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Chairman:

Mrs. LIONAES

Norway

Rapporteur:

Mr. COX

Peru

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REPORT OF THE UNITED NATIONS HIGH COMMISSIONER FOR REFUGEES (A/3585/Rev.1 and Add.1, A/3613, chapter VI, section IV; A/C.3/L.639, L.640);

REVIEW OF THE ARRANGEMENTS FOR THE OFFICE OF THE UNITED NATIONS HIGH COMMISSIONER FOR REFUGEES (A/3669; A/C.3/L.638) (continued)

Mr. EL-FARRA (Syria) congratulated the High Commissioner for Refugees on his report and on the statement he had made at the 800th meeting. The Syrian delegation was convinced that the problem of the European refugees would have been solved already if the big Powers had been able to agree on the measures which should be taken to eliminate the causes. Of the three suggested solutions, repatriation, resettlement and integration, repatriation was by far the most practical. It was the duty of the High Commissioner to ensure that each refugee chose the solution he wished with complete freedom. That meant that resettlement and integration could not be forced upon any refugee against his will. It would be a dangerous precedent if resettlement and integration were to be encouraged instead of repatriation for that would be to encourage aggression, and aggressors should be made to understand that aggression did not pay. That purpose would be achieved if aggressors were made to accept the repatriation of the refugees they had displaced and restore their property. Only by promoting such a solution could the United Nations encourage friendly relations between nations and ensure the respect of fundamental human rights and freedoms.

Refugees who had fled their countries to escape a regime of terror should be encouraged to return as soon as that regime had ceased. If the regime itself refused to accept the refugees who wished to return, the United Nations should not remain indifferent to such a violation of a refugee's right to return to his home.

He welcomed the High Commissioner's statement that no obstacle was being placed in the way of refugees who freely chose to be repatriated. Minors and unaccompanied children under fourteen, however, could not be considered competent to make such a choice. If their parents wished them to return, they should be sent back immediately. Any other solution would be to disregard the most sacred rights of parents.

It was to be hoped that, in carrying out his programme of permanent solutions, the High Commissioner would be careful to see that his solution of one difficulty did not create others. For instance, many German displaced persons had settled in Palestine instead of returning to Germany after the war, although the persecution from which they had fled no longer existed, with the result that thousands of /...

(Mr. El-Farra, Syria)

Arab families had been driven out of Palestine. The United Nations had encouraged the permanent settlement of those European refugees, but that automatically excluded the just solution of repatriation for the Arabs of that area. Innocent people were therefore paying for a crime which they had never committed.

The High Commissioner might feel that the General Assembly had not given him enough authority to take effective steps towards repatriation, although that solution had been given priority in several General Assembly resolutions. The High Commissioner should not only transmit requests for repatriation, he should encourage it, as that was the only right solution. If the High Commissioner's powers were inadequate, they should be increased.

The High Commissioner's report (A/3585/Rev.1) painted a sad picture of the human misery produced by political ruthlessness. Many countries had expressed their willingness to accept refugees for permanent settlement on condition that they were physically fit, able to earn their own living and useful to the country's economy. The result was that refugees who could not meet those conditions were obliged to resign themselves to camp life in despair and apathy. The High Commissioner had made many requests to Governments to accept more refugees, particularly the sick and aged, but the response had unfortunately been inadequate. The Scandinavian countries had, however, set a generous example by accepting many difficult cases.

His delegation was entirely opposed to any attempt to transfer the responsibility for the refugees from the international community to the host countries. The refugees were a global not a regional problem. It was also opposed to the creation of a committee for shaping or directing the policy of the High Commissioner because a committee of that kind would not be advisory but policy-making. His delegation would give consideration to the machinery proposed in the thirteen-Power draft resolution (A/C.3/L.639). It supported the proposal to prolong the mandate of the High Commissioner for five years and would therefore vote for the Netherlands draft resolution (A/C.3/L.638).

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Mr. MAHMUD (Ceylon) associated himself with the tributes paid to the High Commissioner for his devotion and zeal and particularly for his understanding and compassion.

His delegation was gratified by the prompt and effective way in which the difficult question of the Hungarian refugees had been largely solved. That happy solution was due to the efforts of the Governments of Austria and Yugoslavia, the countries of first asylum and of the countries which had accepted the refugees. Austria and Yugoslavia had responded to the challenge of the situation in the best traditions of European civilization; it was to be hoped that Yugoslavia, like Austria, would be helped to meet the financial burdens it had assumed.

His delegation believed that voluntary repatriation should be emphasized as one of the solutions of the refugee problem. It was stated in the High Commissioner's report that all refugees who wished to return to their countries were able to do so, and that approximately 6.6 per cent of the Hungarian refugees had elected to return to their own country. The Ceylonese delegation would be interested to learn how many of those already repatriated were children under fourteen unaccompanied by their parents. The Hungarian representative had estimated the number of unaccompanied children who had left Hungary at 10,000 and had said that a considerable number of them had been repatriated; accordingly, a similar proportion of the repatriated Hungarian refugees must consist of unaccompanied children. He had referred to the matter because he felt that the Hungarian representative had raised the fundamental issue of family solidarity; several speakers had referred to families which had failed to qualify for emigration because they did not wish to be separated. The problem with regard to Hungarian refugees, however, raised different issues, which were of some concern to his delegation.

It was satisfactory to note that, despite the exodus from Hungary, progress had been made with regard to the repatriation and resettlement of the earlier refugees, and that existing camps in Europe could be closed by 1960 if adequate financial support was available. Ceylon was prevented by its economic situation from contributing to UNREF. So many millions of people in Asia and Africa were seeking protection from poverty and unemployment, that all the available resources of the countries of those regions had to be directed towards the alleviation of

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(Mr. Mahmud, Ceylon)

their distress. Nevertheless, that situation did not prevent his delegation from appreciating fully the assistance that other countries had been able to provide, especially for the difficult cases. It was also glad that the debates in the Committee had been, for the most part, free from animosity and recrimination, despite the political overtones involved; it was refreshing, in a world grown somewhat cynical, to hear a humanitarian problem discussed with objectivity, courtesy and compassion.

He would support the Netherlands draft resolution (A/C.3/L.638) and reserved the right to speak on the thirteen-Power draft resolution (A/C.3/L.639) after it had been discussed.

Miss BERNARDINO (Dominican Republic) paid a tribute to the efficiency and high-mindedness of the High Commissioner and his staff. The present High Commissioner had taken up his duties at the time of the Hungarian crisis; his action in that emergency and his efforts since then to improve the status of all refugees under his mandate were worthy of the highest praise. He had been most ably seconded by his representative in Latin America. Thanks were also due to all the Governments and organizations which had aided him.

Much still remained to be done. The most pressing need was to find permanent solutions for those refugees who were still living in camps. In resolution No. 6, the UNREF Executive Board had requested the High Commissioner to intensify to the fullest extent possible his programme of permanent solutions. The High Commissioner had stated that that could not be achieved without a further sum of \$7,500. All States Members of the United Nations and members of the specialized agencies and all philanthropic organizations should be urged to make new contributions.

In accordance with its traditional policy, the Dominican Republic would continue to do its utmost for the refugees. After the Evian Conference in 1938, it had opened its doors to many refugees from Germany, who were now a thriving sector of the Dominican population. It had served on the committee set up under the resolution concerning refugees adopted at the first session of the General Assembly, in 1946, and had recently admitted hundreds of Hungarian refugees. It had also responded to the High Commissioner's appeal to accept difficult cases. It would continue to give its wholehearted support to the High Commissioner's efforts to find a final solution for the refugee problem.

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(Miss Bernardino, Dominican Republic)

Her delegation supported the Netherlands draft resolution (A/C.3/L.638) to prolong the High Commissioner's mandate. It had already supported the similar resolution adopted by the Economic and Social Council at its twenty-fourth session (650 B (XXIV)).

It would also vote for the thirteen-Power draft resolution (A/C.3/L.639), which laid down a programme for the High Commissioner. Operative sub-paragraph 1 (b) was, however, restrictive in its present form, as it would empower the High Commissioner to make only one more appeal. He should be authorized to make as many appeals as were necessary. She therefore proposed that the words "to renew his appeal", in the first line of that paragraph, should be replaced by the words "to make appeals". She hoped that, with that amendment, the draft resolution would be adopted unanimously, as that would indicate that the High Commissioner had the full support of the General Assembly.

Mrs. SIMONOVA (Czechoslovakia) considered that the whole refugee problem could have been settled much more expeditiously if the High Commissioner's Office had abided consistently by the General Assembly's earlier resolutions on the subject, which stressed the desirability of solving the situation primarily through voluntary repatriation. The Czechoslovak delegation did not believe that that was the only solution, but considered it to be the most effective and humanitarian. The movement towards repatriation was steadily gaining ground and the number of applications for return to the country of origin was increasing. Her delegation welcomed the obvious change in the policy of the High Commissioner's Office, which now seemed more inclined than before to meet the refugees' own wishes, and hoped that that favourable trend would continue. The Governments of the refugees' countries of origin had adopted a number of measures to facilitate repatriation; hundreds of refugees had returned to Czechoslovakia on the proclamation of an amnesty by the President in 1955, and no obstacles were being placed in the path of further returns. It should be borne in mind that the overwhelming majority of so-called refugees had left their countries in a spirit of adventure, rather than on account of political persecution.

The Czechoslovak delegation considered that the Hungarian citizens who had fled their country as a result of the counter-revolutionary terror of 1956 had done so for varying reasons and could not therefore be placed in the same category.

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(Mrs. Simonova, Czechoslovakia)

The majority of them, especially the young people and children, could not be regarded as refugees who had fled political persecution. She therefore endorsed the Hungarian representative's request that the 10,000 Hungarian children living abroad should be returned to their country without delay. Czechoslovakia had had a similar experience after the Second World War, when parents had undergone the dolorous experience of searching for children who had been taken to foreign countries by the Nazis. No member of the Committee could be interested in any doubtful political gain at the expense of such a purely humanitarian cause as the return of children to their parents.

With regard to the so-called Chinese refugees in Hong Kong, the Czechoslovak delegation was convinced that the persons concerned had simply moved from the Chinese mainland to the Territory and were in fact immigrants, who could return to the People's Republic of China whenever they chose. It was therefore opposed to their classification under the High Commissioner's mandate.

Mr. ROSSIDES (Greece) expressed his delegation's appreciation of the High Commissioner's work and thanked him for his enlightening and outstandingly objective and non-political report. It was indeed regrettable that refugee problems had multiplied since the Second World War and its lamentable legacies. In saying that the increase in the numbers of refugees could have been avoided if the United Nations had been enabled to deal more effectively with some political questions, he in no way intended to minimize the Organization's considerable achievements. Nevertheless, the Greek delegation felt that the United Nations work for peace would be greatly improved by the establishment of a permanent United Nations force and by discouraging the tendency to evade responsibility for political decisions by adopting vague resolutions.

Although the refugees in camps, who had been plunged into a terrible psychosis of apathy, were deserving of sympathy, it was impossible to disregard the plight of other human beings who were languishing in concentration camps.

Of the three solutions proposed for refugees, repatriation was of course the most natural, when both State security and personal safety made it possible. That solution was, however, entirely dependent on the free will of the refugees concerned, without any outside pressure. The fact that very few refugees had chosen

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(Mr. Rossidas, Greece)

repatriation was probably due to a sense of insecurity, which could be best eliminated by adequate guarantees of personal safety and freedom. Of the remaining solutions, emigration was probably the more satisfactory; the absorbing power of the countries of immigration was greater than that of the countries of first asylum, but integration, as a last resort, was certainly useful and necessary.

In Greece, whose absorption power was limited, refugee resettlement was proceeding satisfactorily in both rural and urban areas, despite the fact that the Government had had to deal with the victims of several earthquakes and with the inflow of new ethnic refugees. Efforts were being made to close refugee camps as soon as possible.

Although his delegation agreed with the High Commissioner's view that refugees in camps should be given urgent attention, it believed that refugees outside camps should not be neglected and that the plight of the earlier refugees should not be forgotten in dealing with the new refugees.

The Greek delegation would vote in favour of the Netherlands draft resolution (A/C.3/L.638) for the renewal of the High Commissioner's mandate.

Mr. ASIROGLU (Turkey) associated his delegation with the tributes that had been paid to the High Commissioner for his report and for his outstanding efforts in behalf of the refugees within his mandate. Satisfactory results had been obtained, despite great financial difficulties, both through the UNREF programme and through the programme for Hungarian refugees. It was gratifying to note that the High Commissioner had reduced the number of refugees in camps from 57,000 to 50,300. Progress had also been made with regard to repatriation, resettlement, difficult cases and emergency aid.

The report showed that resettlement had yielded better results in 1957 than in previous years. A considerable number of refugees had been resettled during the year and several countries had taken useful steps to facilitate immigration. The Turkish Government, despite the financial difficulties entailed by the resettlement and integration of refugees of Turkish origin, had not hesitated to receive a considerable number of foreign refugees, including 137 difficult cases.

His delegation endorsed the High Commissioner's proposals for the earlier refugees, and agreed with him that the best method was to establish strict priorities. It believed that first priority should be given to refugees in camps,  
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(Mr. Asiroglu, Turkey)

the second to the emergency cases, and the third to difficult cases. He was sure that the generosity of Governments and the efforts of voluntary organizations would facilitate the High Commissioner's task of finding permanent solutions.

The Turkish delegation was pleased to note that the High Commissioner was complying with the provisions of General Assembly resolution 925 (X) and had taken the necessary measures to maintain the principle of voluntary repatriation. It welcomed the statement in the report that the High Commissioner's representatives always accompanied repatriation missions to camps, in order to ensure that no pressure was exercised on the refugees.

The devotion of the High Commissioner and his staff and the feeling of international solidarity that had been shown on behalf of the Hungarian refugees were a source of satisfaction to the Turkish delegation, which wished to pay a tribute to the Governments of Austria and Yugoslavia for their generous assistance and to the High Commissioner for his prompt action.

With regard to the Chinese refugees in Hong Kong, the Chinese and United Kingdom representatives' statements had shown that the situation was acute, despite the efforts of the Hong Kong authorities. It seemed obvious both from Mr. Hambro's report and from the United Kingdom representative's statement that the question could be solved only by international action. The matter had frequently been raised in the UNREF Executive Committee, but legal considerations had prevented the High Commissioner from extending his mandate to the Chinese refugees. It seemed strange, however, that refugees of European origin coming from China should benefit by the High Commissioner's assistance, while Chinese refugees were left to their fate. It was not for the Committee to discuss whether or not the latter refugees should come under the High Commissioner's mandate, but the Committee was morally obliged to seek a solution of the situation. For the Third Committee, there could be no Hungarian, Arab or Chinese refugees; the issue was purely humanitarian. It was not the refugee's nationality, religious belief or race that was important, but his suffering and his need for protection. The Turkish delegation was prepared to help all refugees and therefore hoped that the Committee would seriously consider the position of the Chinese refugees in Hong Kong.

His delegation would support the Netherlands draft resolution (A/C.3/L.638).

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Miss MORALES (Costa Rica) associated herself, as the representative of a country which had accepted many refugees, with the expressions of appreciation extended to the High Commissioner and his staff.

Refugees should not be considered as isolated individuals but as members of a family or group when solutions of their difficulties were being sought. Although Governments and private organizations had made the most commendable efforts to achieve solutions, it was obvious that the work could not continue effectively without increased funds. Her delegation therefore supported the thirteen-Power draft resolution (A/C.3/L.639), under which the High Commissioner would be authorized to appeal for funds with the approval of the proposed Policy Committee. Although her country was aware of the refugees' dire needs, it was unfortunately unable to contribute to the programme, which, however, had its full sympathy and moral support.

Mr. de VAUCELLES (France), exercising the right of reply under rule 116, said that the situation of the Algerian refugees, which had been mentioned by the Saudi Arabian representative, was even more serious than that representative knew. The French Government considered it undignified to submit to international bodies the case of its compatriots who were dragged by force from their homes, families and property. The French Government had requested the International Red Cross to estimate the cost of maintenance of Algerian refugees in camps, and had appropriated the necessary sums; it was prepared to make further payments when they were required. The financial considerations, however, were the least important. France was conducting constructive negotiations with the Tunisian Government, in a spirit of cordial understanding. Those negotiations should serve as an example to the Committee of the results that could be achieved through bilateral negotiations in the proper spirit.

Mr. BAROODY (Saudi Arabia) thanked the French representative for enlightening him on the steps taken by the French Government. Without wishing to go into the rights and wrongs of the matter he emphasized that after the intense interest which the Committee had manifested last year in the Hungarian refugees, equality of treatment demanded that it should take at least some notice of the plight of the Algerian refugees to which he had drawn attention.

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Mrs. SHOHAM-SHARON (Israel), exercising the right of reply under rule 116, referred to the Egyptian representative's statement concerning paragraphs 37 to 39 of the High Commissioner's report, in order to correct possible misunderstandings.

The Egyptian representative had not denied the fact that thousands of refugees had fled from Egypt in the past year; countries like her own, however, which had received the refugees, were fully aware of the grave situation in which innocent victims of government policies found themselves. That representative's attempt to shift the responsibility by alleging that loss of nationality deprived a person of the status of refugee, had been explicitly disproved by the High Commissioner's Statute. On the contrary, it had been proved that lack of nationality in no way reduced the sufferings of displaced persons or the responsibility of those who had displaced them. Furthermore, the use of administrative methods and devices for the expulsion of such people, without explicitly decreasing such expulsion, could not lessen the responsibility of the Government concerned.

She had referred to the question without going into detail because it was being discussed in other United Nations bodies.

Mr. ABDEL-GHANI (Egypt) regretted that the Israel representative had seen fit to inject a note of political propaganda into a humanitarian debate. The term "refugees from Egypt" which she had employed was not appropriate since no Egyptian nationals had been forced to leave the country. Whatever their faith, they all enjoyed the full protection of the Egyptian Constitution - one of whose drafters had been the Chief Rabbi of Egypt - according to which no Egyptian citizen could be expelled from the country or prevented from returning to it. The 35,000 Jews who had Egyptian nationality enjoyed full rights of citizenship, and he only wished that he could say as much for the Arab minority in Israel. About 800 of a total of 11,000 British subjects and about 680 of a total of 7,000 French citizens resident in Egypt had been requested to leave in the public interest or for reasons of State security. A list of the 280 out of 7,000 stateless persons who had been asked to leave for the same reasons had been sent to the League of Red Cross Societies, and the Egyptian Government had made no objection to their receiving aid from the High Commissioner for Refugees. Such were the true facts.

It was a dangerous fallacy to assume that Israel had the right to speak for the Jews of the world, since it gave Israel an opportunity to interfere in the domestic affairs of other countries.

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Mrs. SHOHAM-SHARON (Israel) said she refused to accept the notion that persons fleeing from a country were not refugees unless they were that country's nationals. Israel, which had received thousands of such refugees, was entitled to correct the erroneous impression that might have been produced by the Egyptian representative's original statement. It had not been her intention to introduce a political note into the discussion and she categorically rejected the Egyptian representative's slur on her country's treatment of the Arab minority. She wished he could come and see for himself whether they were not far better off than the Jews in Egypt.

Mr. PYMAN (Australia) remarked that several representatives had appealed to overseas countries of resettlement to apply their various admission criteria more flexibly in order to admit more refugees. He wished to dispel any misapprehension that Australia - one of the major countries of resettlement - was applying its rules rigidly. His Government had instructed him to state that Australia had observed throughout its selection programme, particularly in respect of refugees, where human considerations were paramount, the need for compassionate understanding of the human element involved and for flexibility in administering criteria for the admission of migrants which must necessarily be established in any planned immigration programme.

The CHAIRMAN stated that the general debate had been completed and invited the Committee to consider the draft resolutions before it (A/C.3/L.638, A/C.3/L.639).

Mr. MEANY (United States of America) introduced the draft resolution (A/C.3/L.639) which the United States had sponsored in association with twelve other countries. He noted that the text required several drafting changes: in operative paragraph 3, the words "paragraph 4 (b)" should be replaced by "paragraph 4 (a)"; in paragraph 4 (f), the word "reserve" should be replaced by "emergency"; and the word "Authorized" in paragraph 5 should read "Authorizes".

His Government, convinced that the world had not seen the last of the refugee problem, supported the extension of the High Commissioner's mandate for an additional period, but believed that, in the light of experience, his future programme of action should be somewhat changed. The United States expected to

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(Mr. Meany, United States)

continue to support such a programme in the future as it had done in the past. That programme, however, should be sufficiently flexible to adapt itself to changing conditions and to meet new emergencies as they arose. The thirteen-Power draft resolution was designed to achieve that very end. It provided for the termination of UNREF as a specific programme designed to help specific groups of refugees over a limited period of time; it would, however, permit the continuation of any assistance now provided under UNREF so long as the need remained and the completion of emergency aid already undertaken; it would provide the High Commissioner with a small emergency fund for minor emergencies, and with an ever-present mechanism through which he might seek and utilize large-scale emergency aid; it would encourage an annual review of the entire effort in order to make sure that it corresponded to current conditions; it would establish a Policy Committee which would authorize the High Commissioner's separate appeals for funds and approve specific projects of assistance to refugees; and, by keeping programmes separate, it would enable countries to contribute to refugee programmes of special interest to them, so that a larger number of contributors could be expected.

He emphasized, firstly, that neither the sponsors nor the supporters of the thirteen-Power draft resolution would be assuming any moral or legal obligations as regards future financial contributions. While it was his belief that the United States would continue its financial support in the future, his own delegation could make no commitment since all financial contributions were subject to approval by the United States Congress. Secondly, the draft resolution was not intended to affect in any way the United Nations Relief and Works Agency for Palestine Refugees. Lastly, it was intended that the High Commissioner for Refugees should provide assistance to all refugees under his mandate, in whatever part of the world they might be.

Indeed, the programme proposed in the draft resolution was broader than the UNREF programme and should enable the High Commissioner to respond to need whenever and wherever it arose. He therefore commended the draft resolution to the Committee.

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Mr. ROJAS (Venezuela) said he was in general agreement with the thirteen-Power draft resolution (A/C.3/L.639). The Policy Committee, which would replace the UNREF Executive Committee, would have much broader functions than its predecessor and that would allow the High Commissioner a wider scope of action. While the somewhat larger membership of the Policy Committee would stimulate interest on the part of a larger number of countries, he had some fear that it might also mean a loss in efficiency.

His delegation's amendment (A/C.3/L.640) to the thirteen-Power draft resolution was necessary to fill a gap and to endow the Policy Committee with the function of financial control which had been exercised by the UNREF Executive Committee. He asked the sponsors of the draft resolution whether they were prepared to accept the amendment.

Mr. CHENG PAONAN (China) pointed out that the Statute of the Office of the High Commissioner contained no provision relating to the administration of funds other than those made available by the United Nations for the High Commissioner's administrative budget. He therefore asked the Venezuelan representative what was the purpose of the words "and in accordance with the Statute of the Office of the High Commissioner" in his amendment (A/C.3/L.640) and whether the adoption of those words would have the effect of automatically amending the Statute.

The meeting rose at 1 p.m.