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**President: Sir Douglas COPLAND (Australia).**

*Present:*

The representatives of the following countries: Argentina, Australia, China, Czechoslovakia, Dominican Republic, Ecuador, Egypt, France, India, Netherlands, Norway, Pakistan, Turkey, Union of Soviet Socialist Republics, United Kingdom of Great Britain and Northern Ireland, United States of America, Venezuela, Yugoslavia.

Observers from the following countries: Brazil, Chile, Colombia, Costa Rica.

The representatives of the following specialized agencies: International Labour Organisation, Food and Agriculture Organization of the United Nations, United Nations Educational, Scientific and Cultural Organization, International Civil Aviation Organization, International Monetary Fund, World Health Organization.

**AGENDA ITEM 10**

**Non-governmental organizations: hearings and applications for hearings**

REPORT OF THE COUNCIL COMMITTEE ON NON-GOVERNMENTAL ORGANIZATIONS ON APPLICATIONS FOR HEARINGS (E/2709)

1. Mr. EPINAT (France), Acting Chairman of the Council Committee on Non-Governmental Organizations, introduced the Committee's report (E/2709) and added that the World Federation of United Nations Associations had withdrawn its request to speak on item 9 of the agenda.

*The report (E/2709) was adopted.*

**AGENDA ITEM 9**

**International assistance to refugees within the mandate of the United Nations High Commissioner for Refugees (E/2678, E/L.656)**

2. Mr. HOTCHKIS (United States of America) expressed the satisfaction of his Government with the progress made by the Office of the United Nations High Commissioner for Refugees, and assured the Office and the High Commissioner himself of his Government's continuing esteem and support.

3. The United States had actively assisted in the relief and resettlement of refugees in the past and was aware that a serious refugee problem still existed. The President would request the Congress to authorize a substantial contribution to the United Nations Refugee Fund (UNREF), and it was to be hoped that all

Member States would give similar support to the High Commissioner's programme, the purpose of which was to achieve permanent solutions for the problems of refugees who were the concern of his Office.

4. In that connexion, the United States delegation endorsed the recommendation of the High Commissioner and his Advisory Committee that the Committee should be reconstituted as the United Nations Refugee Fund Executive Committee (E/2678), and had submitted a draft resolution (E/L.656) based on that recommendation. The differences between the two texts were either editorial, or designed to clarify the terms of reference, or intended to bring those terms of reference more closely into conformity with practices established by the Council.

5. He urged the Council to endorse the High Commissioner's programme and to assist in its execution by providing for the establishment of the UNREF Executive Committee.

6. Mr. STIKKER (Netherlands) said that, when the High Commissioner's Office had succeeded the International Refugee Organization, some countries, including his own, had been of the opinion that the refugee problem was far from being solved and that legal protection extended to refugees would not in itself suffice to enable them to lead a life compatible with human dignity. The countries in question had been proved right. Although the United Nations had already done a great deal to help refugees, it was bound, under the Charter, to extend aid to the many thousands who were still anxiously waiting for it.

7. His Government believed that the refugee problem was an obstacle to the attainment of the humanitarian aims of the United Nations, and that it could be overcome within a short time, provided that the wholehearted support of the majority of Member States was forthcoming. His Government was therefore in favour of the United Nations giving the High Commissioner's Office the powers and the funds needed to carry out its task, and appealed to the nations to help either by admitting refugees into their territory or by making financial contributions. His own country was doing its share, and private associations in the Netherlands had recently collected over \$1 million, which would be added to his Government's regular contribution.

8. He endorsed in general the recommendation submitted by the High Commissioner (E/2678).

9. He wished to make a reservation with regard to the Advisory Committee's suggestion that only \$4 million, instead of \$5 million as originally proposed, should be set aside for emergencies for the period 1955 to 1958. When the budget of the High Commissioner's Office was discussed, he would have some remarks to make on the question of refugee students, whose plight called for special consideration.

10. The General Assembly had authorized the High Commissioner to appeal for funds to be devoted principally to permanent solutions. He hoped that the

response to the appeal would be such as to enable the High Commissioner to achieve his aim within the expected time.

11. Mr. AKANT (Turkey), after reviewing the background of the question, said that, while his delegation had no objection to the substance of the proposals submitted by the High Commissioner (E/2678), it preferred the more explicit statement in the United States draft resolution (E/L.656) and would therefore vote for that text.

12. Mr. FORSYTH (Australia) reviewed the discussion held by the Council at its eighteenth session<sup>1</sup> leading to the adoption of resolution 549 (XVIII) and the discussion in the General Assembly at its ninth session<sup>2</sup> resulting in the adoption of resolution 832 (IX). It was reasonable to say that during the Assembly's debates, there was a general realization that the Assembly had been premature in thinking at its fifth session that a final solution of the refugee problem was in sight; that optimism had not been justified. In pursuance of that resolution, the High Commissioner had submitted to the Council the Advisory Committee's recommendations that its terms of reference and composition should be revised so that the Committee could function in a dual capacity, retaining its advisory powers and assuming new executive powers (E/2678, annex II). The Australian Government, which was a member of the Advisory Committee, had supported those recommendations and considered the draft resolution submitted by the Advisory Committee to be quite satisfactory. The adoption of that draft resolution would enable the High Commissioner and the new Executive Committee to go ahead with work on the programme of permanent solutions. The United States draft resolution (E/L.656) seemed to differ only slightly from that text, except for the omission of the important provision in paragraph 1 A (iii) (a) of the Advisory Committee's draft resolution that, when a project was approved, sufficient funds must be allocated to take it through to completion. He hoped the reasons for the omission would be stated.

13. The success or failure of the High Commissioner's programme would depend ultimately on the amount of money contributed by Governments and private organizations. His own country had admitted many refugees for resettlement and had also contributed funds, and he hoped that other Member States would give similar support to a cause which fully deserved it. The Council's current task was to review the proposals to be forwarded for the establishment of the new Executive Committee and thus make possible the implementation of the programme designed to achieve permanent solutions of the refugee problem.

14. Mr. KOS (Yugoslavia) said that his delegation had voted in the General Assembly only for the provisions in resolution 832 (IX) concerning the establishment of an Executive Committee because it had not felt, and did not feel, that the Refugee Fund proposed therein held out any hope for a final solution of the refugee problem. The Advisory Committee's draft resolution (E/2678, annex II) proposing the terms

of reference for the Executive Committee seemed at first sight to be in line with the Assembly resolution, but some objections could be raised. He could support the proposal that the advisory and executive functions could be combined.

15. The United Nations had gained experience of the methods, criteria and principles to be applied in granting international assistance. The administration presented its projects to the executive organ in general terms and gave the facts and figures on which they were based, without entering into too great detail. If the projects had been well prepared, there would be no need for subsequent changes, and accordingly the functions assigned to the standing sub-committees referred to somewhat vaguely in operative paragraph 3 of the Advisory Committee's draft resolution, although somewhat more clearly in its report, seemed unacceptable. It was most unusual for a sub-committee to approve on behalf of a parent committee projects which the latter had approved only in principle. If the projects were well prepared, there would be no need for a procedure the reverse of the normal one. The sub-committee should act as a form of programme committee to discuss adequately prepared projects before the Executive Committee passed on them and to defer projects not wholly in accordance with requirements until their preparation had been completed, as the Executive Board of the United Nations Children's Fund had found by experience. Such deferment would not mean delay, as improperly prepared projects would merely entail subsequent revision. Postponement from one session to the next would not entail great delay either. The sub-committee should be composed of approximately half the members of the Executive Committee.

16. The Executive Committee could, in principle, approve long-range programmes which could be carried out in yearly instalments. A project should be started only if the money was available. Any plan that did not meet that requirement would be doomed to failure and would only give rise to false expectations among the refugees. Governments, too, would be unwilling to enter into commitments unless they found that the projects were financially sound.

17. It would be sufficient for the Executive Committee to meet twice yearly except in the case of emergency projects, as had been shown by the experience of other United Nations bodies with greater means and more pressing needs.

18. The provisions in the draft resolution for regulations with regard to administrative expenditures on projects were sound. Such expenditures could certainly not be included in the High Commissioner's regular budget, which was met out of the regular United Nations budget. Expenditures made by the Refugee Fund should be treated in the same way as other extra-budgetary funds.

19. With its new terms of reference the Advisory Committee was becoming an increasingly responsible United Nations organ. But the requirement that its members should be chosen on the basis of their demonstrated interest in and devotion to the solution of the refugee problem, as proposed in the draft resolution, was vague and open to the objection that it excluded certain Member States, or at least established discrimination among them. It was far from clear who would decide which States were interested or devoted

<sup>1</sup> See E/AC.7/SR.283, 284 and 285, and *Official Records of the Economic and Social Council, Eighteenth Session, 814th meeting.*

<sup>2</sup> See *Official Records of the General Assembly, Ninth Session, Third Committee, 545th to 556th meetings, inclusive.*

and by what yard-stick their interest or devotion would be measured. If countries were to be chosen on any basis other than equitable geographical distribution, the interested States would do better to set up an inter-governmental organization outside the United Nations. If, however, the new Executive Committee was to be a United Nations body, set up by the General Assembly, there was no good reason why the method of its selection should differ from that of all other United Nations bodies.

20. There was no reference to the principle of rotation of membership in the draft resolution. The objection might be raised that the new members would not be familiar with the Committee's work, but that had not caused any trouble in the bodies in which that principle was observed. Only a minority would be involved and there were certain advantages in an infusion of new blood.

21. The Council was discussing the new terms of reference for the first time and did not yet know what their final form would be. It would not, therefore, be proper to elect the new members of the Executive Committee at once; they should be elected at the time of the elections to the functional commissions at the resumed nineteenth session. All the members should be elected at the same time; but his delegation had received instructions with regard to only three. A short delay would give countries time to decide whether they wished to serve on the new committee.

22. His delegation was dubious about the success of the Refugee Fund and felt that the United Nations should pay more attention to the legal protection of refugees. It was, however, very much interested in the High Commissioner's work and its criticisms had been based upon that interest.

23. Mr. SAKSIN (Union of Soviet Socialist Republics) said that his delegation had set out its position on the activities of the High Commissioner's Office in detail at the ninth session of the General Assembly.<sup>3</sup> Assembly resolution 8 (I), adopted unanimously, had laid down that displaced persons should be encouraged and assisted in every way possible to return to their countries. Acting counter to that resolution, the Office of the High Commissioner had totally failed to deal with repatriation; there was not even a reference to it in the draft resolution submitted by the Advisory Committee (E/2678, annex II). Instead, the Office supplied the refugees and displaced persons as cheap manpower, especially to the United States of America, where they were paid paltry wages for the hardest work. The USSR delegation could not, therefore, support any proposals designed to enable the High Commissioner's Office to continue to operate as it had done in the past.

24. Mr. DONN (Norway) said that he was in favour of the United States draft resolution (E/L.656) and held no strong views about its deviations from the text proposed by the Advisory Committee (E/2678, annex II). He agreed, however, with the Yugoslav delegation that some provision should be made about the term of office of members of the Executive Committee. The same vagueness had existed about the Advisory Committee; no provision for it had been made in the original resolution (General Assembly resolution 428 (V)). The members had been left to raise the point in the Council. As some countries might wish to serve on the Com-

mittee in two years, some provision should be made for a review of the membership, perhaps in 1957. There should be some explicit provision for rotation. Norway would be willing to serve on the Executive Committee.

25. Subject to parliamentary approval, the Norwegian Government intended to raise its previous contribution of 100,000 Norwegian Kroner to 600,000 (about \$84,000) after 1 July 1955.

26. Mr. JOBERT (France) supported the United States draft resolution (E/L.656), but felt that to combine advisory and executive functions might not be very wise.

27. Mr. ULLRICH (Czechoslovakia) said that the General Assembly had clearly established in 1946 that repatriation was the solution of the refugee problem. The High Commissioner in his report to the General Assembly<sup>4</sup> and the General Assembly in resolution 832 (IX) had agreed that the problem was far from solved. It was almost inconceivable that ten years after the end of the Second World War thousands who had been deported by the Nazis from Czechoslovakia and other countries should still be in the camps, forcibly separated from their families, exposed to a barrage of propaganda hostile to their countries of origin, and living in horrible conditions. The responsibility must be borne by the High Commissioner's Office, which had deliberately aggravated a tragic situation in order to obtain a supply of cheap labour for the heaviest work and of spies and saboteurs to work in their countries of origin. The Office protected persons fleeing from just punishment in their own countries. The Czechoslovak and other delegations had already expressed their opposition to the continuance of the High Commissioner's Office; it still held the view that no proposal serving that purpose in any form was acceptable.

28. Mr. RIVAS (Venezuela) said that he supported the United States draft resolution (E/L.656), but would like to consider the Norwegian and Yugoslav suggestions concerning rotation of membership. In paragraph 1 A (iv) the words "act upon" might well be substituted for the word "approve", since the Executive Committee would also be empowered to defer or reject the High Commissioner's proposals.

29. Mr. GINEBRA HENRIQUEZ (Dominican Republic) observed that his country, although a small one, had admitted thousands of refugees and would continue to do so. He would vote for the United States draft resolution, as it would help to improve conditions for the refugees.

30. Mr. VAN HEUVEN GOEDHART (United Nations High Commissioner for Refugees) could not agree with the suggestion that the new combined fund would not prove to be of much practical value to the refugees themselves. While the limited funds at its disposal precluded the Office of the High Commissioner from achieving a permanent solution of the refugee problem, assistance could be granted to several thousand refugees.

31. The proposal that the new Executive Committee should be composed of Governments selected on the basis of their demonstrated interest in and devotion to the solution of the refugee problem was taken from article 4 of the Statute of the Office of the United Nations High Commissioner for Refugees, adopted by the General Assembly in resolution 428 (V).

<sup>3</sup> *Ibid.*, 547th meeting.

<sup>4</sup> *Ibid.*, Supplements Nos. 13 and 13B.

32. With regard to the Yugoslav representative's suggestion that the Council should postpone the election of members to the Executive Committee until the second half of the nineteenth session, the Advisory Committee had expressed the hope that the period which must elapse before the Executive Committee could examine projects for permanent solutions would not be unduly prolonged. It had considered it desirable, therefore, that the members of the Executive Committee should be appointed as early as possible during the nineteenth session of the Council, and that the first session of the Executive Committee could be held as soon as possible. Accordingly, tentative arrangements had been made for that Committee to open its first session on 10 May.

33. The French representative's doubts as to the desirability of combining advisory and executive functions in a single organ were understandable. However, the advisory functions of the Committee were provided for in the Statute and thus could not be eliminated except by an amendment to the Statute. An alternative would be the establishment of two separate committees — an inadvisable solution since it would impose an additional burden both on Governments and on the small staff of the Office of the High Commissioner. There appeared to be no reason why the Executive Committee could not exercise advisory functions.

34. The United States draft resolution (E/L.656) was generally acceptable as an improved version of the text originally submitted by the Advisory Committee (E/2678, annex II). Under paragraph 1 A (vi) of the United States draft, the Executive Committee would adopt administrative regulations for the Fund, but would not ensure that, when a project was approved, sufficient funds must be allocated to take it through to completion, as provided for in paragraph 1 A (iii) (a) of the Advisory Committee's text. Perhaps the United States representative could explain the reason for the omission.

35. Paragraph 4 of the United States draft appeared superfluous, since only payments approved by the General Assembly could be met out of the Fund.

36. With regard to paragraph 5, it was the normal practice for the High Commissioner to submit audit reports to the United Nations through the Secretary-General, a procedure satisfactory both to the High Commissioner and to the Secretary-General. Accordingly, the words "Secretary-General" might be replaced by the words "High Commissioner".

37. He thanked the Norwegian delegation for the substantial increase in Norway's contribution to the refugee fund, a striking demonstration of that country's interest in the refugee problem.

38. He also thanked the Netherlands representative for his clear analysis of the current situation and his reference to the support of the Netherlands Government and people.

39. Mr. KOTSCHNIG (United States of America) said that his delegation was quite willing to include in its draft resolution (E/L.656) a clause providing for the principle of rotation in the membership of the Executive Committee.

40. The United States delegation found it difficult to support the Yugoslav representative's suggestion that the composition of the Executive Committee should be passed on the principle of geographical representation.

The Executive Committee would deal chiefly with refugees in Europe and the Middle East. Accordingly, its membership should consist of countries in which refugees under the mandate of the Office of the High Commissioner were living, countries which had received or were prepared to receive a substantial number of such refugees, and countries able and willing to make financial contributions to the Office of the High Commissioner. If those criteria were applied, the membership of the Executive Committee would not be very different from that of the existing Advisory Committee. Moreover, the point concerning geographical representation would be partly met by application of the principle of rotation.

41. The omission from paragraph 1 A (vi) of the United States draft resolution of the clause "including provisions to ensure that, when a project is approved, sufficient funds must be allocated to take it through to completion" in paragraph 1 A (iii) (a) of the Advisory Committee's draft (E/2678, annex II) was designed to permit flexibility in the use of the funds at the High Commissioner's disposal. The principle embodied in the clause, while sound when applied to long-range projects of such organs as UNICEF, entailed a freezing of funds which would substantially reduce the number of projects which the Executive Committee and the High Commissioner could undertake in the immediate future. Moreover, the latter would probably be prevented from completing his programme within the prescribed four years.

42. The Economic and Social Council was carrying out an act of faith. Unless Governments could be depended upon to contribute funds for the four-year period, the High Commissioner's programme was doomed to failure. The United States delegation assumed that the necessary funds would be forthcoming, and was consequently reluctant to restrict the Executive Committee and the High Commissioner in their use of funds as the new programme was getting under way.

43. The United States delegation was prepared to accept the High Commissioner's suggestions concerning paragraphs 4 and 5 of its draft resolution.

44. Mr. KOS (Yugoslavia) said that the High Commissioner's statement that it was impossible to achieve a final solution of the refugee problem with the limited funds at his disposal merely served to confirm the Yugoslav delegation's doubts as to the practical value of the new combined fund.

45. The Yugoslav delegation could not agree to the United States representative's suggestion that one of the criteria which should govern membership in the Executive Committee was the ability and willingness of Governments to contribute to the Refugee Fund. The Committee should be a representative body of the United Nations and not a club with an entrance fee.

46. With regard to the relative merits of paragraph 1 A (iii) (a) of the Advisory Committee's draft resolution (E/2678, annex II) and paragraph 1 A (vi) of the United States draft resolution (E/L.656), the Yugoslav delegation preferred the former since it embodied a principle which had been successfully applied in other United Nations bodies. It had worked well for UNICEF before that body had become permanent.

47. Mr. MIR KHAN (Pakistan) suggested the retention of paragraph 4 of the United States draft reso-

lution, which the United States representative had, at the High Commissioner's request, agreed to delete. Claims arising from the operation of the fund should not be paid out of the United Nations budget.

48. Mr. FORSYTH (Australia) observed that paragraph 1 A (iii) (a) of the Advisory Committee's draft resolution related to a provision embodied in every other voluntarily financed programme in the United Nations. It was dangerous to undertake many projects only to find later that funds were not available to complete them all.

49. Mr. VAN HEUVEN GOEDHART (United Nations High Commissioner for Refugees) said that paragraph 1 A (iii) (a) of the Advisory Committee's draft resolution (E/2678, annex II) had been inserted at the request of the Australian delegation on that Committee. The Australian representative had insisted on the danger of approving projects for which funds might not be available, as that might raise false hopes among the refugees.

50. The explanation given by the United States representative had not fully convinced him of the desirability of deleting that provision. The High Commissioner's programme consisted chiefly of short-term projects, for the completion of which funds could be reserved without administrative difficulties. The advantage of the provision in paragraph 1 A (iii) (a) was that it prevented the acceptance of projects irrespective of the availability of funds.

51. The PRESIDENT proposed the establishment of a working group to consider the two draft resolutions before the Council. He invited the delegations of Australia, France, the Netherlands, Norway, Turkey, the United Kingdom, the United States, Yugoslavia, and any other delegations which so desired, to be represented on the working group. He also invited the High Commissioner to participate in the deliberations of the Working Group.

*It was so agreed.*

The meeting rose at 1.10 p.m.