



Monday, 14 January 1952, at 10.30 a.m.

Palais de Chaillot, Paris

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Chairman : Mrs. Ana FIGUEROA (Chile).

Refugees and stateless persons (*concluded*)

[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, A/C.3/L.214) (*concluded*)

[Item 31]*

COMMENTS ON THE PUBLICATION *The Refugee in the Post-War World* (*concluded*)

1. The CHAIRMAN called for the vote on the joint Haitian and Lebanese procedural motion (A/C.3/L.214) concerning the publication *The Refugee in the Post-War World*,¹ the Committee having decided at the previous meeting to vote on that motion first.

2. Mr. PAZHWAQ (Afghanistan) and Mr. ROY (Haiti) asked that the motion should be put to the vote in parts, in view of the fact that certain of its subparagraphs were similar in substance to the Egyptian draft resolution (A/C.3/L.210).

3. The CHAIRMAN observed that in that case each of the sub-paragraphs of paragraph 1 would be put to the vote separately. She put the joint procedural motion submitted by Haiti and Lebanon (A/C.3/L.214) to the vote in parts.

Paragraph 1 (a) was adopted by 31 votes to none, with 4 abstentions.

Paragraph 1 (b) was adopted by 34 votes to 1, with 1 abstention.

* Indicates the item number on the General Assembly agenda.

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

Paragraph 1 (c) was adopted by 32 votes to none, with 4 abstentions.

Paragraph 1 (d) was adopted by 34 votes to none, with 2 abstentions.

Paragraph 2 was adopted by 30 votes to 1, with 7 abstentions.

4. The CHAIRMAN called for a vote on the joint procedural motion (A/C.3/L.214) as a whole.

The joint procedural motion (A/C.3/L.214), as a whole, was adopted by 31 votes to none, with 4 abstentions.

5. The CHAIRMAN stated that an amendment to the joint procedural motion submitted by the Syrian representative in writing had been received too late to be taken into consideration. She ruled that the adoption of the procedural motion precluded a vote on the draft resolutions previously submitted.

6. Mr. MUFTI (Syria) maintained that it was for the Committee, not the Chairman, to decide whether the draft resolutions should be put to the vote. He asked that that decision should be taken by a roll-call vote.

7. The Third Committee should also vote on the Syrian amendment, which, in his opinion, had been submitted at least as regularly as the joint Haitian and Lebanese motion; the Committee should at any rate decide by a vote whether it wished to vote on it.

8. Mr. PAVLOV (Union of Soviet Socialist Republics) said that the Third Committee had agreed that the draft resolutions were not mutually exclusive. The adoption of the procedural motion did not preclude voting on the draft resolutions. They could be put to the vote in parts and those paragraphs which were adopted might be merged with the Haitian and Lebanese motion.

9. Mr. BAROODY (Saudi Arabia) said it was true that the Committee had decided that the vote should be taken first on the procedural motion, but that motion

had not been submitted in time for proper consideration. There had been an informal agreement with one of its sponsors that it should not be regarded as precluding the vote on the draft resolutions unless it embodied an explicit reference to them as representing the result of a long and comprehensive discussion. The text of the procedural motion contained no such reference. It seemed that an attempt was being made to bury the draft resolutions.

10. Mr. ROY (Haiti) supported the Chairman's ruling. The decision taken at the 385th meeting to vote on the joint Haitian and Lebanese motion first had been tantamount to approval of such a ruling. Furthermore, by adopting paragraph 2 of that proposal the Committee had decided to consider the incident closed.

11. Mr. AZKOUL (Lebanon), Rapporteur, observed that the joint procedural motion merely imposed certain obligations on the Rapporteur; it would not be discussed in the plenary meeting of the General Assembly. The section of the Third Committee's report on the refugee question would contain a full account of the incident, with at least the substance of all the draft resolutions concerning it. It would conclude with an explanation that no vote had been taken on them because the Committee had adopted the procedural motion. Thus, no injustice would be done to any of the delegations concerned.

12. Mr. PAVLOV (Union of Soviet Socialist Republics) observed that rule 130 of the rules of procedure was clearly applicable: the Committee should decide whether or not it would vote on the draft resolutions.

13. Furthermore, he could not accept the Haitian representative's interpretation of paragraph 2 of the procedural motion; the matter could and would be taken up anew outside the Third Committee, as proposed in the Czechoslovak draft resolution (A/C.3/L.213).

14. The CHAIRMAN, noting that her ruling had been challenged, observed that it had been made impartially on the basis of her understanding of the Chair's ruling at the previous meeting. Obviously she could have had no intention of burying the draft resolutions, since they would in any case appear in the Rapporteur's report.

15. Mr. DE ALBA (Mexico) thought that to vote on the challenge to the Chairman's ruling would be undesirable, as it might be interpreted as a reflexion upon her impartiality. On the other hand, the delegations which felt that they had been injured had every right to have a vote taken on the draft resolutions, and all members of the Committee had a moral obligation to support them in that.

16. The CHAIRMAN agreed with the Mexican representative and withdrew her ruling. She asked the Committee to decide, by a roll-call vote, whether it wished to vote on the draft resolutions.

A vote was taken by roll-call.

Haiti, having been drawn by lot by the Chairman, was called upon to vote first.

In favour: Iraq, Liberia, Mexico, Poland, Saudi Arabia, Syria, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, Afghanistan, Byelorussian Soviet Socialist Republic, Chile, Czechoslovakia, Egypt.

Against: Haiti, Israel, Netherlands, New Zealand, Norway, Peru, Sweden, United Kingdom of Great Britain and Northern Ireland, United States of America, Australia, Belgium, Bolivia, Brazil, Canada, China, Colombia, Costa Rica, Cuba, Denmark, France.

Abstaining: Honduras, India, Indonesia, Iran, Lebanon, Nicaragua, Pakistan, Panama, Philippines, Thailand, Turkey, Uruguay, Venezuela, Yemen, Yugoslavia, Argentina, Burma, Dominican Republic, Ecuador, Ethiopia, Greece, Guatemala.

It was decided, by 20 votes to 13, with 22 abstentions, not to vote on the draft resolutions.

17. Mr. MUFTI (Syria) insisted that the Committee must decide whether or not it would vote on his amendment to the joint procedural motion (A/C.3/L.214).

18. Mr. PAVLOV (Union of Soviet Socialist Republics) suggested that the Committee would be better able to decide about the Syrian amendment if it knew its text.

19. Mr. ROY (Haiti) observed that, under rule 129 of the rules of procedure, it was impossible to vote on an amendment once the proposal to which it applied had been adopted.

20. Under rule 122, the decision on the procedural motion could be reconsidered only if a two-thirds majority so decided.

21. Mr. PAZHAWAK (Afghanistan) asked what was the earliest time at which the Syrian amendment could have been submitted.

22. The CHAIRMAN thought that the Syrian representative could have announced his intention of submitting the amendment before the vote on the joint procedural motion had begun.

23. Mr. MUFTI (Syria) maintained that his amendment had at least equal standing with the joint procedural motion, which at first had not been submitted in writing, as his had been.

24. Mr. AZKOUL (Lebanon), Rapporteur, suggested that the Syrian amendment should be read out and the Syrian representative should introduce it before the vote was taken on the question of reconsidering the joint procedural motion, so that the Committee could decide whether it was sufficiently important to warrant reconsideration of the previous decision.

25. Mr. ROY (Haiti) would accept that suggestion only on the understanding that the Syrian amendment was introduced simply to place the Committee in a better position to make its decision.

26. Mr. PAZHAWAK (Afghanistan) submitted a compromise proposal.

27. Mr. MUFTI (Syria) and Mr. AZKOUL (Lebanon) stated that they were unable to accept the Afghan proposal.

28. At the invitation of the CHAIRMAN, Mr. STEINIG (Secretary of the Committee) read out the text of the Syrian amendment to the joint procedural motion (A/C.3/L.214), which was as follows :

"In the joint Haitian and Lebanese procedural motion insert the following: 'Invites the United Nations High Commissioner for Refugees to stop, if possible, the publication of the final report on the refugee in the post-war world, intended to appear in 1952, or to refuse it his sponsorship and to consider, in collaboration with the Secretariat and the Members of the United Nations concerned and with the assistance of experts approved by that Organization, the preparation of an official report on refugees to be submitted to the General Assembly of the United Nations at its seventh session'."

29. Mr. MUFTI (Syria) said that he had wished by his amendment to guard against any repetition of the incident. The suppression of the final report would obviously be the best solution, but if the High Commissioner had no power to countermand it, a similar result could be obtained by the alternative means he had proposed. The latter course would enable some of the countries which had been injured to obtain reparation. His Government was prepared to supply all possible information about the situation in Syria.

30. Mrs. AFNAN (Iraq) asked whether the Syrian representative could submit his amendment again at a plenary meeting of the General Assembly, if necessary.

31. Mr. AZKOUL (Lebanon), Rapporteur, said that the Syrian representative could submit his amendment at a plenary meeting when the Committee's report was being discussed. If he was willing to do so, there might not be any need for the Committee to reconsider its decision.

32. Mr. MENEMENCIOGLU (Turkey) said he could support the first, but not the second part of the Syrian amendment, but, since it was not to be debated, wondered how he could express that by his vote.

33. Mr. PAVLOV (Union of Soviet Socialist Republics) observed that neither the joint procedural motion nor the Syrian amendment identified the book concerned; anyone who had not attended the debate would have no idea what the motion was about. If the vote was taken on the Syrian amendment, he would submit a sub-amendment to it, identifying the work, as had been done in the Czechoslovak draft resolution (A/C.3/L.213).

34. Mr. AZKOUL (Lebanon), Rapporteur, explained that the text of the procedural motion concerned only the Rapporteur; it was not a resolution to be submitted to the General Assembly. The book would be fully identified in his report.

35. Mr. ROY (Haiti) observed that if the Committee decided to reconsider its decision, it could then examine not only the Syrian amendment but any others submitted; the whole matter would in fact be re-opened.

36. Mr. PAZHAWAK (Afghanistan) proposed the closure of the procedural discussion.

It was so agreed.

37. The CHAIRMAN put to the vote the proposal that the Third Committee should reconsider its decision with regard to the joint procedural motion submitted by Haiti and Lebanon (A/C.3/L.214). Under rule 122 of the rules of procedure, a two-thirds majority would be required for that decision.

The proposal was rejected by 26 votes to 14, with 14 abstentions.

38. The CHAIRMAN observed that the decision just taken implied that the Syrian amendment would not be examined.

39. Mr. HESSEL (France), explaining his vote, said that he had supported the Haitian and Lebanese joint procedural motion (A/C.3/L.214), which he thought expressed a reasonable and conciliatory point of view.

40. He regretted that in debating the question the Third Committee had shown such a marked lack of any sense of proportion. The loudest voices had been those of protest and criticism, but he hoped they would not be misconstrued as indicating a lack of attachment on the Committee's part to the vital and generally accepted principle of freedom of information and expression. It would be regrettable if the Secretariat concluded that it was authorized in future to submit to the General Assembly only official documents: the Secretary-General and the High Commissioner were perfectly free to seek the assistance of independent experts, and to have their findings published, provided it was made clear that those experts took full responsibility for their reports.

41. Mr. ALBORNOZ (Ecuador) had voted for the joint procedural motion in deference to the views of those countries which disagreed with the information contained in the book *The Refugee in the Post-War World*. Ecuador felt that steps must be taken to prevent the publication and distribution, through the United Nations, of reports with regard to which the countries concerned had not been consulted; at the same time, Ecuador considered that freedom of expression was a fundamental human right and fully respected that principle.

42. He could not accept the derogatory remarks that had been made about the Rockefeller Foundation, which had always made a most valuable contribution to humanitarian and technical projects throughout the world. The United Nations owed a debt of gratitude to the Rockefeller family, which had also assisted in the building of the United Nations permanent Headquarters in New York. His country also had reason to be grateful for the help of the Foundation and of IBEC, an organization which had carried the Foundation's ideals into the field of private enterprise.

43. Mr. RIBAS (Cuba) stated that although he had not been present during the voting, he was in favour of the joint motion.

44. Mr. PAZHAWAK (Afghanistan) had abstained from voting on paragraph 1 (a) of the joint motion on the ground that it was not clear from the text what work was referred to; it was important to give the title. Moreover, he thought the second half of that sub-para-

graph should be changed to read: "The Secretariat and the High Commissioner accept responsibility for its contents".

45. He had abstained also from voting on paragraph 1 (c). It was not enough to prevent the book from being circulated by the Secretariat and the Office of the High Commissioner only, when there were obviously various other possible channels of distribution. He had abstained from voting on paragraph 2 as well, as his delegation was not entirely satisfied with the High Commissioner's explanation. On the other hand, he had voted for paragraphs 1 (b) and (c), both of which he found useful.

46. Mr. D'SOUZA (India) had voted in favour of the whole of the joint draft resolution, which he thought, in the light of the debate, did full justice to all views; and, though the Syrian amendment should, admittedly, have been considered, he thought it undesirable to re-open the question and so prolong the discussion still further.

47. Mr. PAVLOV (Union of Soviet Socialist Republics) had voted against the joint motion, both because of its substance and because of the irregular way in which it had been foisted on the Committee.

48. He deplored the way in which the United Nations, an organization set up to defend peace, was, despite the efforts of some of its Members, being turned into an instrument of aggression. Members had before them a book published under the auspices of the United Nations and reflecting the views neither of the General Assembly nor of the Economic and Social Council, but spreading propaganda reminiscent of Goebbels and Rosenberg; moreover, it contained facts—notably about the administrative organization of the USSR—which were completely untrue. The principle of freedom of information could not be used as a cover for fascist propaganda of that kind, and the Third Committee, as the defender of human rights, must take a definitive stand.

49. It was not enough merely to stifle the matter within the Third Committee, and declare the incident closed. The Soviet Union delegation, at any rate, could not consider the incident closed; the High Commissioner's statement that he had written the introduction without reading the survey was no explanation; and the Soviet Union delegation could not, therefore, subscribe to paragraph 2 of the joint procedural motion.

50. Some parts of the motion were ambiguous. Paragraph 1 (d), for instance, appeared to imply that, despite all that had been said, the book was to continue to be circulated. That would be a flagrant violation of the wishes of the Third Committee, which had severely criticized the work. The Secretariat and the Office of the High Commissioner might disclaim responsibility, but the contents of the book remained unchanged and paragraph 1 (d) appeared to be a trap to obtain the Third Committee's tacit consent to its surreptitious distribution. Moreover, the procedural motion did not give the name of the book; that was an unpardonable omission. Reference had been made, during the debate, to the generosity of Mr. Rockefeller: the fact that he had made available the site for the United Nations

Headquarters in New York was no reason to refrain from criticizing a survey paid for by the Rockefeller Foundation.

51. In conclusion, Mr. Pavlov requested that the Rapporteur include in his report, first the full text of the three draft resolutions, submitted respectively by Czechoslovakia, Egypt and Saudi Arabia, on which no vote had been taken; and secondly, the full title of the survey, *The Refugee in the Post-War World*, with details concerning authors and the circumstances of its preparation.

52. Mrs. AFNAN (Iraq) regretted that the Third Committee had used a point of procedure as a pretext for failing to do justice to the amendment proposed by Syria, especially since, in view of the resulting resentment, the question might be brought up again before the General Assembly. The Iraqi delegation had, in all good faith, abstained from voting on some parts of the joint motion.

53. She regretted that a procedural decision had deprived her of the chance for voting for parts of the other three draft resolutions which had been before the Committee. The Iraqi delegation's primary objection to the book was not that it contained inaccuracies—experience showed that to be the price that had to be paid for freedom of the Press and expression—but that it seemed to indicate that any person or organization able to bear the cost could have the United Nations print, distribute and bear the moral responsibility for any document. The time spent in debating the question would not have been wasted if it ensured against the repetition of such incidents; and she was glad the question had been thrashed out in connexion with so comparatively harmless a work as the survey *The Refugee in the Post-War World*.

54. Mr. MENEMENCIOLU (Turkey) explained that his delegation had voted for the Haitian and Lebanese motion because it seemed to provide the best practical solution for a most regrettable incident. He would have voted for the Egyptian draft resolution (A/C.3/L.210) if it had been put to the vote, but had abstained in the roll-call vote on the question whether or not to vote on the three draft resolutions, since he doubted whether they would have added force to the procedural motion that had been adopted unanimously by the members who had voted. He wished, however, to dispel any impression that Turkey held a neutral position on the matter as a whole; his delegation shared entirely the opinions of the delegations which complained of the contents as well as of the publication of the book.

55. Mr. MUFTI (Syria) stated that he had originally intended to abstain from voting on the Czechoslovak draft resolution (A/C.3/L.213) as a whole, although he might have voted for paragraphs 1 and 3 of that text. He would have supported the Egyptian (A/C.3/L.210) and Saudi Arabian (A/C.3/L.212) draft resolutions if they had been put to the vote.

56. With regard to the Haitian and Lebanese procedural motion, he had abstained on paragraph 1 (a) because he considered that both the High Commissioner

and the Secretariat were to some extent responsible for the publication of the report. He had also abstained from voting on paragraph 1 (d), because it seemed to set the dangerous precedent of sanctioning unsatisfactory publications by disclaiming responsibility for them.

57. His delegation did not regard the incident as closed and would refer to it in the General Assembly.

58. Mr. GARIBALDI (Uruguay) stated that he had not been present during the vote on the joint Haitian and Lebanese motion (A/C.3/L.214), but would have voted for it because it represented a satisfactory compromise solution.

59. Mr. NAJAR (Israel) had voted for the joint procedural motion because he considered that the discussion of the subject had been prolonged unduly. He had abstained on the question of reconsideration of that proposal because he thought it undesirable to re-open the debate when the subject had patently been exhausted. He did not, however, agree with the French representative's view that the Committee had deliberately discarded all sense of proportion in discussing that subject.

60. Mr. YU TSUNE-CHI (China) had supported the joint Haitian and Lebanese procedural motion because it served to harmonize the views of the Third Committee. He thought the discussion had served some useful purpose in drawing the attention of the Secretariat and the High Commissioner to the necessity for careful scrutiny of all documents issued under their auspices.

61. Although he did not consider the Syrian claim groundless, he had abstained from voting on the reconsideration of the motion, since the Committee's report on the item concerned had not yet been drawn up in its final form and could still be supplemented.

62. Mr. BAROODY (Saudi Arabia) stated that, although the joint Haitian and Lebanese procedural motion was generally acceptable to his delegation, he had hoped it would contain a reference to the three draft resolutions that had been submitted. Moreover, he deplored the dangerous precedent that had been set by representatives who had manipulated the rules of procedure in such a manner that the Chairman had been compelled to put to the vote the question whether certain draft resolutions should be voted on. The delegations concerned were perfectly free to express their disagreement with the draft resolutions by voting against them.

63. He asked the Secretariat how many copies of the report on refugees still remained available in the United Nations and in the High Commissioner's Office and who owned the copyright.

64. Mr. KUSOV (Byelorussian Soviet Socialist Republic) recalled that he had been prepared to support the three draft resolutions and stated that he had voted against the joint procedural motion because it was procedurally incorrect. The objections of delegations which considered that they had been misrepresented in the report were by no means satisfied, since the book

could still be distributed. By adopting the motion, the Third Committee had taken no substantive decisions and had, moreover, violated the rights of sponsors of draft resolutions.

65. Mr. HAJEK (Czechoslovakia) thought it was clear from the content of the draft resolution he had submitted that his delegation could not fail to object to the general principle of the Haitian and Lebanese procedural motion. He also objected to the manner in which that motion had been manoeuvred through the Third Committee. He had intended to submit an amendment to the motion, but had noted with surprise that the written draft submitted at the beginning of the current meeting differed considerably from the oral proposal made at the preceding meeting. He had therefore been unable to submit his amendment in time.

66. His delegation objected to the obvious intentions of the sponsors of the motion to pass over in silence the publication by the United Nations of a work which was neither independent nor scientific in character. Although paragraph 1 (c) of the motion was justified, his delegation could not agree with paragraph 1 (d), because it considered the solution proposed therein unsatisfactory.

67. Mr. AZKOUL (Lebanon), Rapporteur, stated that, in view of the controversial views that had been expressed on the refugee report, he was diffident about assuming the sole responsibility for the chapter on that subject in the report.

68. The CHAIRMAN suggested that it would probably be satisfactory to the Committee if the procedure it had so far adopted were also followed in that case, a time limit of twenty-four hours after the submission of the draft report being allowed for corrections.

It was so agreed.

69. Mr. STEINIG (Secretary of the Committee) stated, in reply to the Saudi Arabian representative, that 4,100 English copies of the report and 2,000 French copies had been printed. One thousand English copies and 500 French copies had been made available to the High Commissioner's Office; 1,500 English copies and 500 French copies had been allocated for sales agents; 1,600 English copies and 1,000 French copies had been allocated for general distribution, and of those approximately 100 English copies and 80 French copies remained in stock. The appropriate United Nations departments at Geneva and New York had been instructed, on 10 January, to cease distribution.

70. According to the usual procedure, the United Nations had not taken out any copyright for the report.

71. Mr. BAROODY (Saudi Arabia) asked whether the Secretariat could take steps, through the Legal Department, to ensure that the two forewords, cover and flyleaf, to which special exception had been taken, would not be reproduced.

72. Mr. STEINIG (Secretary of the Committee) took note of that request.

The meeting rose at 1.30 p.m.