

DRAFT WORKING PAPER ON THE ORGANIZATION OF THE WORK
OF THE COMMITTEE

Scope of the Committee's Investigation

The resolution does not define in detail the subjects of investigation and observation. The Committee is to put the General Assembly 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 recommendation of the General Assembly on this subject".

A note on the bearing of earlier resolutions on the work of the Committee is appended. It is understood that the Committee is generally in agreement that its investigations bear on the situation subsequent to 23 October 1956, and that the continuing situation within Hungary "created by the use of Soviet military forces" is of concern to the Committee. It would seem desirable for the Rapporteur to place before the Committee at an early stage a listing of the questions which, in his view, are central to the Committee's investigation; this might facilitate both the questioning of witnesses and the preparation of the Committee's reports.

Sources of Information

- (a) Information obtained by direct observation in Hungary;
- (b) Information given by other Governments in reply to the Committee's letter;
- (c) Ascertainable information available to the Committee;
- (d) Evidence of witnesses;
- ✓(e) Information from diplomatic representatives in Budapest. 7

The major outstanding problems before the Committee are those relating to the hearing of testimony, the preparation of the report or reports, and the time table of the Committee's work.

Hearing of Witnesses

Procedure for the Selection of Witnesses

(1) Proposals as to witnesses reach the Committee in three ways:

- (a) witnesses suggested by Governments in response to the Committee's letter;
- (b) witnesses suggested by key personages;
- (c) witnesses offering testimony by individual letter.

(2) With regard to witnesses suggested by Governments and witnesses suggested by key personages, it is suggested that a routine communication be sent to the proposed witnesses corresponding, mutatis mutandis, to the routine letter sent to witnesses offering testimony by individual letter. This will make available to the Committee without delay essential personal details and a summary indication of the testimony offered.

In the United States the Committee should not attempt to visit refugee camps, where emotional overtones will affect the Committee's work. It should make a careful selection of witnesses and bring them to the Committee's place of meeting.

(3) On the basis of the personal details and summary of testimony, the list of witnesses might well be screened by the Chairman and Rapporteur, in collaboration with the Secretariat, and a definitive list of witnesses drawn up. These would then be notified of arrangements for the hearing, and attention might be drawn in the letter to the necessity of confining evidence to relevant information based on personal knowledge. Further specific indications might be given if necessary as to the scope of relevant testimony.

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Procedure for the Hearing of Witnesses

(1) In the hearing of witnesses it is suggested that private meetings should be the Committee's general rule. Private meetings put witnesses at their ease; they facilitate interrogation by the members of the Committee; and enable lines of interrogation to be followed through without embarrassment to the witnesses or to other people.

(2) In the hearing of testimony it is questionable whether any hard and fast rules can be applied, and the Committee may well need to consider its procedures in this connexion as the work proceeds. The following suggestions might be practicable at the outset:

(a) If practicable, the hearings might be so arranged as to procure evidence on some defined aspect at each meeting or series of meetings.

(b) It would be difficult to deny witnesses the opportunity to make a general presentation on their own initiative; but it would be held within the limits of the summary of evidence sent in. The opening presentation might well be confined to fifteen minutes, subject to the power of the Chairman to extend or vary this limit according to the importance of the evidence.

(c) As regards questioning, the Committee might find it useful to deliberate for perhaps fifteen minutes at the outset of each meeting for hearings in order to exchange views as to salient points needing to be elucidated.

(d) In questioning, it would be well if the Chairman would open the questioning as a general rule. Questions might then be put directly by members of the Committee. The Rapporteur might perhaps wish at the conclusion of questioning to raise specific questions arising from the evidence for clarification.

(3) It may well prove necessary to adopt a time schedule for individual hearings after the first few hearings.

Reports

A. Report at the present session

(1) The Committee is required by the terms of reference to report to this session of the General Assembly. It is suggested that such a report should be tabled and not necessarily be the subject of oral presentation to the Assembly, thereby precipitating a debate. If delegations wish a debate on the Committee's report, it is up to them and not to the Committee.

(2) It is suggested that the report should be a short factual report on the situation covered by the General Assembly resolution, describing what the Committee has done and what the Committee proposes to do. In this report the Committee can use the information on the sequence of events in Hungary, e.g., monitoring reports; information from Governments; relevant information from witnesses heard here; facts provided by delegations in the United Nations debates; and available official information. The Committee might also wish to include references to the numbers of refugees from Hungary, although it is clear that the Committee is not concerned with the conditions under which these refugees are living. It should also, if possible, include a section on deportations.

(3) It is suggested that the Committee should aim to table its report by 15 February and the Secretariat, in collaboration with the Rapporteur, might start work at once on the framework of such a report for eventual approval by the Committee.

B. Final Report

It is suggested that the purposes of the Committee would be best served if the final report was short, readable and susceptible of translation. It would contain the findings of the Committee on the matters investigated, including a

concise statement on the situations of fact and the course of events reviewed by the Committee. As a separate document, available for consultation but not for printing or translation, might be assembled a selection of relevant documentation and evidence.

C. Subsequent Developments

Certain subsequent developments might need to be reviewed, but these would not affect the broad outlines and conclusions embodied in the Report.

Projected Time Table

(1) The report of the Committee to the present session should be completed about 15 February.

(2) Whatever evidence is available in the United States should be taken by the end of February.

(3) The Committee should leave Headquarters at the beginning of March. It should aim to spend no more than four weeks in Europe. It should base itself in Geneva, since United Nations facilities are incomparably better than elsewhere, and Geneva is geographically in a central position. The Committee should visit; but in many cases witnesses could be brought to Geneva.

(4) When in Europe, the Committee should make further efforts from near at hand to secure the cooperation of the Hungarian Government in

(a) securing admission to that country;

(b) seeing and talking to Mr. Nagy.

(5) The Committee should return to New York at the very beginning of April and complete its report not later than 20 April.

NOTE

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/3733) 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)

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".