PERSONAL

1. The Special Committee created by General Assembly resolution 449 of 10 January 1957 is an investigating body established to put the General Assembly and the Members of the United Nations in possession of

"the fullest and best available information regarding the situation created by the intervention of the Union of Soviet Socialist Republics, through its use of armed force and other means, in the internal affairs of Hungary, as well as regarding developments relating to the recommendations of the General Assembly on this subject".

2. To this end, the Special Committee is

"to investigate, and to establish and maintain direct observation in Hungary and elsewhere, taking testimony, collecting evidence and receiving information, as appropriate, in order to report its findings to the General Assembly at its present session, and thereafter from time to time to prepare additional reports for the information of Members of the United Nations and of the General Assembly if it is in session".

3. The resolution does not define in detail the subjects of investigation and observation, and the only additional procedural indications beyond those contained in the passages quoted above, relate to entrance into and travel within the territory of Hungary (paragraph 2 of the resolution) and assistance to the Committee by Member States in appropriate ways, as by making available to it

"relevant information, including testimony and evidence, which Members may possess, and assisting it in securing such information".

4. The modes of action to be employed by the Special Committee in obtaining the information of which the General Assembly desires to be put into possession, may well vary from one subject to another. They may also differ with the sources from which information is to be obtained. Finally, it may be necessary to vary the procedures of investigation as the search for information moves from one country to another.
I. **The subjects of investigation**

5. The phrase "situation in Hungary" originates in the October request by the United States and its co-sponsors to include that situation in the agenda of the Security Council. The Security Council resolution of 4 November 1956 (S/3753) which summoned the Emergency Special Session of the General Assembly contained the following paragraph which throws some light on what was meant by "situation".

"Considering that a grave situation has been created by the use of Soviet military forces to suppress the efforts of the Hungarian people to reassert their rights."

Examination of the resolutions successively adopted by the General Assembly between 4 November 1956 and 10 January 1957 indicates that the following matters were the subject of concern under the heading of "situation in Hungary".

(a) Armed attack on the people of Hungary (resolutions of 4 November and 12 December)

(b) Introduction of additional armed forces into Hungary (resolution of 4 November)

(c) Withdrawal of Soviet armed forces from Hungary (resolutions of 4 and 9 November and 4 and 12 December)

(d) Other forms of intervention in the internal affairs of Hungary (resolutions of 4 November, 4 December and 12 December)

(e) Actions against the Hungarian population in violation of accepted standards and principles of international law, justice and morality (resolutions of 9 November and 4 December)

(f) Interference with relief (resolutions of 9 and 21 November)

(g) Deportations of Hungarians (two resolutions of 21 November and resolution of 4 December)

(h) Free elections (under United Nations auspices) as soon as law and order had been restored (resolution of 9 November)

6. Resolution 424 adopted by the General Assembly at its 618th plenary meeting on 12 December 1956, in addition to the references noted above, alluded to

"violating the political independence of Hungary";

"depriving Hungary of its liberty and independence and the Hungarian people of the exercise of their fundamental rights".
The same resolution contains the following considerandum:

"That recent events have clearly demonstrated the will of Hungarian people to recover their liberty and independence."

7. For lack of time, it is not possible to review the debates in the Security Council and in the General Assembly for further light on the subjects of concern to the General Assembly. The following is merely a coup d'oeil. The following matters have been referred to in the debate:

- Infringement of the Hungarian Peace Treaty
- Infringement of the Warsaw Treaty
- The denunciation of the Warsaw Treaty by the Nagy Government
- The Soviet attack on Budapest
- The manner in which governmental authority passed from the Nagy Government to the Kadar Government
- The nature of the disturbances in Hungary and the description of the measures taken against them as anti-Fascist measures required by the Hungarian Peace Treaty
- The appeal of the Nagy Government for United Nations intervention and the appeal of the Kadar Government for USSR intervention

8. The foregoing subjects may perhaps be roughly classified as falling under the following headings:

- (1) The use of armed force against the State of Hungary
- (2) The use of foreign forces within Hungary against the population
- (3) The political legitimacy of successive Hungarian governments
- (4) Non-military forms of pressure upon the people of Hungary (deportations and interference with relief)

II. Sources of information

(a) Non-governmental

9. On the assumption that the investigation is to be retrospective going back at least to events of early October, qualified sources of information on some of the subjects listed above would appear to include Hungarian refugees, non-Hungarian businessmen, journalists, photographers, etc., who were in Hungary at any time since October, and foreign governmental officials, Red Cross personnel and the like, who had functions to perform in Hungary.
10. Persons in this group are mostly non-political. Their experience is likely to be non-political also. An appropriate mode of eliciting such information as they can give from personal knowledge would be a general invitation to set their personal experiences down in writing, perhaps in reply to a questionnaire.

11. This group also includes some political persons who were closer to the centre of events and whose opportunities for obtaining reliable political information were better. Once they are found, a preliminary screening by written questionnaire to determine whether they should be questioned orally would be necessary.

12. The procedural problems involved in investigation and observation inside Hungary I shall deal with in a separate note.

13. Presumably each of the Governments which is harbouring Hungarian refugees has already questioned them concerning their experiences. Indeed, this is suggested by the resolution of 10 January 1957 which requested Member States to make available to the Committee relevant information "including testimony and evidence, which Members may possess". The Special Committee may ask to be put in possession of information so gathered.

14. It may be necessary to ask these Governments to circulate the Special Committee's questionnaires or other requests for written information among refugees within their territories, and to employ their powers of subpoena on behalf of the Special Committee to obtain the attendance of witnesses at oral hearings. This will not be necessary if the Special Committee should decide to rely solely on voluntary testimony.

(b) Governmental

15. As already noted, the testimony of individuals is likely to relate principally to their individual experiences and thus cover only a limited part of the subjects of concern to the General Assembly. For information bearing on the relations of the Soviet Union and Hungary and on political transactions transpiring within Hungary, reliance may have to be placed on governmentally supplied information. The rejection of the intervention of the United Nations by the Soviet Union and Hungary, the refusal of Hungary's treaty allies and Yugoslavia to permit United Nations observers to be stationed within their territories makes it seem likely that the required information can be obtained only from those countries not in treaty alliance with Hungary, with Yugoslavia also excluded. Even these Governments may be influenced in their readiness to assist the Special Committee as well as in the form and extent of the assistance they may be prepared to render by considerations bearing on their relations with the Soviet Union and Hungary. It may be that in the
first instance these Governments should only be asked to volunteer such information as they are prepared to make available. They might be more reluctant to permit individual officials to make written depositions or written replies to questionnaires; and even greater difficulty might be encountered in arranging for oral questioning of such officials.