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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 and Add.1, L.640, L.641, L.642, L.643);

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) agreed with the Saudi Arabian representative that the High Commissioner for Refugees should receive directives only from the General Assembly or the Economic and Social Council; if the thirteen-Power draft resolution (A/C.3/L.639) were adopted as it stood, however, it could be interpreted to mean that the proposed Policy Committee was also empowered to give directives to the High Commissioner. Such an interpretation would amount to revoking by implication some of the provisions of article 3 of the High Commissioner's Statute, and if that was not the intention of the sponsors they should accept points 2 and 3 of the Saudi Arabian amendment (A/C.3/L.642). He would be in favour of a committee which discussed matters with the High Commissioner and advised him, but would oppose any organ having powers superior to those of the High Commissioner.

The joint amendment (A/C.3/L.641) of which Syria was a co-sponsor merely reaffirmed a principle which was already included in the Statute and in earlier General Assembly resolutions, and there should be no objection to it. In a spirit of compromise, however, he was prepared to accept a similar paragraph put forward by the thirteen sponsors (A/C.3/L.639/Add.1), provided the word "facilitation" was replaced by "promotion".

Mr. MESSADI (Tunisia) said he would vote for the Netherlands draft resolution (A/C.3/L.638). He also favoured the thirteen-Power draft resolution (A/C.3/L.639 and A/C.3/L.639/Add.1), but felt that operative paragraph 4 should be so amended as to ensure that the members of the proposed Policy Committee were selected on the basis of two criteria: demonstrated interest in the solution of the refugee problem and equitable geographical distribution. The second was necessary because in future the High Commissioner would deal with refugee problems arising anywhere in the world and because the solution of those problems would require a high degree of international solidarity. He would therefore vote for point 1 of the Saudi Arabian amendment (A/C.3/L.642).

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Mrs. RÖSSEL (Sweden), speaking on behalf of the sponsors of the thirteen-Power draft resolution (A/C.3/L.639), explained that the sponsors had not wanted to modify article 3 of the Statute and that in their view the draft resolution would have no such effect. They had simply wished to apply the principles on which UNREF had functioned to all future refugee programmes carried out by the High Commissioner. In order to meet the views of the sponsors of the joint amendment (A/C.3/L.641), they had added another paragraph (A/C.3/L.639/Add.1, paragraph 1), which was based on the Statute and was in line with the fifth paragraph of the preamble. For her part, she would not object to the replacement of the word "facilitation" by "promotion".

The sponsors of the draft resolution had also changed the name of the Policy Committee to "Executive Committee of the High Commissioner's Programme", in order to make it clear that, like the UNREF Executive Committee, the new committee would be able to give directives only with regard to actual programmes, but would otherwise act in a purely advisory capacity, so that the High Commissioner's functions would remain unimpaired.

Mr. BAROODY (Saudi Arabia) attached little importance to the name of the committee; what was important was that it should not be given the authority now vested in the General Assembly and the Economic and Social Council and should not become superior to the High Commissioner. Even if it were to give directives relating only to the High Commissioner's programmes, there was no assurance that those directives would represent a unanimous opinion. They were more likely to be merely the views of the majority, and rule by a political majority was to be avoided in a purely humanitarian matter such as the refugee problem. It would be far better for the committee to discuss any current issues with the High Commissioner and to advise him, as the High Commissioner would then be able to reconcile some divergent views and to be guided by the wisest. It was for those reasons that he had proposed the elimination of the word "directives"; the mere fact that the word had been used before, when the Third Committee had been less sure of its ground, was no reason for perpetuating it. He would have no objection to the name "Policy Committee" provided it was clear from its terms of reference that the Committee's functions were purely advisory.

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(Mr. Baroody, Saudi Arabia)

He had proposed that the Policy Committee should be elected on a geographical basis (A/C.3/L.642) because new refugee problems might arise in any area of the world, and the committee should therefore be composed of countries from all areas. If any of the countries selected on a geographical basis were not interested in refugee problems, it was of course their privilege to refuse to serve on the Policy Committee, but they should be offered the opportunity to serve.

Mrs. AFNAN (Iraq) congratulated the High Commissioner on his excellent work on behalf of the refugees. Her delegation had no hesitation in supporting the Netherlands draft resolution (A/C.3/L.638), which would prolong his mandate for five years.

Mr. ETEZADI (Iran) supported the joint amendment (A/C.3/L.641), which was in harmony with his country's view that voluntary repatriation was the only real solution of the refugee problem. He also supported the Saudi Arabian amendments (A/C.3/L.642), as geographical distribution should obviously be one of the criteria in the selection of the members of the proposed Policy Committee. The new paragraph 2 proposed by the sponsors of the thirteen-Power draft resolution (A/C.3/L.639/Add.1, point 1) was acceptable to his delegation also. He would support point 3 also, provided that the principle of geographical distribution was accepted. Finally, he supported the Netherlands draft resolution (A/C.3/L.638).

Mrs. ELLIOTT (United Kingdom) urged support of the thirteen-Power draft resolution. In introducing the new paragraph 2 (A/C.3/L.639/Add.1, paragraph 1), the sponsors had wished to maintain their view that all three solutions of the refugee problem, namely, voluntary repatriation, resettlement and integration, should be kept in mind. The sponsors had proposed the change in the name of the Policy Committee (A/C.3/L.639/Add.1, paragraph 3) in order to make it clear that the new committee was to be executive and advisory in character.

(Mrs. Elliott, United Kingdom)

Paragraph 1 of the Saudi Arabian amendments (A/C.3/L.642) was unacceptable, firstly because there was no need to spell out the new committee's terms of reference, as the present UNREF Executive Committee had functioned smoothly and been of valuable assistance to the High Commissioner, and, secondly, because the principle of geographical distribution might conflict with the one enunciated in paragraph 4 of the draft resolution (A/C.3/L.639), according to which the members of the Committee should be selected on the basis of their demonstrated interest in and devotion to the solution of the refugee problem. At all events, a membership of between twenty and twenty-five left ample scope for geographical representation. If those members were selected by the Economic and Social Council on the basis of their contribution to the cause of the refugees, regardless of any other consideration, the High Commissioner would be able to count on an effective, humanitarian and non-political advisory body to assist him in taking his decisions.

Mr. ROSSIDES (Greece) said that what was important was to ensure that the functions now devolving upon the UNREF Executive Committee would be carried on by some committee, whatever its name. He was, however, somewhat puzzled by the way in which the new committee's functions had been specified in operative paragraph 4 of the draft resolution (A/C.3/L.639). If it was to be both executive and advisory, it was surprising that the two groups of functions had not been set forth separately, as they had been in Council resolution 565 (XIX); it was also puzzling that some of the functions specified in that resolution had not been included in the thirteen-Power draft resolution. He asked for clarification on those points.

Mr. MEANY (United States of America) pointed out that the new operative paragraph 7, proposed by Venezuela (A/C.3/L.640) and accepted by the sponsors, largely covered the points raised by the Greek representative.

Mr. ROSSIDES (Greece) said that, even with that amendment, the draft resolution did not specify all the functions listed in Council resolution 565 (XIX).

Mr. SHAFQAT (Pakistan) asked how the members of the new committee were to be selected by the Council.

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The CHAIRMAN suggested that, in view of the large number of amendments, the discussion of the thirteen-Power draft resolution (A/C.3/L.639 and Add.1) should be deferred until a revised text was available.

It was so decided.

The CHAIRMAN invited the Committee to vote on the Netherlands draft resolution (A/C.3/L.638).

Mr. KRAJEWSKI (Poland) requested separate votes on the first paragraph of the preamble and operative paragraph 1. He intended to abstain on the rest of the resolution but wished to vote for the two paragraphs he had mentioned.

The first paragraph of the preamble was adopted by 71 votes to none, with 1 abstention.

Operative paragraph 1 was adopted by 61 votes to none, with 7 abstentions.

The Netherlands draft resolution (A/C.3/L.638) as a whole was adopted by 62 votes to none, with 10 abstentions.

The CHAIRMAN invited the Committee to discuss the three-Power draft resolution (A/C.3/L.643).

Mr. MEANY (United States of America), introducing the draft resolution, said it was clear from the general debate that many delegations regarded the question of the Chinese refugees in Hong Kong as a matter of concern to the international community. The short-term assistance to be rendered and efforts for long-term solutions had overtaxed the resources of the local authorities, the Governments concerned and the interested voluntary organizations. The sponsors of the draft considered that the time had come for the United Nations to express its concern in general terms and to encourage assistance from countries which might be prevented from giving aid by a lack of the necessary facilities. In operative paragraph 2, therefore, the High Commissioner was authorized to encourage arrangements for contributions, but no responsibility was imposed upon him, owing to the lack of the necessary resources. In voting for the resolution, delegations would not be assuming any financial obligations. The United States, for example, could assume no such obligation because all appropriations had to be approved by Congress. The draft resolution should

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(Mr. Meany, United States)

be regarded as the bare minimum of what the United Nations could do now and as an expression of the Committee's views on a humanitarian problem.

Mr. BAROODY (Saudi Arabia) considered the motives underlying the three-Power draft resolution praiseworthy. There was another category of refugees on whose behalf the Committee had not seen fit to take action; he would await developments before possibly introducing a draft resolution on that subject. His delegation believed that all refugees, irrespective of their origin, should be treated with equal sympathy and hoped that that would be the attitude of the Committee.

In view of the United States representative's statement to the effect that no financial commitments were implied in the three-Power draft resolution, he considered that the word "Urges" at the beginning of operative paragraph 1 should be changed to "Appeals to".

Mr. de VAUCELLES (France) observed that the means at the disposal of many Governments were by no means adequate to deal with such a vast problem as that of the Chinese refugees in Hong Kong. France, which had given material support to refugees of European origin in that Territory, was unable to commit itself to further assistance. It would vote in favour of the draft resolution on the understanding that no financial commitments were involved.

Mrs. ELLIOTT (United Kingdom) expressed her delegation's gratitude for the sympathy shown by the Committee for the Hong Kong refugees which had been crystallized in the three-Power draft resolution. Some delegations had asserted that the problem was merely one of urbanization, but the fact that the population had grown from 600,000 inhabitants to 2.5 million in ten years showed that other causes must be involved. It had been said that the Chinese who had come to Hong Kong could return home to rural areas in China when they had bettered themselves; unfortunately, the experience of some years had shown that those persons did not wish to return and that they did not better themselves. The reasons that had impelled them to migrate and to remain in Hong Kong were not assimilable to the phenomenon of urbanization. The United Kingdom would be most pleased if the persons concerned felt that they could freely return to the

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(Mrs. Elliott, United Kingdom)

mainland of China; the last thing it wanted to do was to exploit the situation for political ends, or to allow it to be thus exploited. The problem was that a large number of people in need of assistance was congregated in a small area. The adoption of the three-Power draft would certainly help the voluntary agencies to concentrate their efforts on behalf of the refugees concerned. The United Kingdom pledged its best efforts in that respect.

Mr. CHENG Paonan (China) said that his delegation deeply appreciated the expressions of sympathy towards the Chinese refugees in Hong Kong made by many delegations in the general debate, and particularly the feelings that had prompted the three Powers which had sponsored the joint draft resolution. That draft was in effect a response to appeals made over a number of years by his own and other delegations and was the minimum that could be expected at the present time. He hoped that it would be adopted without amendments and without any political discussion.

Mrs. SYSOEVA (Byelorussian Soviet Socialist Republic) considered that the question of the so-called Chinese refugees in Hong Kong had nothing to do with the Committee's work on refugee problems. It had been raised artificially at the fourth session of the UNREF Executive Committee and its political motives were obvious. The overwhelming majority of the Chinese who had recently come to Hong Kong were not political refugees and were not eligible to come under the High Commissioner's mandate.

The facts showed that large numbers of Chinese had migrated to Hong Kong from the mainland long before the revolution and the establishment of the People's Republic of China. That normal situation could not be connected with the activities of the High Commissioner's Office. Consequently the three-Power draft resolution constituted an interference with the individual actions of the Hong Kong refugees and with the activities of the People's Republic of China. Moreover, the legitimate representatives of the Chinese people were not represented in the United Nations and the Government of the People's Republic of China had expressed willingness to receive the Chinese migrants in Hong Kong back in their country; many had already returned. Accordingly, the Byelorussian delegation would vote against the three-Power draft resolution if it was put to the vote.

Mr. Francisco LIMA (El Salvador) said he would vote in favour of the three-Power draft resolution, not only because of his delegation's sympathy for all the Chinese people who were seeking a better way of life, but because the problem was a purely humanitarian one. The United States representative's explanation that the problem was not an economic one, and that no financial commitments were involved made it even easier for his delegation to vote for the draft. If the Government of El Salvador found it possible to give any financial assistance to those refugees, it would do so, but its resources were already committed to its own economic development.

Mr. ASIROGLU (Turkey) observed that the general debate had shown the need for assistance to the Hong Kong refugees, as had Mr. Hambro's detailed study on the subject, which arrived at the conclusion that the Chinese in Hong Kong were in the same position as certain other categories of refugees. The Turkish delegation, considering that the Third Committee's humanitarian duties made it incumbent upon it to deal with the matter, had co-sponsored the joint draft resolution and hoped that the spirit of international solidarity would cause all Member States to vote in favour of it. He was prepared to accept the Saudi Arabian representative's suggestion concerning the first word of operative paragraph 1.

Miss FUJITA (Japan), Mr. SHAFQAT (Pakistan), Mr. Hermes LIMA (Brazil), Mr. ETEZADI (Iran) and Mr. de MUYSER (Luxembourg) said that they would vote in favour of the three-Power draft, out of sympathy for the Hong Kong refugees, on the understanding that their votes would not commit them to financial assistance.

Mr. MEANY (United States of America) accepted, on behalf of the sponsoring Powers, the Saudi Arabian suggestion to substitute the word "Appeals to" for "Urges" in operative paragraph 1. The words "Appeals to" would be in keeping with the Committee's humanitarian objectives.

At the request of Mr. EL-FARRA (Syria) and Mrs. AFNAN (Iraq), the CHAIRMAN suggested that the vote on the three-Power draft resolution should be postponed until the following meeting, to enable delegations to obtain instructions from their Governments.

It was so decided.

The meeting rose at 5.10 p.m.