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**VERBATIM RECORDS OF THE DISCUSSION WHICH TOOK PLACE IN THE GENERAL ASSEMBLY ON THE REPORT OF THE THIRD COMMITTEE CONCERNING THE QUESTION OF REFUGEES.**

(1) *From the report of the twenty-ninth plenary meeting of the General Assembly held at Central Hall, Westminster, on Tuesday, 12 February 1946 at 5 p.m.*

The PRESIDENT: The next point on our agenda is the question of the Refugees Commission.

I call upon the delegate for Norway.

Mrs. DALEN (Norway): The report on the question of refugees (document A/45) which I present to the General Assembly on behalf of the third Committee, shows the great importance attached to this matter by many countries.

Seven meetings, apart from meetings of a drafting subcommittee, were devoted to discussion of the refugee problem by the third Committee, and more than a score of delegations took an active part.

It will be noted that it is recommended that the Social and Economic Council establish a special Committee to carry out promptly the examination and preparation of a report on the question of refugees, to be made to the second session of the Council and, in due course, to the second part of the first session of the General Assembly. It will be noted also that the resolution includes a number of principles which it is recommended should be taken into account by the Economic and Social Council in carrying out this task.

I now have the honour to present the report of the third Committee, and I submit to the General Assembly for its consideration and approval the concluding resolutions.

The PRESIDENT: I call upon the delegate for the Soviet Union.

Mr. VYSHINSKY (USSR): The Soviet delegation supports the draft resolution presented to the Assembly and prepared by the third Committee, but it considers that the Assembly should make three additions to the resolution.

The first addition raises an extremely important question. If this question is not solved the whole resolution may be deprived of value.

Paragraph (c) point (ii) of the report of the third Committee states that:

"No refugees or displaced persons who have finally and definitely, in complete freedom, and after receiving full knowledge of the facts including adequate information from the Governments of their countries of origin, expressed valid objections to returning to their countries of origin and who do not come within the provisions of paragraph (d) below, shall be compelled to return to their country of origin."

People who refuse to return to their country are not compelled by force to do so. A man who does not want to serve his country is not compelled to return. But we must be logical and, having stated that the question of returning depends on the personal desire of the individual concerned, we should give that individual the right to decide this question for himself. He should not become the victim of Fascist or semi-Fascist propaganda directed against all the principles by which all of us are bound. We cannot allow this Fascist or semi-Fascist "influencing" of refugees, which is often carried on in the camps in the most flagrant manner. We cannot allow this "influencing" to

turn these men into Fascist agents and enemies acting against the interests of the United Nations.

To-day we read in the *Daily Herald* that the Third United States Army has frustrated the attempts of Yugoslav refugees in Germany to reconstruct a Royal Yugoslav Army and to try to plunge their country once again into a military upheaval. We are also informed of similar facts regarding the Polish adventurers who are taking advantage of the refugee camps for this purpose. Such facts are rendered possible precisely when Fascist propaganda is carried on in the camps, propaganda which is inseparably connected with Fascist crimes and paves the way for them.

We cannot tolerate such propaganda. We cannot tolerate propaganda of this kind. For this reason we proposed to include in paragraph (c) the following sub-paragraph:

"(iv) No propaganda should be permitted in refugee and displaced persons camps against the interests of the Organization of the United Nations or her Members, nor propaganda against returning to their native countries."

The Committee did not adopt this addition. We consider that the refusal to include our addition is the result of an obvious misunderstanding, as the opponents of our addition saw in it a proposal to limit freedom of speech in the camps. But this is another matter. It is not freedom of speech. It is the abuse of freedom of speech. It is an appeal to treason. It is incitement to hostile action. Propaganda which leads to treason must not be allowed. That is why we once again ask for this amendment to be included in the report.

Now I come to the second addition which we have suggested. Among the officials administering the camps there are men who are highly suspicious and of a manifestly criminal character. How can we allow Germans to be among the personnel of the administration and even at the head of it, instead of the administration of these men being composed of those who fought against the Germans?

There are some camps where the Germans participate in the management of the camp. We cannot tolerate a situation of this kind. For this reason, we propose the following addition to the draft resolution:

"(v) The personnel of refugee and displaced persons camps should first of all be comprised of representatives of States concerned, whose citizens are the refugees."

What can be more logical than that? If there are any Russian, Yugoslav, Ukrainian or Byelorussian refugees in the camp, why not employ in the administration of the camp men who are fellow-citizens of the refugees? This would be just, for who is better qualified than their fellow-citizens to help these men, give them support, take care of them and inform them of the actual conditions in their countries? It would be perfectly natural and just. I see no reason why the addition should not be adopted.

Finally, I come to the third addition which the Soviet delegation has proposed. You will see that it is connected with paragraph (d) which states that no action taken as a result of this resolution shall be of such a character as to interfere in any way with the surrender and punishment of war criminals, Quislings and traitors, in conformity with present or future international arrangements or agreements.

This is, of course, perfectly right and should be supported in its entirety, but we think that the paragraph does not go far enough. The whole resolution speaks of assistance to refugees, but it is inconceivable that the traitors and Quislings mentioned in this paragraph should be able to avail themselves of such assistance. It should be

plainly stated, therefore, that no assistance and no support shall be given to Quislings, traitors and war criminals; that these gentlemen shall be handed over to their respective governments for trial and punishment, and that these gentlemen shall be sent back to their own countries to serve their sentences of forced labour, and to redeem their crimes which have caused so much suffering to the peoples of the United Nations. For this reason, we propose our third addition which reads:—

“ Quislings, traitors and war criminals as persons who discredited themselves by collaboration in any form with the enemies of the United Nations, should not be regarded as refugees who are entitled to get protection of the United Nations. Quislings, traitors and war criminals who are still hiding themselves under the guise of refugees should be returned to their countries immediately.”

We maintain that this addition would be just. These criminals and traitors are not refugees. Those who are still hiding themselves under the guise of refugees should be sent back immediately to their respective countries for trial and for the just appeasement of the public conscience, which has been outraged by the Fascist aggression brought about with the assistance of these criminals. We think, therefore, that the additions proposed by the Soviet delegation should be included in the report, particularly as this paragraph is merely a prolongation of the idea by which the authors were guided in the drafting of paragraph (c) and which shows how to act and how to deal with these traitors. In the name of the Soviet delegation I insist on the inclusions of the additions that we have proposed.

The PRESIDENT: I propose that we adjourn this meeting until tonight at 9.15 p.m. sharp.

(2) *From the report of the thirtieth plenary meeting of the General Assembly held at the Central Hall, Westminster, on Tuesday, 12 February 1946 at 9.15 p.m.*

The PRESIDENT: I call upon the delegate for Yugoslavia.

Mr. BEBLER (Yugoslavia): In the committee which dealt with the refugee question, the Yugoslav delegation at the beginning of the discussion gave a fairly detailed picture of what is now known as the Yugoslav emigration. We showed that in addition to persons displaced by the Germans as prisoners of war, internees and workers, there are other refugees who did not flee the Germans and were not displaced by them. On the contrary, they fled their country with the Germans when the armies of liberation marched in, because they realised their guilt towards their own people. As a result, whole regiments of Quislings are now abroad. This, as we have pointed out, is an abnormal situation which endangers good relations between States and therefore constitutes a threat to peace.

On these grounds, we stressed that it was in the interests of good understanding between the United Nations to put an end to such a situation, and explained what we considered to be the proper course to follow.

We said that these formations were obviously composed of criminal elements, considered both subjectively and objectively, and also of offenders from the purely objective standpoint. We made it clear that, in view of the amnesty laws in force in our country, the latter category need not be afraid to return home; whereas the former, who incited others to treason, must be extradited to atone for their crimes against their country and against mankind.

But there are others who have left their country, and whose position is quite different. There are the refugees from the only Fascist land in Europe. Franco Spain. There are the German Jews, and other categories of persons who have valid reasons for not going back.

We wondered what criterion to adopt in distinguishing between those who deserve help, even over a lengthy period, and those whose residence abroad is harmful to good understanding between nations. The answer, it seems to us, is simple; we have only to determine who is the victim of Fascist aggression and who is not. The victims of Fascism are entitled to every consideration. Those who were not so victimized create a political problem which must be solved forthwith if we are to avoid disastrous consequences.

That was the starting point of lengthy discussion in both the committee and the subcommittee. The resolution submitted to-day is the result. This resolution brings out the marked differences between the categories of people who are at the present time outside their country of origin. It also has the great merit, which we owe, among other things, to the understanding attitude of Mrs. Roosevelt, the United States delegate, of recognizing that the chief service we can render these displaced persons is to encourage and help them in every possible way to get home quickly.

Yet it seems to us that the resolution stops half-way. First, in that it fails to observe the logical distinction between victims of Fascism and other refugees, so it promises one and all, except, of course, the Quislings and war criminals, that the international body will answer for their future. This sweeping provision would apply, in the case of my own country, to amnestied Quisling soldiers who do not wish to return and whose extradition we do not ask, and it would likewise apply to a category I have not mentioned because it is less important; those who do not want to live in their own country because of their past—and, very often, present—anti-democratic activities. By embracing all these, the resolution indirectly saddles democratic governments with liability for the maintenance of their emigrated enemies. Such a consequence is in our opinion inadmissible.

Finally, the resolution does not afford sufficient safeguard that everything will be done to ensure that displaced persons under the influence, and often under the pressure of officers or other individuals who deprecate their return to their country, are fully conversant with the economic and legal situation awaiting them at home. This is in most cases the most important point if we want these people to come back, and the present situation requires that appropriate steps be taken.

Mr. Vyshinsky referred to the news in this morning's papers, and I shall not go further into that. Our view is that democratic governments should be able to establish direct contact with these people in order to counteract the influence of anti-democratic elements which seek at all costs to use displaced persons in making trouble and in promoting schemes hostile to their own country.

In particular, the interpretation given to the text by the committee Chairman appears to be diametrically opposed to the decision we should take here. In the report read to-day, the Chairman states that information supplied to refugees from the governments of their countries of origin should be made available through the responsible international body. In his opinion, therefore, there can be no possibility of direct contact between the bulk of displaced persons and the government representatives. I wonder why?

Another point. The majority of the committee who voted for the resolution went so far as to reject

the Soviet proposal to prohibit propaganda in the camps against the United Nations Organization or its Members, as well as propaganda against returning to their native countries.

If the Assembly wishes to arrive at a coherent and logical solution of this important problem of refugees, we must not follow the committee on the points I have just raised, and more particularly the last two.

For these reasons the Yugoslav delegation supports the committee's resolution, together with the Soviet amendment, and proposes that it be adopted by the Assembly.

The PRESIDENT: I call upon the delegate for Poland.

Mr. WINIEWICZ (Poland): The problem of the refugees has been thoroughly considered by the Social Committee. However, not all aspects of that discussion could find their expression in the report which is now before the Assembly. But we say this, having all due respect for the Rapporteur who has worked out a remarkable and comprehensive report. For instance, the report does not record the view expressed in the Committee by some delegations that allied soldiers who contributed to the common victory and would remain abroad away from their countries, should not be ranked among refugees. Indeed, the view of the Polish delegation is that their contribution to the common victory of the United Nations entitles them to something more and better than the status of destitute exiles in an alien land. Their problem should be dealt with separately, according to the promises which were already given to them by some of the governments concerned. It is, therefore, a problem for bilateral agreement and not for an international settlement; but we are not intending to move an amendment upon this point. We think that it will find its expression during the discussion in the Economic and Social Council.

We submit here that we support the amendment of the Russian delegation, because to our mind it stresses, and rightly stresses, the political importance of a problem, the humanitarian significance of which no one intends to deny, above all not the Polish delegation, the delegation of a nation whose members suffered so much.

May we observe that the second part of the Russian amendment corresponds to a certain degree to a resolution which was unanimously accepted by the first Committee, a resolution dealing with the extradition of war criminals? In view of this fact, we think that the Assembly should also accept the idea expressed in the amendment of the Soviet delegation. (*Applause.*)

The PRESIDENT: I call upon the delegate for the United States.

Mrs. ROOSEVELT (United States): I am extremely sorry that we have to take up your time to go in again to a discussion which has been thoroughly covered for two weeks in our Committee.

We agreed in part, we compromised, but I am extremely sorry that I have to oppose the speakers who have already spoken this evening. I realize that we speak from different points of view, and I understand why to them this seems different from what it does to me.

I cannot remember a political or a religious refugee being sent out of my country since the Civil War. At that time I do remember that one of my own relatives, because he came to this country and built a ship that ran contraband to the South, was not included in the amnesty. But since then this has not been a question that has entered into my thinking.

Europe has had a succession of wars and changes in population, as well as changes in ownership of land; and therefore it is natural that we approach

the question from a different point of view; but we here in the United Nations are trying to frame things which will be broader in outlook, which will consider first the rights of man, which will consider what makes man more free: not governments, but man.

Now I think we have to read back a little bit to what happened in this Committee. We can agree on certain things. After a good deal of discussion paragraph (c) (ii) was accepted. Our friends who opposed the acceptance of the report as a whole and wished these amendments to be included took some persuading before they agreed to paragraph (c) (ii) but they did agree and they also agreed to (d), and now (d) it seems to me fully covers their third paragraph, though it does not say Quislings, traitors and war criminals who are still hiding themselves under the guise of refugees should be returned to their countries immediately.

None of us disagree that those who had actively taken part against their countries shall not be returned and punished, but there are differences. Some people fought against the enemies of their country, but are still unwilling to go back because they do not agree with the present government in their countries. That, I think, is something we have to take into consideration; so that I do not think those words should be included, and I think that all that we really should say is said in paragraph (d) of the report, which says:

"Considers that no action taken as a result of this resolution shall be of such a character as to interfere in any way with the surrender and punishment of war criminals, Quislings and traitors in conformity with present or future international arrangements or agreements."

I think that covers all that we need to safeguard the point of the return of the people who should be returned.

Now, let us take the paragraphs that we have added to this. The first one is that:

"No propaganda should be permitted in refugee and displaced persons camps against the interest of the Organization of the United Nations nor her Members, nor propaganda against returning to their native countries."

The second one, which must be read with the first, says:

"The personnel of refugee and displaced persons camps should, first of all, be comprised of representatives of States concerned, whose citizens are the refugees."

Now I never heard in the Committee the argument that there had been found Germans in positions of authority in some of the refugees and displaced persons camps. That is a new argument. If they were to be found, naturally no German should be allowed to be in that position, but it is fairly easy to find an occasional German in a position in a refugee or displaced persons camp. But these camps are, after all, places of refuge for people of many nationalities. They would not be there if they were ready to go back to their countries of origin. Therefore, I think it is fair to suppose that they are not in complete sympathy with the governments that are now in power in their countries of origin.

Now you must look at things from a wider point of view than the particular point of view that affects you as an individual at the moment. Suppose we turn this around and suppose we said that any Spanish Republicans found in refugee camps should be sent back at once to their country of origin or that they should be put in camps where the personnel was of their present fascist government? Well, it is obvious it is ridiculous, because it is a fascist government. You would not do that.

But there are other less easy things to get over. I happen to come from the United States. I used in the Committee an example; I am going to use it again; it is purely hypothetical. We happen to have an island in the Caribbean called Porto Rico. Now in Porto Rico there are several factions. One faction would like to become a State. Another faction would like to be entirely free. Another faction would like to stay just the way they are in their relation to the United States. Suppose just for the sake of supposing that we had a refugee camp. We belong to the United Nations, but are we going to say that the Porto Ricans who happen to want to be free from the United States shall receive no letters from home, none of their home papers, no letters perhaps from people who have gone to live in other places or information from other places? I think that we can stand up under having them free to get whatever information comes their way and make up their own minds. They are free human beings.

Now I think that we have shown in the last few days that we do not intend to have refugee camps used as places for political agitation. We will prevent that whenever we discover it. But no propaganda, that is going pretty far.

What is propaganda? Are we so weak in the United Nations, are we as individual nations so weak that we are going to forbid human beings to say what they think and fear whatever their friends and their particular type of mind happens to believe in? Surely we can tell them, their own governments can tell them, all we want to tell them. We are not preventing them from hearing what each country wants them to hear, but we are saying, for instance, that in the United States we have people who have come there from war-torn Europe. They are in two different camps. They will write their relatives as they hear they are in different camps in Europe and they may not always say things that are exactly polite or in agreement with the United Nations. They may even say things against the United States, but I still think it is their right to say them and it is the right of men in refugee camps and women to hear them and to make their own decision.

I object to "no propaganda against the United Nations or any Member of the United Nations." It is like saying you are always sure you are going to be right. I am not always sure my Government or my nation will be right. I hope it will be and I shall do my very best to keep it as right as I can keep it and so, I am sure, will every other nation. But there are people who are going to disagree and I think we aim to reach a point where we on the whole are so right that the majority of our people will be with us and we can always stand having amongst us the people who do not agree, because we are sure that the right is so carefully guarded amongst us and the freedom of people is so carefully guarded that we will always have the majority with us.

For that reason I oppose including in a report which we have to accept these amendments, which I consider restrictive of human rights and human freedom. (*Loud and prolonged applause.*)

The PRESIDENT: I call upon the delegate for the United Kingdom.

Mr. McNEIL (United Kingdom: It is too with great regret that we resist the three amendments which Mr. Vyshinsky has urged upon us. I must ask the Assembly to believe that my country has done everything it could reasonably be expected to do to meet the objections to which three speakers have spoken tonight. There were first of all three separate papers: a comprehensive and exalted one from our Dutch colleague; another from the American delegation, exhibiting perhaps a little

more caution; and it is worth noting that these two papers were presented by two of the most distinguished women delegates of this Conference, whose anti-fascist attitude is beyond doubt or query; and a third paper which was a slim, cautious understatement on this complex problem.

In an attempt to meet the objections of our Russian colleagues, the Dutch and ourselves withdrew our papers, hoping we might find a basis of agreement on the American paper. That in turn proved impossible.

The Chairman of the third Committee, Mr. Fraser, in a further effort, sent this third paper to a subcommittee; and then after the debate we have this resolution, which I suggest, is the minimum consistent with the mandate which the third Committee had and by which every delegate of this Conference is bound: the mandate which is the Charter of the United Nations.

I want for a second to ask delegates to look again at the three amendments offered by our Russian, Yugoslav and Polish colleagues. With the first Mrs. Roosevelt has dealt in a fashion that I cannot emulate. Propaganda is a most subtle and elusive term, and it is because not only does our delegation not know where to draw the line here but who is to draw the line that, most reluctantly, we have had to decline the Russian amendment. We have tried very hard in Committee to understand and to arrive at a defined machine for doing this job. No definition has been offered, as Mrs. Roosevelt said, and therefore, as a business Committee, we cannot commit ourselves.

The other two propositions we have got to reject, because, as it were, in Western European thought and in Anglo-Saxon thought we have always based ourselves on this axiom that you cannot both be accuser and judge of the one offence or the one person. What is the purpose behind suggesting that the supervisor might be of the same nationality as the displaced person? I hope I am completely wrong, but it seems to me that there is a grave risk that you tax the zeal of the supervisor and you perhaps expect from the displaced person a courage and resolution and ability to withstand which he or she is not likely to display after three or four or five years perhaps trekking across half the Continent of Europe.

Similarly, we find difficulty in this phrase: "the Quislings, traitors and war criminals who are still hiding themselves under the guise of refugees should be returned to their countries immediately." By whom? Who shall decide? No delegation in this Conference has at any time displayed any reluctance to use whatever machinery was accepted to hand back these bestial people, if there was a case presented against them; and the resolution before the Assembly provides for that, again as Mrs. Roosevelt has said.

Mr. Vyshinsky pointed most carefully and dexterously, as we expect him to do, to this raid by the American Third Army, and argued, if I understood him aright, that this was proof that these arbitrary powers should be taken over. I suggest the very opposite. The raid by the American Third Army proves three things: firstly, that we are above the suspicion that in circumstances we will try to harbour Quislings, traitors or war criminals; secondly, that we are getting on with the job and destroying that kind of nest wherever that nest is established; and, thirdly, and this brings us back to the resolution, it proves that this Assembly must tell the Economic and Social Council to press on urgently with this task of examining, classifying and determining and providing for the genuine refugee, because as long as there is no classification, as long as there is no identification, as long as proper facilities for the treatment of these poor people are lacking, then it

is in these disordered crowds that the criminal will hide. Any boy who ever read Sherlock Holmes knows that if you want to avoid the CID you really go to Piccadilly Circus.

I said that this resolution was the minimum which our Committee could offer to the Assembly consistently without overriding the mandate. What is our mandate? It is set out again and again in the Charter of the United Nations. Phrases like "to practice tolerance"; "to reaffirm faith in fundamental human rights"; "in the dignity and worth of the human person"; "in equal rights of men and women and of nations large and small." These are phrases that redeem this collection of words from a barrister's brief or a lawyer's document. These are the lamps that light this Assembly, and there is the mandate from which our Committee could not escape.

Making all reasonable provision, drawing the net of justice as closely as we could, making the meshes as small as we could, we still had to affirm that our first job here was not to wreak vengeance but to bring succour; at any rate, my country will not lose sight of that fact; we could not. Tolerance, the right of asylum, these are some of the most precious words in our vocabulary. When toleration, pity and asylum disappear from our tongue, then it will no longer be the English tongue.

Mrs. Roosevelt used an attractive argument in Committee which tempts me to repeat something that has already been said there by me and other people. We are proud of many of the refugees to whom we have given asylum in this country, and there is none of whom I am more proud than a gentleman called Karl Marx. He came and used his brains in our libraries and he produced a system of thought even to tearing down the fabric of society which offered him shelter, and which he properly and rightly accepted. I prayed that we would not depart from that tradition, and I found that if this Assembly loses that colour, that tone, that level in its deliberations and in its decisions, it will be falling short of this Charter upon which we base all our activities.

I opened by saying that I regretted that we could not accept amendments. Of course, that is wrong. I regret that I have to oppose our colleagues who worked so zealously and so sincerely in the Committee, but I have no regret that we must oppose and resist their amendment. We have great pride that we must do so. (*Applause*).

The PRESIDENT: I call on the delegate for Czechoslovakia.

Mr. BELEHRADEK (Czechoslovakia): I think there is not such a great and fundamental difference in opinion as seems to be emphasized by some of the speakers. I think it is especially necessary for us to be aware of the fact that none of the speakers proposed that the refugees should be sent back to their countries of origin against their political taste and will. As far as I understand it, there has not been pronounced a recommendation aiming to force the return of refugees to their homes; with the exception of some war criminals and Quislings, to which we have all agreed, rules proposed in the report do not apply.

This problem, of course, does not especially concern Czechoslovakia, because practically all our people are already at home. Besides, Czechoslovakia is known to the humanitarians as second to none as an asylum to political refugees through the centuries. Let me remind you that Thomas Mann, before he went to America, was given Czechoslovakian citizenship.

I think that we in Europe have a right to look at things our own way. We have suffered much more than many delegates in this room can imagine.

There are delegates in this room who have spent some time in concentration camps, and if they are seemingly less humanitarian, it only means that they are more on their guard against any possibility of the return of anything even remotely resembling fascism or nazism. They have the future of the United Nations very much at heart when they raise their voices against the considerable remnant of dark forces who, under all possible pretexts, even under that of being refugees, are still hoping to disturb the very fundamental objectives for which the United Nations is striving.

The PRESIDENT: I call upon the delegate for Denmark.

Mr. RASMUSSEN (Denmark): As to the three proposals submitted by the Soviet delegate, I would like to say that the first one about propaganda I have no difficulty in accepting, and my delegation is going to vote for it. As to the second one, which is worded like this:

"personnel of refugee and displaced persons camps should first of all be comprised of representatives of States concerned, whose citizens are the refugees."

I should not be able to vote for this paragraph in its present form, but I have some reason to believe that the English wording does not correspond to the thought of the Soviet delegate who drafted it, and therefore I should like to ask Mr. Vyshinsky whether he would be able to accept a slight alteration of the wording so as to make this paragraph read as follows: "personnel of refugee and displaced persons camps should first of all be comprised of persons of the nationality of such refugees," that is to say, we should delete the words "representatives of States concerned, whose citizens are the refugees." If the Soviet delegate is able to accept this modification (or clarification, as I think it is) I, for my part, am able to accept it.

With regard to the third proposal submitted by the Soviet delegate about Quislings and traitors, there I would like to say that what I think leads to difficulty in this proposal is the two lines after the term "war criminals." It is not quite clear in the English text how far-reaching this proposal really is, because of the qualifications added to the word "collaboration." It would be much clearer indeed if those two lines were entirely omitted, so as to make the paragraph read as follows: "Quislings, traitors and war criminals should not be regarded as refugees who are entitled, et cetera."

If these two lines were omitted one more main question would be left for consideration, and that is the question about who should decide whether a refugee is a Quisling or a traitor or a war criminal. That is not stated in the text, but as I understand the whole proposal to be sent to the Economic and Social Council, and, in particular, the explanation given by the Chairman of the Committee which dealt with these matters, it would be the future international body which would judge whether or not a person, refugee or displaced person, could invoke valid objection against his repatriation.

In conclusion I would like to ask the Soviet delegate whether he would be able to accept these two suggested amendments to the second and third paragraphs of his proposal.

The PRESIDENT: I have no more speakers on my list. I now call on Mr. Vyshinsky. (*Applause*).

Mr. VYSHINSKY (Soviet Union): I regret to be compelled to speak a second time and also I regret to have to speak against our friends from the United States and the United Kingdom.

Mrs. Roosevelt, when she opposed the amendments submitted by the Soviet delegation, raised a very important question, a fundamental question,

and as this question is raised I feel it necessary to explain my point of view.

What was the thesis supported by Mrs. Roosevelt? Mrs. Roosevelt spoke in favour of unlimited freedom and I think that this thesis is not correct. First, I think that such unlimited freedom does not exist and cannot exist in any country. I think, on the other hand, that it is indispensable to bring a limitation to the will and to the action of man and to bring a limitation to the will and to the action of nations and peoples. Can we admit unlimited freedom? I think it is impossible to admit such unlimited freedom. I think it is impossible to say that no conditions of limitation can ever be applied to freedom. This is something quite abstract. This does not take into account the real conditions of life. This cannot exist in present historical conditions.

Therefore, it is impossible not to limit the actions of man and this action is limited by laws. Take criminal law first. Criminal law on the one hand allows to be done what is allowed and on the other hand limits the action of man, saying that man cannot do what is forbidden and cannot act against the interests of the law. If this law did not exist, if liberty was unlimited, then man could say, "I can do all I want to do. I can commit any crime because I can do what I want to do." Therefore, if liberty was unlimited there would be no criminal law.

Thus the will of man is limited, limited by the will of other people, by the interest of all, and this is true also in the case of nations and of States. A State is not free to do all that it wants to do. A State is not free to be an aggressor. When a State becomes an aggressor, democracy rises and democracy either diverts the State from its course of aggression or destroys the State. This happened to Hitler.

Thus democracy is a limitation to tyranny and no democracy could allow a tyrannical State to do what it wanted to do. Democracy is a limitation to tyranny, and those who do not see this point commit a very grave mistake.

What is the question of principle which is involved here? The question of principle is that it is impossible to have unlimited freedom; it is impossible in the interests of society; it is impossible in the Organization of United Nations. Freedom is limited by life itself, and without this principle there can be no society; there can be no society of States. But is it necessary to examine the problem from such a high point of view? I think that it is not necessary, and that the question is much more simple than would appear from all that has been said.

The point is not a question of freedom of propaganda; we are not asking that freedom of speech or propaganda should be limited. What we are asking is that the incitement which leads to the commission of crime against the Members of the United Nations should be limited. One cannot solve the problem without taking into account reality. The delegates for the United Kingdom and the United States have tried to solve this problem without regard to reality, and that is impossible. What is reality? Well, we see the camps with their thousands and tens of thousands of men whose souls and minds are corrupted and inflamed against their own countries: Yugoslavs who are provoked against Tito; Poles who are provoked against the Polish Government, which has been recognized by the great powers.

It is against this propaganda that we speak, against this propaganda which is a crime, because the incitement to a crime is itself a crime, and in all countries there are laws which condemn and punish incitement to crime, incitement to crime being itself a crime. We do not say that men

should not go into the camps and preach. What we say is that we do not want propaganda which poisons the soul and the spirit of thousands of men who are in these camps, who are terrorized, who are under the terror of these fascist bands, who speak the name of freedom.

We must not forget that Hitler has called his nest of evil a National Socialist State. Hitler has abused millions of men, and all of them were not stupid, far from it, by these words "National Socialism." What was there socialist in his regime, and what was there belonging to the people of Germany? He misled everybody, and I think that here we shall all agree in this Assembly that there was nothing which could be taken for socialism in his regime. Hitler, Goering, Goebbels, Hess, Ribbentrop have misled millions of men, and even those who did not want freedom to be restricted.

The representative of the United Kingdom said that the words tolerance and pity may disappear from our vocabulary if we follow the way which our modest amendment invites us to follow. May I answer him by asking him whether in the past our tolerance was not too great and if we did not pay too much for this tolerance. The British people and other peoples, and, above all, the Soviet people, paid too much for the past tolerance by which now some try to cloak the fascist propaganda.

We do not want to accept tolerance. We paid too much for it; we paid too much in blood and we paid too much in life. One thousand, seven hundred of our towns have been destroyed; tens of thousands of our villages have been destroyed, and millions and millions of men killed. Whole areas in our country are entirely desolate after the passage to and fro of Hitler's armies, and, thank God, they were obliged to pass and to leave our country. We are afraid of a tolerance which gives such results. We do not want to accept such a tolerance; we refuse to accept such a tolerance which, in history, is known by the name of "Munchan."

It has been said by the delegate for the United Kingdom that he does not understand properly what is meant by "propaganda." To put it quite clearly, I should suggest that we should say "harmful propaganda." I think that point is quite clear and we can accept it. Then he said he did not like the suspicion about cloaking Quislings; but why put this question about suspicion. I want to recall an anecdote about an incident which happened in the Congress of Vienna. When Talleyrand's death was announced, diplomats said: "What was his real intention in dying?" This is the result when people speak about suspicion, when the question of suspicion is raised here, and I should like to turn this question of suspicion to the speaker who raised it first.

Then the question of Spanish refugees was raised, and Mrs. Roosevelt said what would happen if, by virtue of this principle, Spanish refugees would have to be sent back to Spain. It is quite impossible to put such a question in such a light. In the first case, the resolution in its point, too, clearly specifies that it is quite impossible to demand the extradition of refugees in those conditions and, in the second place, it would be quite impossible to send back a republican refugee to Spain. Nobody would have such an understanding of freedom, and if anybody had such an understanding of freedom it would take him on a very long journey to what is called the Columns of Hercules, and I should not advise anyone to undertake such a journey.

Thus, I once more submit to this Assembly the following amendment, "tending to prevent harmful

propaganda in the camps, which is directed against the return of refugees to their countries. We deem this proposal just, democratic and necessary." (Applause.)

The PRESIDENT: I call upon the delegate for New Zealand.

Mr. FRASER (New Zealand): I deeply regret this difference of opinion and the elusiveness of some of the matters that have to be discussed, because they are difficult. The question was discussed I think for four days in the full Committee, three days before the subcommittee took up the work, one after the report of the subcommittee, and then the report was adopted. We had three meetings, I think, of the subcommittee.

In the subcommittee the delegates of the Soviet Union and of Yugoslavia supported the proposed amendments. In the full Committee the overwhelming majority supported the report as it is, and there is not a word except the dialectical discussion about complete freedom that has been said tonight any different from what was said in the Committee.

Now, I am not going into the question of complete freedom at any length because there is no such thing as absolute freedom; we all agree with Mr. Vyshinsky in that. It is an echo of past decades, when anarchism, or philosophic anarchism was discussed against the working of the democratic State, and if anything has been proved in our lifetime it is that the ideals, if they were ideals, of men like Kropotkin and Bakunin are hopelessly obsolete and out of date and cannot be put forward as even possible or practicable in a world that we can imagine for centuries and centuries to come. Therefore, we all know that absolute freedom is something not even worth talking about, because the freedom to commit crime, the freedom to ignore sanitation, the freedom to do a thousand and one things that will impinge on the freedom of your neighbours, is not permitted in a democratic state. It is different, and is very precious, to give every citizen the maximum freedom consistent with the freedom of all other citizens: that is a very precious possession. It was one of the great philosophers of the United States, of Mrs. Roosevelt's country, Ralph Waldo Emerson, who said,

"What avail  
The plough or sail  
Or land or life  
If Freedom fail?"

Freedom is the reality and freedom has to be safeguarded, and in our period of anxiety (and in a moment or two I will give full measure of sympathy and I hope protection) that the international Organization that is to be set up will protect against the danger of plots from propaganda leading to plots against any of our nations, this is not the way to do it. We have to be very careful that in our anxiety to preserve the structure of our respective countries (and that is an anxiety that we all feel) we do not raise up bogeys and magnify fears and become afraid of fear itself. If there is one contribution that President Roosevelt gave to the world, when the world was sunk in the depths of depression and despair, it was not to fear fear.

We are in danger of fearing fear tonight, in raising up a system that will inevitably prove tyrannical to the masses of the people of the world. We have to watch that. After all, what does economic freedom mean? What do the ideals of any given country mean but that, by giving better economic and social conditions, you are giving greater freedom of expression and freedom of thought, indeed, the four freedoms: freedom of speech in all its varieties; freedom of religion; freedom from fear; and freedom from want. Surely we have to watch that by building up protection

against the shadow of fear and threats we are not losing the substance of freedom that the world fought for and that millions died for. After all, what is the actual position? This report says that the question is an international one.

This report recommends, and I hope the Assembly will recommend, that a special committee of the Economic and Social Council be set up to deal completely and entirely and effectively and efficiently with this problem. We cannot lay down all the instructions that may be necessary to that international body or to the Economic and Social Council, because, finally, the Assembly will be the authority to say whether the plans laid down, whether the rules adopted, or whether the measures taken, are right, just and adequate—and I emphasize right and just as well as adequate; and there is no need for this body, this Assembly at this moment (that was the opinion of the Committee) to give every detailed instruction about what ought to be done. The Committee will deal with that; this international body will have full power to deal with the circumstances in any place in any country in any camp at any time; and we have to beware if we adopt this, that, instead of being here at the birth of the United Nations, we are attending the funeral of liberty and freedom. We have to be very careful about that.

Now the first amendment does endeavour to deal with a position that cannot be dealt with effectively except at any particular spot on the merits of the situation at any particular moment when danger occurs.

Everybody agrees that the American Third Army did a right job and a good job and a just and proper job when they stopped those who were conspiring against Poland in Yugoslavia the other day. No question about that at all. And it shows, and I would cordially agree, that so long as we are banded together as the United Nations (and again we have got to be careful) there may be some even among the United Nations. Some countries have been accused of being fascist countries, some even among the United Nations, whose nationals have escaped to other countries and who are now carrying on propaganda for what they consider to be a tyrannical regime. They may be refugees. Are we to say to them, "Your fundamental freedom of expression of your opinion about the Government of what was your own country is to be taken away"? I do not think the United Nations fought for that; I do not think that for one moment. I believe we did fight for freedom and the maximum of freedom in all circumstances.

Now where does propaganda, where does discussion become a danger and a menace to countries? Well, I will give one example to show how difficult the problem is. I saw laid out on the slopes of Cassino, where our men had been sacrificed by the hundred, shortly after Cassino was taken, the corpses of brave Polish soldiers, as brave as the soldiers of my own country, of Britain, of America, of Russia, of China, of any country. They did all they could do, gave their lives for freedom, and their comrades are there still. Surely their use as a military force must end. They cannot go on. They cannot be under officers that may be perpetually hostile to Poland. That cannot go on, and it is a problem no doubt engaging the attention of the Allies now, for all I know, and surely it must be. When they are disbanded, those men who have fought for our freedom, and they go into a camp, are we going to say to them that their opinions, their freedom of opinion and thought, must now be forsaken and forbidden to them? The thing is unthinkable and untenable. And the problem is not for us. We have laid down the principles and they are wide principles. We

have got to operate them, but if in the operation it is found that any refugee camp is a nest of intrigue, that it is a nest of conspiracy against another country, then it would be the plain duty of this international body to stop them, but not for expressing their opinion that the government of their country is a wrong government.

I am sorry to say in New Zealand a lot of people think our Government is a wrong government. I know they ought not to say that; I know that they ought not to oppose it; I know they ought to agree with everything that we say and everything we do and give us a hundred per cent vote, but they will not in New Zealand. They have got into the habit of thinking for themselves and voting for themselves and voting against us as well as for us. And that is an inherent right that we have been born to and brought up to. We cannot possibly agree to have that superseded because we are to hand out a crust of bread to unfortunate people who have lost their country.

What would have happened in the history of the world without tolerance? It was not tolerance that brought the world to the pass it is in. It was not tolerance that brought the war, but intolerance, tyranny, the deification of the State and the State personified in one man. The doctrine of Mussolini was that he was going to preside at the burial of the corpse of Liberty. It was his corpse that was buried, only not soon enough. That is my honest sentiment about him. I do not want to say a word for those criminals who plunged the world into war and did such terrible things, with their deification of the State as against the human individual, the trampling underfoot of human rights. I would not even have given a trial to some of those criminals that are on trial at Nuremberg today. Everybody knows they are guilty. They are self-professed criminals and should have been got rid of before. That is my personal opinion. That does not matter.

The point that I am concerned about is that we should not stifle honesty of thought even in a dispossessed person, even in people who have left their country and who have dared to think against a government in that country and to say that that government is not a good government and to say that that government ought to be displaced and who express their belief that they could have a better government. Why, that has been the privilege of refugees throughout the centuries, refugees like Garibaldi and Mazzini, refugees who have come from Spain, who have come from Germany, who have come from France, when autocracy was in power there. No country that has gloried in the liberty of the free countries can possibly be a party to agreeing to anything that will prevent the exercise by every human being as an essential part of the dignity of the person and human rights, his claim to human rights; nobody can be a party to preventing him enjoying the four freedoms.

Nobody can point out in a general resolution where propaganda is political controversy and allowable and fair, where it is an attempt to convince other people that they are wrong and that they should accept the policy and the principles of the politics of the person advocating those, and where it develops into active, vicious and malicious conspiracy against the country of their origin. It cannot be done; it could not be done in the Committee; it could not be done in the subcommittee; it cannot be done in the Assembly. It can only be done by those finally administering, at present, the military forces of the United Nations and afterwards by those who are operating the administration of the international organization to be set up.

That is number one and I come to number two, and here I pay tribute to the dialectical ability with which Mr. Vyshinsky spoke so eloquently; I followed his remarks with great interest and pleasure from the intellectual point of view. But number two is almost appalling.

The conception that refugees who are opposed to the government of their country should be put under the subjection of those to whom they are opposed does not bear a moment's examination. No men who believe in freedom could possibly agree to that. I agree that we should give the right to the government of the country of origin to go into the camp to tell the people that they are wrong, that they will be safe in their own country, and happy and successful in their own country. That should be done. There is no doubt that in the world today there is propaganda against going back to their own country, and it may be hopelessly wrong propaganda; but surely the way to correct that propaganda is by giving them the facts? The whole conception of care for the refugees is that they should have as good conditions as possible to live in for as short a time as possible, and here I would say that I agree entirely with Mr. Vyshinsky that people who do not want to go back to their own country are better out of it; and I certainly agree that if we of the United Nations undertake the responsibility for them we should not pay for propaganda or for the means of conspiracy against their own countries. But, when it comes to setting their opponents over them and placing them at the mercy of those who are opposed to them, the United Nations surely cannot stand for that.

In regard to the third amendment, I submit that that amendment is not necessary, because it has already been clearly pointed out that the Quislings and the war criminals and collaborators have no standing. It has been agreed amongst the United Nations that if these traitors are discovered they are to be handed back to the country which they have betrayed. That is already the policy of the United Nations. It has been acted upon and it is being acted upon now, and it is not necessary at all to repeat it. This report, anyhow, says that they are not going to get the benefit, when they are discovered, of being prevented from being repatriated to their own country: they are going to be sent there. I have known some people who think that those who disagree with them are Quislings. We must see that the bounds of freedom are not unduly limited.

The Committee gave great thought to this matter. They wanted, if they could find the words, to put in that there should be no conspiracy tolerated or encouraged in any way. It is difficult to find the words, but we must try to get the general indication, and trust to the international body which is to be set up to do the job efficiently. I believe it will, and that in addition to safeguarding the United Nations it will also see that human rights are not infringed but that they are maintained, that the dignity of the person, the refugee person, is observed, and that the four freedoms that our peoples fought for are not submerged and trampled underfoot.

The PRESIDENT: The general discussion is closed. Before taking the vote, I should like to ask the Soviet delegate whether, after this lengthy debate, he is not prepared to withdraw his amendments?

The last paragraph of the Committee's resolution recommends that the question be referred to the Economic and Social Council for thorough examination in all its aspects. My own feeling is that the various points discussed here this evening ought to have been raised in the Economic and Social Council. Although I cannot take part in this

debate, I must point out that it would be better for a specialized technical committee to attempt a solution. However interesting the discussion, I think a good deal of misunderstanding as regards the various views could and should be cleared up.

I would ask the Soviet delegate whether he is prepared to reserve his amendments for discussion in the Economic and Social Council. If he maintains his proposal I shall take a vote.

Mr. VYSHINSKY (Soviet Union): The Soviet delegate does not see the reason for such a question. We have clearly stated our amendments; we spoke twice in support of the amendments. To your question, Mr. President, I, therefore, answer "No."

The PRESIDENT: The subject of the vote is the resolution presented by the committee, but we must first vote on the amendments and sub-amendments. I suggest we take the three Soviet amendments one by one.

Mr. BEBLER (Yugoslavia): For the amendments, I request a roll-call paragraph by paragraph.

The PRESIDENT: As there is no Danish sub-amendment to the first amendment, I call for a vote on the following text, for insertion after paragraph (c):

"No propaganda should be permitted in refugee and displaced persons camps against the interests of the Organization of the United Nations or her Members, nor propaganda against returning to their native countries."

Those in favour of inserting this text will vote "Yes." Those against will vote "No." As requested, we shall vote by roll-call.

*(The vote was taken by roll-call.)*

*In favour:* Byelorussia, Czechoslovakia, Denmark, Ethiopia, France, Norway, Poland, Ukrainian SSR, USSR, Yugoslavia.

*Against:* Argentina, Australia, Belgium, Bolivia, Brazil, Canada, Chile, Colombia, Costa Rica, Cuba, Dominican Republic, Ecuador, El Salvador, Greece, Honduras, India, Iraq, Liberia, Netherlands, New Zealand, Paraguay, Peru, Philippine Commonwealth, Saudi Arabia, Syria, Turkey, Union of South Africa, United Kingdom, United States, Uruguay, Venezuela.

*Abstained:* China, Iran.

*Absent:* Egypt, Guatemala, Haiti, Lebanon, Luxembourg, Mexico, Nicaragua, Panama.

The PRESIDENT: Here is the result: Thirty-one delegates voted against, ten in favour, two abstained, and eight were absent.

The amendment is rejected.

Does the Danish delegation wish to maintain its sub-amendment to the Soviet amendment?

Mr. RASMUSSEN (Denmark): Yes.

The PRESIDENT: Then we must first vote on the sub-amendment, which is that the words "persons of the nationality of such refugees" be substituted for the words "representatives of states concerned, whose citizens are the refugees." I put this to the vote.

*(The sub-amendment was rejected.)*

The PRESIDENT: I now call upon the Assembly to vote on the original draft of the Soviet amendment.

Mr. BEBLER (Yugoslavia): I want a roll-call on all three of these amendments.

The PRESIDENT: We shall vote by roll-call, as requested.

*In favour:* Byelorussia, Czechoslovakia, Iraq, Netherlands, Poland, Ukrainian SSR, USSR, Yugoslavia.

*Against:* Argentina, Australia, Belgium, Bolivia, Brazil, Canada, Chile, Colombia, Costa Rica, Denmark, Dominican Republic, Ecuador, El Salvador, France, Greece, Honduras, India, Liberia, New Zealand, Norway, Paraguay, Peru, Philippine Commonwealth, Turkey, Union of South Africa, United Kingdom, United States, Uruguay, Venezuela.

*Abstained:* China, Ethiopia, Saudi Arabia, Syria, Iran.

*Absent:* Cuba, Egypt, Guatemala, Haiti, Lebanon, Luxemburg, Mexico, Nicaragua, Panama.

The PRESIDENT: Here is the result: Twenty-nine delegates voted against, eight in favour, five abstained, and nine were absent. The amendment is rejected.

On the third Soviet amendment we have a sub-amendment by the Danish delegation deleting the words "as persons dishonoured for collaboration with the enemies of the United Nations in any form."

Mr. BAJAN (Ukrainian SSR): I move that we alter the amendment by deleting the words "as persons discredited by any form of collaboration with the enemies of the United Nations."

Mr. VYSHINSKY (USSR): I agree to the proposal to delete the words just quoted.

The PRESIDENT: The most radical sub-amendment is that proposed by the Danish delegation. We must therefore first vote on that.

Mr. RASMUSSEN (Denmark): If I am not mistaken, the two are identical. I should like to know the difference between them.

The PRESIDENT: The Danish sub-amendment deletes the words "as persons dishonoured for collaboration with the enemies of the United Nations in any form."

The Ukrainian sub-amendment deletes the words "by any form of collaboration with the enemies of the United Nations."

Mr. BAJAN (Ukrainian SSR): No, Mr. President.

The PRESIDENT: If they are identical the second proposal was unnecessary. Will the delegate for the Ukraine kindly read us his amendment.

Mr. BAJAN (Ukrainian SSR): I shall now read the text as I submit it to the Assembly: "Quislings, traitors and war criminals should not be regarded as refugees who are entitled to get protection of the United Nations," and so on. Therefore I propose to delete the sentence "as persons who discredited themselves by collaboration in any form with the enemies of the United Nations."

The PRESIDENT: It is exactly the same as the Danish sub-amendment. I apologise for my mistake. Then there is no Ukrainian sub-amendment.

The Danish proposal is that the following be deleted: "as persons dishonoured for collaboration with the enemies of the United Nations in any form."

*(A vote was taken by show of hands. The sub-amendment was rejected by twenty-one votes to seven.)*

The PRESIDENT: We have been asked to take a roll-call on the third Soviet amendment as originally drafted:

"The General Assembly considers that:

"Quislings, traitors and war criminals, as persons dishonoured for collaboration with the enemies of the United Nations in any form, should not be regarded as refugees who are entitled to get protection of the United Nations, and that Quislings, traitors and war criminals

who are still hiding under the guise of refugees should be immediately returned to their countries."

Mr. BEBLER (Yugoslavia): I wish to raise a point of order. It was the intention of the Ukrainian and Soviet delegations to put this third paragraph to the vote minus the words "as persons dishonoured for collaboration with the enemies of the United Nations in any form," which these delegations themselves proposed to delete. The President must find a way of taking a vote on the Soviet proposal as amended by the Soviet delegation itself.

The PRESIDENT: I greatly regret having to say this, but there is only one way of maintaining order in the discussion. We must first vote on the sub-amendments, then on the amendments, and finally on the main text. As the sub-amendment has been rejected, it is the first text submitted by the Soviet amendment which must be put to the vote.

Mr. BEBLER (Yugoslavia): That does not follow. Any delegation is entitled to withdraw its own proposal, whether wholly or in part.

The PRESIDENT: From the moment an amendment is submitted it forms part of the discussion and is no longer the property of the delegation which proposed it.

Mr. VYSHINSKY (Soviet Union): There has been a misunderstanding. The Soviet delegation sent in an amendment and then agreed to delete part of the text, thereby altering its amendment. The General Assembly cannot now put forward this amendment in a form different from that submitted by the Soviet delegation, for this would mean that the Assembly has agreed to it in that modified form. If the Assembly does not wish to adopt the Soviet proposal, it cannot put the amendment to the vote in any form other than that given to it by the Soviet delegation. Consequently, we must now vote on the final draft submitted by the Soviet delegation. That is to say, deleting from our original text the words "as persons dishonoured for collaboration with the enemies of the United Nations in any form."

The PRESIDENT: I regret that discussions on procedure should take place at this late hour, and if it were not a point which may prove extremely important in subsequent debates I would not insist. There is a question of principle which you must settle.

My interpretation, I repeat, is the following: From the moment an amendment has been duly submitted, it is no longer the property of the delegation which sponsors it; it belongs to the Assembly. Sub-amendments must be put to the vote first. Let me point out, for instance, that if another sub-amendment had been submitted by a delegation other than the Soviet or Ukrainian, the Soviet representative could no longer withdraw his amendment and submit it again in a different form. Of that I think there can be no doubt. As soon as an amendment is handed in, it becomes the property of the Assembly. That is the only voting procedure.

However, I am the least obstinate of Presidents, so if the Assembly does not share my view I am ready to accept the Soviet delegate's interpretation; but in that case the Assembly must realise that such a procedure, if adopted in other cases, might result in deadlock.

Mr. VYSHINSKY (Soviet Union): I am very grateful for this clarification, but I wish to withdraw my first drafting and submit a new drafting. I have the right to do so. Therefore, I request that the second drafting be put to the vote and not the first one.

The PRESIDENT: So long as no vote has been taken on a sub-amendment, any delegation certainly has the right to withdraw its amendment. You should not have allowed the sub-amendment to be put to the vote, but, as I am anxious to find a way out, I suggest the Assembly should not regard this as a decision of principle. There may have been some confusion. Instead of accepting the Danish amendment and allowing it to be put to the vote, the Soviet delegate might simply have said that he was submitting a second amendment and wished the first to be withdrawn. In order to agree among ourselves, I suggest we vote on the text as requested by the Soviet delegate, it being understood that the Assembly is not creating a precedent and does not state that an amendment, in regard to which a sub-amendment has been put to the vote and rejected, can be withdrawn.

Mr. FRASER (New Zealand): The course that is now adopted may be the simplest, but it is the most dangerous one. It is going to cause confusion in the future if delegates are to be allowed to amend their motions of amendment after a vote is taken. It is wrong. There is no representative body in the world that allows that. I am not opposing this, I want the matter to be finished, but I think that your statement that it should not be regarded as a precedent is right. Up to the time of voting a delegate may ask leave of the Assembly (only the Assembly can give leave) either to alter or withdraw an amendment, because, as you have clearly stated, it is no longer the property of the delegation moving it, it is the property of the Assembly, and it would be fooling people if they could withdraw it at any time. They cannot do it once it is moved. By any book of standing orders in the world, in any representative assembly in the world, you can only do it with the consent of the assembly.

The PRESIDENT: I think we can safeguard the principle and conclude the discussion if the Assembly will unanimously decide in this particular instance to waive the rule I have just referred to, and which, I assure you, is the correct one. In this way we can preserve the principle and at the same time meet the wishes of the Soviet delegation.

Mr. NOEL-BAKER (United Kingdom): Amendments belong to the Assembly, as you have said; but the Assembly can give leave to withdraw; and if our Soviet colleagues desire to withdraw it, the Assembly can give leave.

The PRESIDENT: The position is not quite the same as that described by Mr. Noel-Baker. The Soviet delegate has not asked permission to withdraw this amendment; he wishes to submit it in another form, deleting the reference to persons dishonoured for collaboration with the enemies of the United Nations—precisely the passage which has been maintained by the vote on the Danish sub-amendment. I therefore repeat my suggestion that if in this particular case the Assembly decides to waive the usual rule, I think we can preserve the principle and proceed with the discussion. Is there anything against this proposal? Then I take it that we are agreed that the rule I mentioned is the correct one, but that we are making an exception in this case. That being so, the amendment put to the vote is as follows:

"The General Assembly considers that:

Quislings, traitors and war criminals should not be regarded as refugees who are entitled to get protection of the United Nations, and that Quislings, traitors and war criminals who are still hiding under the guise of refugees should be immediately returned to their countries."

(A vote was taken by roll-call.)

*In favour* : Byelorussia, Czechoslovakia, Denmark, Ethiopia, Iran, Norway, Poland, Ukrainian SSR, USSR, Yugoslavia.

*Against* : Argentina, Australia, Belgium, Bolivia, Canada, Colombia, Costa Rica, Dominican Republic, Ecuador, El Salvador, France, Greece, Honduras, India, Liberia, Netherlands, New Zealand, Paraguay, Peru, Philippine Commonwealth, Turkey, Union of South Africa, United Kingdom, United States, Uruguay, Venezuela.

*Abstained* : Brazil, Chile, China, Saudi Arabia, Syria, Iraq.

The PRESIDENT : The amendment is rejected by twenty-six votes to ten, with six abstentions. Nine delegations did not take part in the vote. All the amendments having been rejected, it only remains for us to vote on the main text. Those in favour of voting on the resolution as originally submitted by the Committee please raise their hands.

The resolution is carried by forty-two votes ; no delegation voted against it, and there were no abstentions.

