



Saturday, 12 January 1952, at 10.30 a.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 PUBLICATION "THE REFUGEE IN THE POST-WAR WORLD" (*continued*)

1. Mr. CORDIER (Executive Assistant to the Secretary-General), referring to the High Commissioner's statement, confirmed that the publication in question was not an official document and that neither the High Commissioner nor the United Nations Secretariat took any responsibility whatever for its contents. It had been published as the result of a survey carried out at the High Commissioner's request by independent experts who were alone responsible for it, and its object had been to assist governments by throwing light on a vast problem of great complexity.

2. A Press release would be issued to that effect. He regretted the fact that the work in question contained passages which had been criticized by certain governments and said that its distribution through the United Nations Secretariat would be stopped immediately.

3. Mr. PAVLOV (Union of Soviet Socialist Republics) acknowledged the value of the statement in which

Mr. Cordier had, in the name of the United Nations, disavowed the publication *The Refugee in the Post-War World*¹; yet that statement did not give the Third Committee sufficient grounds for declaring the incident closed.

4. There appeared to be a regrettable tendency among the members of the Committee to want to hush up the scandal which the publication in question had caused.

5. If the Third Committee adopted the amendment of Pakistan (A/C.3/L.211), in which the Secretariat was asked to insert prominently, in publication for which the United Nations accepted no responsibility, a notice to that effect, it would be embarking on an extremely hazardous course, for, in a disguised form, it would be authorizing the publication by the Secretariat of documents just as dangerous as *The Refugee in the Post-War World*.

6. He asked that the draft resolution submitted by Egypt should be voted upon paragraph by paragraph. He was able to accept paragraph 1 of that draft, according to which the Third Committee took note of the Secretariat's statement asserting that the work did not constitute a United Nations document; but as the document in question unfortunately bore all the outward signs of a United Nations document, had been prepared at the request of a high United Nations official (who had written an introduction to it) and carried a United Nations symbol number, it could hardly be claimed that it had not been intended to constitute a United Nations document. It was, therefore, necessary also to adopt the first paragraph of the preamble to the draft resolution submitted by Czechoslovakia (A/C.3/L.213) in which reference was made to those features. It would also be desirable to add to those two paragraphs the first paragraph of the preamble to the draft resolution submitted by Saudi Arabia (A/C.3/L.212), which added the further material point that the book had been published without the authorization of the

* Indicates the item number on the General Assembly agenda.

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

General Assembly or any Member State of the United Nations. The three paragraphs, far from being contradictory, supplemented one another and would present a complete picture of the true circumstances in which the work had been published.

7. If proposed in paragraph 2 (a) of the Egyptian draft resolution (A/C.3/L.210), the Secretariat embodied its statement that the report did not constitute a United Nations document in a Press release which would receive the widest possible dissemination, the publication would require considerable notoriety, and that would, of course, be contrary to the Third Committee's intention. The USSR delegation would vote against the sub-paragraph in question, as the action proposed therein would only compromise still more the Third Committee, which was responsible for the establishment of the Office of the High Commissioner and the appointment of the High Commissioner, and also for all the unfortunate consequences of that decision (General Assembly resolution 428 (V)).

8. The delegation of the USSR might have voted in favour of paragraph 2 (b) of the Egyptian draft resolution, but would point out that the sub-paragraph merely asked the Secretariat to cease all circulation of the work "through the Secretariat or any other organ of the United Nations". The Committee would, therefore, be left without any defence if, despite the criticism with which the publication had met, the High Commissioner continued to have it distributed. When it was considered how lightly the High Commissioner had agreed to write an introduction to a publication without being aware of its contents, the utmost caution should be observed for the future. The USSR delegation would, therefore, support paragraph 3 of the operative part of the Czechoslovak draft resolution (A/C.3/L.213), which requested the President of the General Assembly to take the necessary steps for the immediate withdrawal of the book from circulation. He said he could not approve the terms of paragraph 3 of the Egyptian draft resolution, under which the Committee would consider the incident closed as far as it was concerned. The draft resolution submitted by Saudi Arabia (A/C.3/L.212) contained some interesting points; however, the idea contained in the second paragraph of the preamble of that draft resolution was expressed more fully in paragraph 1 of the operative part of the Czechoslovak draft resolution.

9. Merely to tear off the cover, the flyleaf, the High Commissioner's introduction and the preface by Mr. Jacques Vernant from any copies still in the custody of the Secretariat or the High Commissioner for Refugees would not be sufficient to eliminate the harmful effects of a publication, which might be used for unforeseeable purposes.

10. Accordingly he would have to abstain from voting on paragraph 2 of the draft resolution submitted by Saudi Arabia, which did not appear to him to be sufficiently effective.

11. The representative of Sweden had stated (384th meeting) that the publication contained material which might be used for a study that might be acceptable to

all countries concerned. The USSR delegation did not share that opinion; the text could not be improved as it stood; the work would have to be re-written on entirely different lines. So long as the Committee did not possess a new edition of the report from which all false or tendentious statements had been removed, it would be unable to pass any judgment on the matter.

12. His delegation felt it would be desirable to take an accurate count of the remaining copies of the publication and to disclose the number to the Third Committee, as proposed in paragraph 3 of the operative part of the draft resolution submitted by Saudi Arabia.

13. It also supported the proposal, made in paragraph 4 of the operative part of that draft resolution, to hold a full enquiry into the circumstances in which the Secretariat had come to authorize the publication of the book under the imprint and a symbol of the United Nations without the authorization of the General Assembly or the Member States.

14. The USSR delegation would be able to vote for all the provisions of the draft resolution submitted by Czechoslovakia (A/C.3/L.213), which offered the means of finally disposing of the difficulties created by the publication of the report. He pointed out that paragraph 2 of the operative part of the draft resolution had been misinterpreted by some members of the Committee. The object of the paragraph was not to draw the attention of the President of the General Assembly to the activities of the High Commissioner in general, but only to the part he had played in the publication and distribution of the book *The Refugee in the Post-War World*. As the High Commissioner had himself admitted, the report would never have been prepared had it not been for his initiative. In view of the numerous justified criticisms with which the publication had met, it was essential to draw the attention of the President of the General Assembly to that point.

15. The draft resolution submitted by Czechoslovakia was extremely moderate and in no way implied any judgment of the High Commissioner's work as such. If, however, certain delegations considered that the draft resolution in question placed the High Commissioner in a difficult situation, it might be voted upon paragraph by paragraph. The USSR delegation for its own part would vote in favour of the Czechoslovak draft resolution as a whole, because it considered that the provisions proposed therein were no more than the minimum that the situation called for.

16. Mr. ROY (Haiti) enquired whether the Secretariat could later inform the Committee who owned the copyright in the publication, how large the edition was and how many copies were still on hand.

17. The CHAIRMAN said the particulars requested would be furnished to the Committee as soon as possible.

18. Mr. HARRY (Australia) said his delegation was convinced that after the thorough discussion in the Third Committee, it was unnecessary to adopt any resolution on the question. The Secretariat had given

assurances that it would put out a Press release announcing that distribution of the publication would be suspended and, at the 384th meeting, the High Commissioner had said he was prepared to publish a statement asserting that the United Nations was not responsible for the contents, to insert a note to that effect in all remaining copies and to arrange for the distribution of the remaining copies otherwise through the channels of the United Nations and the Secretariat.

19. The Egyptian draft resolution might be acceptable, but it would be preferable if the Third Committee could be satisfied with the assurances given. He could not accept the Czechoslovak draft resolution because, according to the explanation given, it implied that, in requesting the survey the results of which were contained in the report, the High Commissioner had exceeded his rights under the Statute of his Office (General Assembly resolution 428 (V), annex). Similarly, he could not vote for the Saudi Arabian draft resolution, which stated that the book had been published without the authorization of the General Assembly or any Member State, because the Economic and Social Council had, in fact, authorized the High Commissioner to publish it (Council resolution 393 A(XIII)).

20. Mr. MENEMENCIOGLU (Turkey) pointed out that the Third Committee had been unanimous in its view on the matter and that some members, in their interventions, had endorsed the various proposals contained in the Egyptian draft resolution.

21. Accordingly, the Committee should take note of all the statements made, including those of the High Commissioner, and Mr. Cordier, the Executive Assistant to the Secretary-General, should ask the Rapporteur to refer to them in his report, and the Committee should adjourn the debate on the question indefinitely. He would not, however, make a formal motion to that effect except with the agreement of the Egyptian representative, whose position was a special one in that he had been the first to raise the question officially and the first to submit a draft resolution (A/C.3/L.210) on it.

22. All the delegations directly interested in the matter would benefit if the Committee did not take a vote, because some members would be compelled to cast a negative vote for reasons unrelated to the contents of the various draft resolutions.

23. The CHAIRMAN observed that the propaganda value of the book under criticism had been nullified; after the discussion which had taken place, it would be impossible for any country to use the contents of the report *The Refugee in the Post-War World*, to attack any other country.

24. AZMI Bey (Egypt) reminded the representative of Turkey that the latter's statement (383rd meeting) had led him to draft the resolution, which ended with the Turkish representative's own proposal to consider the incident closed.

25. At the 384th meeting, the representative of Haiti had said that, like the Egyptian representative, he would consider himself satisfied with the explanations

given by the High Commissioner. Actually the representative of Egypt had declared himself satisfied not with the High Commissioner's statement as a whole, but solely with the measures which the latter had pledged himself to take. The Egyptian delegation would not be at all satisfied to have the statement, which was in fact an apology for the book and indicated the sincerity and independent spirit in which it had been written, reproduced in a Press release.

26. A new element had been introduced, however, because at the opening of the meeting, the Executive Assistant to the Secretary-General had made a clear and objective statement and had not hesitated to offer apologies to the Committee. He thanked Mr. Cordier, and added that, if the High Commissioner himself had expressed regret, the Egyptian delegation would perhaps not have submitted its draft resolution.

27. Moreover, the Egyptian delegation had always felt that primary responsibility rested with the Secretariat, which had authorized the publication by the United Nations of a work which was not a United Nations document. The book did not bear the name of the printer, but it was reasonable assumption that it had been printed on the United Nations presses in Geneva, if such existed. No doubt could be cast on the good faith with which the High Commissioner and the Secretariat had suggested various measures for repairing the harm done and their attitude gave promise that such incidents would not recur. The representative of Turkey, in submitting his proposal, had said that the Third Committee's view was unanimous; Azmi Bey believed rather that some members of the Committee had expressed their views but that the judgment of the Committee could only be expressed in the form of a draft resolution. He was therefore compelled to oppose the Turkish representative's motion for the adjournment of the debate.

28. The CHAIRMAN thought that the only solution would be for the Rapporteur to give an account of the proceedings in the report of the Third Committee and to include a number of observations which would be submitted to the Committee for its approval.

29. AZMI Bey (Egypt) pointed out that to give the question due prominence in the report, a specific decision by the Committee was necessary.

30. Mr. MENEMENCIOGLU (Turkey) said that as the Egyptian representative did not share his views, he would withdraw his motion.

31. Mr. ROCHEFORT (France) undertook to sponsor the motion for an adjournment *sine die* which had been withdrawn by the Turkish representative.

32. Mr. PAVLOV (Union of Soviet Socialist Republics) said that under rule 115 of the rules of procedure of the General Assembly he opposed the motion for adjournment, which he felt would be absurd after two days of discussion. To adopt the motion would be to allow the continued distribution of the book in question, and to enable certain States to use its contents to attack other States, which might give rise to serious incidents. The Third Committee should condemn the

book, which the Executive Assistant to the Secretary-General had already disowned. He, therefore, asked the French representative to withdraw his motion.

33. Mr. AZKOUL (Lebanon), Rapporteur, said he gathered that it would be sufficient if the report of the Third Committee referred to the statements made by the Egyptian representative, the High Commissioner and the Secretariat; but, for his own part, he considered the motion for adjournment untimely in view of the confusion which still remained.

34. Mr. ROCHEFORT (France) explained that his motion implied that all the measures announced would be taken, and that it would enable the Committee to avoid endless discussion; in view, however, of the Rapporteur's explanatory statement, he would withdraw his motion.

35. Mr. AZKOUL (Lebanon) pointed out that the problem had originated not in the mistakes, deliberate or otherwise, which the book contained, but in the association which, owing to its form and method of distribution, had been established between the book and the United Nations, under whose authority it was issued. It was the duty of the Third Committee more than any other body, to respect freedom of thought and publication and, whatever mistakes a book contained, that should not authorize the Committee to stop its circulation. To solve the problem, all connexion between the book and the United Nations had to be removed.

36. As regards past events, he was glad to see that the High Commissioner had agreed in principle to a Press release declaring that the book was an unofficial publication. A number of other measures could be taken, consisting, first of all, in obliterating or pasting over the words "United Nations" and removing the symbol. The introduction and the name of the High Commissioner could be retained, but, as the High Commissioner had himself suggested, a notice should be inserted in the remaining copies of the book, stating that it was published on the sole responsibility of its authors. Secondly, the book should be withdrawn from circulation through the United Nations and the High Commissioner, as the Executive Assistant to the Secretary-General had proposed.

37. Care would have to be taken to ensure that the final text to be published at a later date no longer revealed any connexion between the book and the United Nations. Lastly, as regards future publications, the Pakistani amendment (A/C.3/L.211) was unnecessary, since the discussion in the Third Committee would undoubtedly suffice to show that the General Assembly had disapproved of the procedure followed in the case of the publication *The Refugee in the Post-War World*.

38. As regards the procedure which would enable the Third Committee to dispose of the matter, he thought that while the Committee could not avoid taking a vote, it could vote only on principles: for example, the text of the Press release and any other action to be taken. In his report, the Rapporteur would give an account of the discussion, the criticisms levelled against the book, and the statements made by the Executive

Assistant to the Secretary-General and by the High Commissioner, and would add that, in view of those statements, the Third Committee had considered the incident closed. Once adopted, the Committee's report had the force of a decision and virtually constituted a resolution by the Committee.

39. Mr. NAJAR (Israel) regretted the failure of the Turkish representative's attempt to achieve a compromise. The discussion on the problem of refugees proper had ended in a vote of confidence in the High Commissioner and it was unfortunate that the exchange of views on the book *The Refugee in the Post-War World* had given rise to expressions of misgiving.

40. The High Commissioner had a mission to perform in the course of which it was his right and duty to undertake detailed studies; he had interpreted his task as a free agent, and had initiated a commendable action on which he should be congratulated by the Third Committee. Moreover, the High Commissioner had had other surveys undertaken, such as that relating to tuberculosis in Trieste, and no one had criticized him.

41. Furthermore, it was essential to remove the impression that the survey group had sought to shelter behind the authority of the United Nations. The language of the foreword was that of honourable men who had no intention of disclaiming their responsibilities.

42. It was maintained in some quarters that the High Commissioner's Statute did not expressly allow him to initiate a survey. The representative of Israel asked whether that meant that whatever was not expressly permitted was forbidden.

43. The whole problem lay perhaps in the manner of the book's publication. Mr. Najjar had had the opportunity to study the circumstances in which the United Nations Educational, Scientific and Cultural Organization published the results of studies made by survey groups. Those studies were preceded by an explanatory preface and contained a notice stating that they were published on the sole responsibility of the members of the group concerned.

44. He regretted that the Pakistani representative had withdrawn his amendment, as it represented a valuable contribution to the discussion. He was reluctant to prohibit all publications the preparation of which was entrusted by the United Nations to independent research workers, and thought that it would be regrettable if the United Nations, confined itself to the publication of records and official reports. The Pakistani amendment had been interesting in that respect, as it had given the United Nations considerable latitude.

45. He would willingly have voted in favour of a draft resolution which would have noted the statements made by the Secretariat and the High Commissioner and would have been adopted unanimously. In the absence of such a draft resolution, the Australian proposal seemed to him the most prudent.

46. Mr. MUFTI (Syria) associated himself with the ideas expressed in the draft resolution submitted by

Saudi Arabia (A/C.3/L.212), which he would support. The harm done should be repaired and an enquiry should be made to establish responsibility for it. He approved the idea of counting the remaining copies of the book and felt that the disavowal should take concrete form.

47. It seemed to him that it would be useful to retain some parts of the draft resolution submitted by Egypt (A/C.3/L.210), in particular paragraph 1, which noted the facts to which members of the Third Committee had drawn attention. He would have preferred a text explaining that several statements had been made on the subject to the Committee, one by the Secretary of the Committee, another by the United Nations High Commissioner for Refugees and a third by the Executive Assistant to the Secretary-General, but he would accept that paragraph. With regard to paragraph 2 of the Egyptian draft resolution, he thought it would not suffice to stop all circulation of the work; the solution proposed by Saudi Arabia would be more effective. Paragraph 3 of the Egyptian draft resolution, which proposed that the incident should be considered closed, would only be reasonable if members of the Committee were given genuine assurances; such assurances should be accompanied by the measures advocated by Saudi Arabia.

48. The amendment submitted by the delegation of Pakistan (A/C.3/L.211) might have dangerous repercussions, for the use of the notice it proposed might give rise to disputes.

49. While appreciating the motives underlying the draft resolution submitted by Czechoslovakia (A/C.3/L.213), he did not think that the activities of the Office of the High Commissioner should constantly be called in question; the latter's already ungrateful task should not be rendered too difficult. His delegation had voted (381st meeting) against a draft resolution (A/C.3/L.201) censuring the High Commissioner and it would not alter its attitude.

50. In the spirit of conciliation he had always shown, he said he was prepared to adopt an equitable solution, but he still felt that the Committee should approve a draft resolution and stop the dissemination of the work which had been the subject of criticism.

51. With regard to the Israeli representative's speech, he remarked, without denying the High Commissioner's right to conduct surveys, that it was nevertheless a fact that a work implicating several Member States had been published without the consent of the General Assembly and that members of the Assembly had the right to know what went on in the Organization. He was not opposed to the private publication of the results of a survey but he could not accept the misunderstanding which arose when publication took place without the knowledge of the authority nominally responsible for it.

52. Mr. KUSOV (Byelorussian Soviet Socialist Republic) said the discussion had shown the fascist nature of the book, *The Refugee in the Post-War World*, published under the cover of the United Nations. It had also shown that the High Commissioner had exceeded his terms of reference by

arranging for the preparation and approving of a scurrilous pamphlet contrary to the Charter. The instigators and authors of that base propaganda against sovereign States had used all the fascist methods of lies and slander and, through the intermediary of the High Commissioner, had fastened responsibility for it upon the United Nations.

53. The situation required the United Nations to take measures to stop and prohibit the dissemination of the publication and to put an end to the nefarious activities of the High Commissioner, who was an official of the Organization.

54. All three of the draft resolutions before the Third Committee were acceptable, but the first two, those of Egypt and Saudi Arabia, were inadequate, for they referred only to the book and passed over in silence the activities of the High Commissioner. Paragraph 1 of the Egyptian draft resolution merely noted the Secretariat's statement, which was quite inadequate because the High Commissioner had made use of the name of the United Nations and the Committee should enjoin him to follow his terms of reference strictly. Paragraph 2 was also inadequate because it only forbade the circulation of the work through organs of the United Nations, and did not exclude the possibility of its dissemination in some other way. Nor could the Committee consider the incident closed, as paragraph 3 proposed. The Pakistani amendment to the Egyptian draft resolution was unacceptable because it allowed the dissemination of the work and was liable to establish an unfortunate precedent.

55. The Saudi Arabian draft resolution was more satisfactory, for the two paragraphs in its preamble accurately set forth the facts, but it was to be regretted that they did not mention the High Commissioner, whose political activities were corroborated by the contents of the report. The Third Committee would be failing in its duty if it did not express censure of those inadmissible activities.

56. That was precisely what the Czechoslovak draft resolution did; it gave a complete description of the incident and drew the inevitable conclusions. His delegation would therefore vote for that draft resolution. It would vote for some of the provisions of the other two draft resolutions and therefore requested that they should be put to the vote paragraph by paragraph.

57. The Lebanese representative had proposed that all the statements made during the discussion should appear in the report of the Third Committee. That was the Rapporteur's duty, but that did not dispense the Committee from adopting a formal decision.

58. The CHAIRMAN decided to put the various proposals to the vote, beginning with the Lebanese proposal; the Committee would then take a decision on the Egyptian draft resolution (A/C.3/L.210) and then, if necessary, on the draft resolution submitted by Saudi Arabia (A/C.3/L.212) and Czechoslovakia (A/C.3/L.213). He asked the representative of Pakistan for confirmation of the withdrawal of his amendment (A/C.3/L.211).

59. Mr. Altaf HUSAIN (Pakistan) replied that it was withdrawn, subject to the agreement of the Egyptian representative.

60. AZMI Bey (Egypt) signified assent.

61. Mr. VALENZUELA (Chile) feared that the Lebanese suggestion might unduly prolong the discussion and asked that the Committee should proceed to a vote on the three draft resolutions.

62. Mr. ROY (Haiti) said that it was actually he who first made the proposal which was being attributed only to the representative of Lebanon.

63. Mr. AZKOUL (Lebanon) agreed that the Haitian representative had been the first to make such a proposal. He added that he himself had shared the Chilean representative's fears and had thought that adoption of the Egyptian draft resolution would make that proposal superfluous. Nevertheless, the Egyptian representative had urged him to maintain it.

64. Mr. ROY (Haiti) pointed out that at the 348th meeting the Egyptian representative had supported his proposal, which he then read out, and that it was not merely a question of recording the facts in the report but rather of a decision by the Committee, which would touch upon the three specific points he had mentioned at the previous meeting.

65. Mr. PAVLOV (Union of Soviet Socialist Republics) cited rule 130 of the rules of procedure and asked that the draft resolutions should be voted on in the order in which they had been submitted, that is, first the Egyptian, then the Saudi Arabian, and finally the Czechoslovak draft resolution; the adoption of one of the resolutions would not prevent a vote being taken on the others as all contained elements which should be retained. The proposal made by Lebanon and Haiti should only be taken up afterwards. Under rule 119 that proposal should have been submitted in writing and at the previous meeting. He would not, however, object to a vote being taken on it provided it followed the voting on the three draft resolutions. Otherwise, he would request a written text and postponement of the vote until the following meeting.

66. Mr. MUFTI (Syria) also protested against an immediate vote on the proposal in question.

67. The CHAIRMAN said it was common practice in the various Committees to adopt decisions, which were distinct from draft resolutions. He would therefore ask the Committee to vote on his ruling to put the proposal made by Lebanon and Haiti to the vote first.

The Chairman's ruling was upheld by 22 votes to 10, with 12 abstentions.

68. Mr. PAVLOV (Union of Soviet Socialist Republics) said that, under those conditions, he would request that the proposal in question be submitted in writing in all the official languages and the vote postponed until the following meeting.

69. Mr. PAZHWAQ (Afghanistan) expressed regret that the representative of Pakistan had withdrawn his amendment, for which he would have voted, and said that he would himself reintroduce that amendment.

70. Mr. MANI (India) moved the adjournment of the meeting.

The motion was rejected by 25 votes to 12, with 6 abstentions.

71. AZMI Bey (Egypt) pointed out that although the Chairman had spoken of a proposal by Lebanon and Haiti and the Haitian representative had read out his proposal, the Committee did not know the exact form of the Lebanese proposal, which contained certain interesting points, particularly with regard to the Press release. He proposed that Mr. Roy and Mr. Azkoul should confer with a view to drawing up a single text.

72. Mr. ROY (Haiti) observed that his text did not propose the drafting of a Press release by the Committee.

73. Mr. AZKOUL (Lebanon) said that he had prepared a draft Press release in co-operation with the Egyptian representative and the High Commissioner. He read out the draft, which proposed that the Press release should be published by the Secretary-General of the United Nations, should include the three points of the Haitian proposal and should state that the note would be issued by the High Commissioner so that the book would contain no mention of the United Nations.

74. Mr. Altaf HUSAIN (Pakistan) moved the adjournment of the discussion until after the Committee had disposed of the item concerning the draft international covenant on human rights.

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

76. The CHAIRMAN said the motion for the adjournment of the meeting had precedence, and accordingly put it to the vote.

The motion was adopted by 35 votes to 5.

The meeting rose at 2.10 p.m.