraph 1 of the operative part of the Saudi Arabian draft resolution proposed that both the Secretariat and the Office of the High Commissioner should take steps to withdraw the book from circulation.

52. Paragraph 2 of the operative part was designed to remove the possibility that the copies still remaining in the custody of the Secretariat and the Office of the High Commissioner might be distributed surreptitiously. The purpose of paragraph 3 was to ensure that all remaining copies were counted and impounded, after the flyleaf and cover, the introduction by the High Commissioner and the preface by Mr. Vernant had been removed. Even then, the United Nations must on no account distribute any further copies of the book. Paragraph 4 of the Saudi Arabian draft resolution called for a full inquiry; the onus was clearly on the Secretariat, which should have advised the High Commissioner on the matter. Such serious errors must not be repeated, and the Secretariat must endeavour in future to show a greater sense of responsibility.

53. He hoped the Committee would support both his draft resolution and the one submitted by Egypt.

54. Mr. HAJEK (Czechoslovakia) regarded the incident of the publication and distribution by the United Nations of a book containing such inaccuracies not merely as an accident, but as an expression of the policy of the United Nations High Commissioner for Refugees, which the Czechoslovak delegation had often criticized. The second paragraph of the preamble of the Czechoslovak draft resolution (A/C.3/L.213) therefore drew attention to the rules governing the Office of the High Commissioner for Refugees, as laid down in the Statute.

55. Paragraphs 1 and 2 of the operative part were designed to bring both the book and the activity of the High Commissioner, which was no longer in conformity with the provisions of his Statute, to the attention of the General Assembly; and paragraph 3 to ensure

that practical measures would be taken to prevent further circulation of the book.

56. Mr. DE ALBA (Mexico) said that since a discussion on the draft resolutions had already begun, his original proposal was no longer appropriate. He therefore withdrew it.

57. Mr. ROY (Haiti) said that he had consulted with the Egyptian representative and they agreed that it was not sufficient for the Third Committee merely to take note of the High Commissioner's statement. It was necessary to obtain from the High Commissioner a formal undertaking, first, that he would issue a Press release to the effect that the publication *The Refugee in the Post-War World* was not an official United Nations document and that the United Nations was not responsible for it; secondly, that he would have a slip to that effect inserted in all copies of the book still in the custody of the Secretariat; and, thirdly, that he would stop all further circulation of the book.

58. If those three formal undertakings were submitted to the Third Committee for acceptance, the sponsors of the three draft resolutions before the Committee might agree to withdraw their resolutions.

59. Mr. YU TSUNE-CHI (China) thought that, though Egypt, Syria and Saudi Arabia had indeed cause for complaint, it was important to find an amicable settlement for the dispute, and he regretted the withdrawal of the Mexican proposal which might have contributed to a peaceful solution. The High Commissioner, in expressing his regret for the incident, had gone more than half-way to meet the demands made in the Egyptian draft resolution (A/C.3/L.210); and it was the duty of the Third Committee, after voicing its criticism and calling for the correction of errors, to support the work of the High Commissioner, whose integrity was unquestioned. Mr. Yu Tsune-chi thought that, since the High Commissioner's views did not differ fundamentally from those of the sponsors of the three draft resolutions, they could probably be reconciled. He suggested that the discussion should be directed towards the drafting of a joint resolution combining the different standpoints. That would be more constructive than voting on the separate draft resolutions before the Committee.

60. In conclusion, he emphasized that the chief responsibility for the error lay not with the High Commissioner but with the Secretariat. Nevertheless, an unduly severe reprimand was uncalled for; he person-

ally had always found the Secretariat extremely co-operative. He attached great importance to the maintenance of good relations between the Secretariat and the General Assembly.

61. Mr. FRILS (Denmark) shared the fully justified regret expressed by many delegations as to the mistakes or misunderstandings which had given rise to the discussion. However no aspersions should be cast upon the activities of the High Commissioner and his collaborators. Obviously, very different motives had inspired the various draft resolutions submitted to the Third Committee, so that the suggestion that a joint draft resolution should be prepared was unlikely to meet with success. It would be most inappropriate for the Third Committee to cast any slur on the High Commissioner after it had only recently (382nd and 383rd meetings) approved two draft resolutions (A/C.3/L.199 and A/C.3/L.200) commending and encouraging his work.

62. The Egyptian draft resolution on the book under discussion was moderate and reasonable, and he would support it.

63. Mr. HOLMBAK (Sweden) thought the book was a valuable contribution to the study of the subject; the section on Sweden was unexceptionable.

64. The ownership of the copyright raised problems which had not yet been discussed. If the United Nations owned the copyright and the Egyptian draft resolution was accepted, distribution would be arrested. In that case, a revised final edition might be desirable. If Mr. Vernant owned the copyright, confiscation might have exactly the opposite result to that desired by the Committee, since the banning of a book usually increased the demand for it. The insertion of a slip disclaiming United Nations responsibility would be sufficient, but to order the cessation of distribution would defeat the Committee's purpose.

65. Mr. PAVLOV (Union of Soviet Socialist Republics) asked whether the Egyptian draft resolution was intended to make the Secretariat exclusively responsible for prohibiting further circulation of the book, or whether the High Commissioner's Office and other bodies came within its scope.

66. Mr. GARCIA BAUER (Guatemala) moved the adjournment of the meeting.

The motion was adopted by 29 votes to none, with 9 abstentions.

The meeting rose at 6.45 p.m.