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Flushing Meadow, New York

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President: Mr. Nasrollah ENTEZAM (Iran).

Former Italian colonies: (f) report of the Interim Committee of the General Assembly on the procedure to be adopted to delimit the boundaries of the former Italian colonies in so far as they are not already fixed by international agreement: report of the *Ad Hoc* Political Committee (A/1723)

[Agenda item 21]

1. The PRESIDENT (*translated from French*): I put to the vote the draft resolution contained in the report of the *Ad Hoc* Political Committee [A/1723].

The draft resolution was adopted by 44 votes to 5.

2. The PRESIDENT (*translated from French*): I call upon the representative of the Soviet Union, who wishes to explain his vote.

3. Mr. TSARAPKIN (Union of Soviet Socialist Republics) (*translated from Russian*): The USSR delegation voted against the draft resolution of the *Ad Hoc* Political Committee on the Interim Committee report¹

regarding the procedure to be adopted to delimit the boundaries of the former Italian colonies.

4. In explaining its vote, the Soviet Union delegation deems it necessary to point out certain facts.

5. In the first place, the General Assembly ought not to consider the report of the Interim Committee since that committee is not a legal organ of the United Nations, having been established in violation of the Charter.

6. Secondly, it is contrary to the Treaty of Peace with Italy for the General Assembly to consider the question of the boundaries of the former Italian colonies, for that treaty provides that the adjustment of the boundaries of Italy's former territorial possessions in Africa is a matter which falls within the jurisdiction of the four Powers. That provision is laid down clearly in annex XI, paragraph 2 of the treaty, which reads:

"The final disposal of the territories concerned and the appropriate adjustment of their boundaries shall be made by the four Powers in the light of the wishes and welfare of the inhabitants and the interests of peace and security, taking into consideration the views of other interested Governments."

¹ See *Official Records of the General Assembly, Fifth Session, Supplement No. 14.*

7. It is clear from this paragraph that the four Powers have two tasks to perform, namely, to determine the final disposal of the territories, and to make the appropriate adjustment of their boundaries. Consequently, under the terms of the Treaty of Peace with Italy, the question of boundaries remains fully within the competence of the four Powers and the consideration of this matter by the General Assembly is contrary to that treaty.

8. Furthermore, it should be pointed out that the consideration of the question of Italy's former territorial possessions in Africa has shown that in settling this problem, there has been bargaining among the colonial Powers to the detriment of the interests of the peoples of those territories.

9. The USSR delegation therefore voted against the draft resolution submitted by the *Ad Hoc* Political Committee.

Palestine: (a) question of an international régime for the Jerusalem area and protection of the Holy Places: reports of the *Ad Hoc* Political Committee (A/1724) and the Fifth Committee (A/1729)

[Agenda item 20]

10. The PRESIDENT (*translated from French*): I am going to put the draft resolution contained in the report of the *Ad Hoc* Political Committee [A/1724] to the vote. A roll-call vote has been requested.

A vote was taken by roll-call.

Costa Rica, having been drawn by lot by the President, was called upon to vote first.

In favour: Cuba, Dominican Republic, Ecuador, Egypt, Ethiopia, France, Greece, Indonesia, Iran, Iraq, Lebanon, Luxembourg, Pakistan, Panama, Paraguay, Peru, Philippines, Saudi Arabia, Syria, Venezuela, Yemen, Afghanistan, Argentina, Belgium, Bolivia, Brazil, Burma, Chile, China, Colombia.

Against: Denmark, Guatemala, Honduras, Iceland, Israel, Netherlands, New Zealand, Nicaragua, Norway, Sweden, Thailand, Turkey, Union of South Africa, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay, Yugoslavia, Australia.

Abstaining: Costa Rica, Czechoslovakia, India, Mexico, Poland, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, Byelorussian Soviet Socialist Republic, Canada.

The result of the vote was 30 in favour, 18 against, and 9 abstentions.

The draft resolution was not adopted, having failed to obtain the required two-thirds majority.

11. Mr. TSARAPKIN (Union of Soviet Socialist Republics): I wish to explain my vote.

12. The PRESIDENT (*translated from French*): There is no need for delegations to explain their votes on this draft resolution, as it failed to obtain the required two-thirds majority and was therefore rejected.

Former Italian colonies: (a) report of the United Nations Commissioner in Libya; (b) reports of the administering Powers in Libya

[Agenda item 21]

I. ECONOMIC AND FINANCIAL PROVISIONS RELATING TO LIBYA: REPORTS OF THE *Ad Hoc* POLITICAL COMMITTEE (A/1726) AND THE FIFTH COMMITTEE (A/1730)

13. The PRESIDENT (*translated from French*): I shall put the draft resolution contained in the report of the *Ad Hoc* Political Committee [A/1726] to the vote.

14. The representative of the Soviet Union has asked for the floor on a point of order.

15. Mr. TSARAPKIN (Union of Soviet Socialist Republics) (*translated from Russian*): The question of the economic and financial provisions relating to Libya is of the utmost importance to the future development of Libya as an independent State and to the welfare of its people.

16. This question concerns the disposal of the material assets of Libya which, in accordance with the decision adopted by the General Assembly at its fourth session [*resolution 289 (IV)*], is to become a sovereign and independent State not later than 1 January 1952.

17. The draft resolution submitted by the *Ad Hoc* Political Committee bears on some very important questions of property upon which well considered decisions should be taken, as they may have a serious effect on Libya's future development. Yet the draft resolution on this serious question was not submitted to the *Ad Hoc* Political Committee for consideration until 12 December. For this reason the USSR delegation and, I am sure, a number of other delegations, have been unable to study all the provisions of this draft resolution which so seriously affects the interests of the Libyan people.

18. The delegation of the Soviet Union consequently believes that the consideration of this question should be deferred until the General Assembly's sixth session. It therefore formally submits the following draft resolution:

"The General Assembly

"Decides to postpone the discussion of the question of the economic and financial provisions relating to Libya to its sixth session."

19. The PRESIDENT (*translated from French*): I put the draft resolution which the USSR delegation has just submitted to the vote.

The draft resolution was rejected by 44 votes to 6, with 5 abstentions.

20. The PRESIDENT (*translated from French*): I am going to put to the vote, in turn, the preamble and the operative part of draft resolution A, followed by draft resolution B, of the *Ad Hoc* Political Committee.

The preamble of draft resolution A was adopted by 46 votes to 5, with 2 abstentions.

The operative part of draft resolution A was adopted by 47 votes to 5, with 2 abstentions.

Draft resolution B was adopted by 49 votes to 5, with 2 abstentions.

21. Mr. DROHOJOWSKI (Poland): I wish I had been allowed to speak on the draft resolution submitted by the representative of the Soviet Union on the postponement of the discussion to the sixth session of the General Assembly. I should like at this time to explain why I feel that the discussion should have been postponed.

22. I took part in two meetings of Sub-Committee 1 of the *Ad Hoc* Political Committee. I found myself confronted there with a number of very voluminous documents regarding the matter under discussion. It was only on 12 December that a report was submitted to the *Ad Hoc* Political Committee. I found that the Committee had come to the end of its agenda and that we were supposed to hurry up with a decision without a proper discussion.

23. To my mind, this raises a very important question, namely, that of discussions of important items on the agenda at the last minute. This item which has now been voted upon is a very important one. We are deciding — the majority has decided — upon questions pertaining to the economic development of a State which does not yet exist. In other words, we have spent other people's money. I feel that this procedure was not quite proper, and I do not see any reason why we should not have postponed the discussion until the sixth session.

24. This brings up another point, which is that we have adopted here a stream-lined procedure, a procedure which allows the majority to forbid the minority to speak on any item.

25. May I call your attention to rule 67 of the rules of procedure, which says: "Discussion of a report of a Main Committee in a plenary meeting of the General Assembly shall take place if at least one-third of the Members present and voting at the plenary meeting consider such a discussion to be necessary . . ." That is, if there is not one-third desiring a discussion, there is no discussion. That also has happened here already.

26. There is also rule 76 of the rules of procedure, which says: "A representative may at any time move the closure of the debate on the item under discussion, whether or not any other representative has signified his wish to speak . . ." This would completely prohibit a discussion that the minority desired.

27. However, may I also call your attention to the report of the Special Committee on Methods and Procedure of the General Assembly. I find there an explanation which I shall quote:

"The Special Committee believes that the adoption of its recommendations will fully safeguard the rights possessed by Members of the United Nations — whether on a given question they belong to the majority or the minority — to draw the General Assembly's attention to problems within its competence, to express their views and to participate fully in the adoption of resolutions on matters of which the General Assembly has been seized. The sole purpose of the Special Committee's recommendations is to adapt the organization and procedures of the General Assembly to its increasing responsibilities, as the Special Committee believes that such adaptation is indispensable in order to enable the Assembly

to discharge its functions more effectively and expeditiously."²

28. Returning to the item under consideration, it is the feeling of my delegation that neither the *Ad Hoc* Political Committee nor the Assembly had time to examine an item which was of a very serious nature. Sub-Committee 1 of the Committee produced a number of documents. True enough, a report was made, even though it was distributed only on 12 December. But study of the implications of this report and of precedents should have taken more time. Furthermore, while I see the drawback in adopting this hasty draft resolution which the majority has adopted, I do not see any drawback in postponing the discussion to the sixth session of the General Assembly.

29. Mr. MORA OTERO (Uruguay) (*translated from Spanish*): The Uruguayan delegation voted in favour of resolution A adopted by the General Assembly on economic and financial provisions relating to Libya, it being understood that article V referred particularly to fishing boats owned by the indigenous inhabitants of Libya and with the reservation that neither that nor any other provision of the resolution could be invoked directly or indirectly to modify the legal relationship existing between Italy and other States with regard to other shipping.

30. RAAFAT Bey (Egypt) (*translated from French*): I shall not speak about the resolution or about the request of the Soviet Union. I shall explain my vote on the report we have just approved by a large majority.

31. My delegation was privileged to take an active and continuous part in drawing up the economic and financial provisions relating to Libya of resolution A, which the General Assembly has just adopted by a very large majority.

32. During the discussions which took place on this subject,³ during the many meetings of Sub-Committee 1 of the *Ad Hoc* Political Committee, my delegation consistently championed the rights of Libya, our neighbour, which has always been united to Egypt by countless geographical, historical, cultural, religious and other ties, and whose interests we have therefore regarded as being in some sort our own. We defended those interests as zealously as we should have defended our own. Our task was greatly facilitated by the remarkable spirit of justice and understanding which prevailed in the sub-committee from the very outset of the discussion.

33. My delegation never felt that the draft resolution which was the outcome of the sub-committee's arduous labours in any way neglected or sacrificed the interests of the Libyan people. As I told the Committee yesterday, had we had the slightest doubt in that respect, we should not have voted in favour of that draft, as we did in the sub-committee, then, yesterday, in the *Ad Hoc* Political Committee, and today in the Assembly.

² See *Official Records of the General Assembly, Fourth Session, Supplement No. 12, page 3.*

³ See *Official Records of the General Assembly, Fifth Session, Ad Hoc Political Committee, 7th to 17th and 81st and 82nd meetings inclusive.*

34. It was with some surprise that we heard it stated yesterday in the Committee that the resolution would protect the interests of foreigners in Libya, in other words the Italians, to the detriment of the interests of the Libyans themselves. In the first place, it is incorrect to assume that in principle the interests of the Italian nationals remaining in Libya will be opposed to the interests of the other inhabitants of Libya. We by no means share that view.

35. Like all countries which have recently achieved independence, Libya will need foreign capital and labour for some time to come. The Italian nationals who remain there, if they adapt themselves to the new circumstances, can make a valuable contribution to the economic and social progress of the country. Some of the provisions of resolution A, for example article VI and article IX, paragraph 1, deal with that aspect of the question, in the interests of the Italians and of Libya itself. Furthermore, articles I to V, and even article IX, paragraphs 2 and 3, of the resolution, clearly show the direct and real advantages which Libya will derive from these economic and financial provisions.

36. Undoubtedly the text is not above criticism, but it is a step in the right direction and will contribute greatly to the establishment of the Libyan State; it is a step which could not have been postponed save at the expense of the interests of that State itself.

37. Moreover, it is our hope and our belief that the United Nations Tribunal, whose establishment is provided for in article X of the resolution, will ensure, both by its decisions on matters in dispute and by its directions and instructions, that the economic and financial clauses of the resolution are equitably implemented.

38. It was for those reasons that we voted for the resolution.

39. Mr. NOSEK (Czechoslovakia): The Czechoslovak delegation supported the draft resolution submitted by the delegation of the USSR calling for the postponement of the consideration of the economic and financial provisions relating to Libya. This question is far too important to be decided in a hurry by this General Assembly. The people of Libya and the independent State of Libya to be created in the near future are vitally interested in a reasonable and just solution. At the same time, no damage will be caused if the question is postponed to the next session of the General Assembly. Therefore the Czechoslovak delegation voted against the draft resolution submitted by the *Ad Hoc* Political Committee, which it had not had enough time to study.

II. TECHNICAL AND FINANCIAL ASSISTANCE TO LIBYA: REPORT OF THE *Ad Hoc* POLITICAL COMMITTEE (A/1727)

40. The PRESIDENT (*translated from French*): On the question of Libya, the General Assembly also has before it a second report of the *Ad Hoc* Political Committee [A/1727], relating to technical and financial assistance to Libya. I put to the vote the draft resolution on the question recommended by the *Ad Hoc* Political Committee for adoption by the General Assembly.

The draft resolution was adopted unanimously.

Permanent staff regulations of the United Nations: report of the Fifth Committee (A/1731)

[Agenda item 42]

41. The PRESIDENT (*translated from French*): I put the draft resolution contained in the report of the Fifth Committee [A/1731] to the vote.

The draft resolution was adopted unanimously.

Budget estimates for the financial year 1951: reports of the Fifth Committee

[Agenda item 39]

(b) SALARY, ALLOWANCE AND LEAVE SYSTEM OF THE UNITED NATIONS (A/1732)

42. The PRESIDENT (*translated from French*): May I draw the attention of the Assembly to the amendment [A/1733] to the draft resolution submitted by the Fifth Committee [A/1732]; the amendment has been submitted by the delegations of Belgium, Brazil, Chile, France and Peru. I shall put it to the vote first.

The result of the vote was 35 in favour, 11 against and 3 abstentions.

The amendment was adopted, having obtained the required two-thirds majority.

The draft resolution of the Fifth Committee, as amended, was adopted by 48 votes to none, with 3 abstentions.

(a) BUDGET ESTIMATES PREPARED BY THE SECRETARY-GENERAL (A/1734)

43. The PRESIDENT (*translated from French*): I put the first draft resolution contained in the report of the Fifth Committee [A/1734] to the vote.

The first draft resolution was adopted by 50 votes to none, with 5 abstentions.

44. The PRESIDENT (*translated from French*): I call upon the representative of the Soviet Union, who wishes to explain his vote.

45. Mr. KOBUSHKO (Union of Soviet Socialist Republics) (*translated from Russian*): The USSR delegation abstained from the vote which has just been taken on the resolution approving the budget for the financial year 1951, because that budget provides for appropriations for measures which are being carried out in violation of the United Nations Charter.

46. The delegation of the Soviet Union pointed out, during the discussion of these matters in the Committee, that the United Nations Special Committee on the Balkans, the United Nations Commission on Korea, the Collective Measures Committee, and the United Nations Field Service had been set up despite and in violation of the Charter, and it also opposed any appropriations for their maintenance.

47. Furthermore, it opposed any appropriations for the United Nations Conciliation Commission for Palestine and proposed the dissolution of that body, since, as experience has shown, it has been unable to fulfil the tasks entrusted to it in regard to the settlement of disputes outstanding between the parties in Palestine.

48. The delegation of the Soviet Union likewise objected to the appropriation of funds for the maintenance

of the United Nations High Commissioner's Office for refugees and for the expenditure connected with the preparation of a draft convention relating to the status of refugees and stateless persons, since the purpose of these measures is to prevent the repatriation of refugees and to keep them in the countries to which they have been forcibly removed.

49. Another reason why the USSR delegation abstained from voting on the budget for the financial year 1951 is that the total amount appropriated in the 1951 budget exceeds by more than \$4 million the appropriations approved at the last session of the General Assembly for the current financial year, that is, 1950.

50. My delegation is of the opinion that the amount of \$36.6 million budgeted for 1950 would have been amply sufficient to cover the normal work of the United Nations in 1951. The USSR delegation considers that the appropriations for 1951 are excessive and are not warranted by the real requirements of the United Nations.

51. The PRESIDENT (*translated from French*): There are two more draft resolutions in the same report [A/1734].

52. I now put the second draft resolution to the vote.

The second draft resolution was adopted unanimously.

53. The PRESIDENT (*translated from French*): I now put the third draft resolution to the vote.

The third draft resolution was adopted by 54 votes to none, with 5 abstentions.

The problem of the independence of Korea. Plans for the relief and rehabilitation of Korea: membership of the Advisory Committee

54. The PRESIDENT (*translated from French*): I would draw your attention to the following point. In the resolution concerning the question of the relief and rehabilitation of Korea, adopted by the General Assembly on 1 December 1950 [314th meeting], it is stated that the Assembly decides to establish "an advisory committee consisting of representatives of" — and here a blank space was left in the text — "to advise the Agent General with regard to major financial, procurement . . . and other economic problems . . .". The names of the members of the committee should have been proposed at the time and put to the vote.

55. I now propose the following five countries, in order to complete the text of the resolution: Canada, India, United Kingdom, United States and Uruguay.

The proposal was adopted by 53 votes to none, with 6 abstentions.

56. The PRESIDENT (*translated from French*): I believe I may take the liberty of explaining that the delegations which abstained did so not because they were opposed to the suggested membership of the committee, but because of the stand they had taken with regard to the draft resolution as a whole.

57. We have now completed the consideration of the agenda for the fifth session except for a few items which still remain on the agenda of the First Committee. Accordingly, I must wait until the First Committee finishes its work before convening a plenary meeting of the General Assembly.

58. Mr. MALIK (Union of Soviet Socialist Republics) (*translated from Russian*): When the work of the First Committee was suddenly interrupted⁴ in order to place before the General Assembly a draft resolution submitted by a number of delegations, it was said that the Assembly would dispose of the draft very quickly. The representative of Turkey, I believe, even stated that it would only take about half an hour. That failed to elicit any comment from the Chairman of the First Committee, Mr. Urdaneta Arbeláez, and it was apparently our intention to return to our work in the First Committee without delay. We failed to do so, either today or yesterday after the General Assembly had adopted the draft resolution of the First Committee.

59. Yet there are still four most important items on the agenda of the First Committee. There is, first, the question submitted by the United States and some other delegations, which we have not finished considering. Then there is the question of United States aggression against China — a most serious matter, the discussion of which has been quite unjustifiably postponed many times. Then there is the question of the bombing of Chinese territory by the United States Air Force — a most serious and important matter, the consideration of which has also been postponed many times. Finally, there is the question of Formosa, submitted by the United States delegation.

60. It is therefore desirable that the First Committee should resume its work without delay.

61. The PRESIDENT (*translated from French*): I believe that all the members of the General Assembly would like to see the First Committee finish its work at the earliest possible moment. If difficulties should arise or negotiations become necessary, the question might be settled by the General Committee. I intend to convene a meeting of the General Committee within the next few days, with regard to the date of the closure of this session of the General Assembly. I cannot, however, make any suggestions until I have consulted the General Committee of the General Assembly.

The meeting rose at 12.10 p.m.

⁴ *Ibid.*, First Committee, 415th meeting.