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Middle East

Meeting of Advisory Committee on UNEF

20 Nov. 56 (11 a.m.)

MEETING OF THE ADVISORY COMMITTEE ON UNEF

(Held in the Secretary-General's Conference Room on
20 November 1956 at 11 a.m.)

The SECRETARY-GENERAL: I should like to make some introductory observations on the Draft Report on Basic Points for the Presence and Functioning in Egypt of the UNEF. This is one way of presenting it, but there is another way which I really would prefer. This is a technique whereby I hope that very fully and clearly the cards will legally be put on the table. I do not consider that it is necessarily the wisest thing, because people are rather unaccustomed to analysing this kind of text and may have all sorts of comments about it which may not be too accurate. My observation refers specifically to Annex II and to the Note. Annex II contains the bare bones of long discussions, and for that reason it will not lend itself very easily to interpretations.

In a certain sense, the second aide-mémoire sets out what is history. When I felt that it would be right to put this on the table, it was with the obvious assumption that it might be all right for the Secretary-General to give interpretations as a basis for temporary arrangements, but as for lasting arrangements, an interpretation of something said and decided by the General Assembly should be made by the General Assembly.

On the other hand, that leads to the somewhat unusual situation that I may be challenging the General Assembly: "Is this all right? Is this not all right? If it is not all right, we shall have a look at it again." In fact, it overlooks one basic condition, namely that the General Assembly on this occasion for the first time has set up an ad hoc executive organ, this very Committee, which is entitled to function for the General Assembly and where, of course, matters can be clarified, understood and analysed in an entirely different way and where it is not a matter for this or that kind of public scrutiny. It does not change anything in the legal nature, but it definitely changes the nuances which we may find.

On that basis, I should like to mention to you as an alternative to the presentation here given, that Annexes II and III should not be included, that the report submitted for the approval of the General Assembly should contain only Annex I, and that instead there should be some minor editing changes that are necessary in the text. The last sentence of paragraph 2 of page 1 of the report states: "At the end of the exchange, he gave to the Advisory Committee a full account of the interpretations given." We could then add:

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"On the basis of his oral report, the Committee gave the advice that the Secretary-General should proceed with the transfer" -- that is to say, you do not approve every word that I have said but you approve the sense of what I have said.

From my side, that constitutionally would take care of the situation, and then we would just have one on the table, which is, I think, the balance which has to be struck on the one side between good faith and observance of this whole plan and, on the other, the fact that the General Assembly and the United Nations, on the basis of Chapter VI, obviously cannot cut into the sovereignty of Egypt.

My own preference would be for the last-mentioned and simpler form, but I leave it entirely to the Committee to consider how it would like to proceed. I repeat that the proposal would be a very simple additional sentence, the elimination of the last two annexes and the necessary editorial changes in the text.

There is, however, one further change that I should like to submit. At the end of the text of the report, a paragraph should be added as you will find it here. It will be impossible for technical reasons to do what I wanted, namely to have a report on compliance with the withdrawal on the table at the same time, and it might rightly be asked whether I forgot about it. That is, of course, also the key question in this story, and it should be tied together somehow. I do not think that this presents any difficulty.

I should like to say perhaps one word in explanation of the Note. The Note has not been shown to or discussed with the Egyptian authorities. It is purely an internal document which is the basis for my own conclusion that legally what I said was correct, and I think it is enough to say that it is a very solid document. On the other hand, I do not particularly wish to bring it up because it would be in anticipation of an attack, and we have no reason either to anticipate or to provoke discussion when there is no need for it. That Note, therefore, does not make me at all happy, and that leads me one step further toward this alternative proposal.

I would add one thing so that there will be no misunderstanding. If I do not circulate Annex II, I must check it with the Egyptians as a matter of course. I stated to them that I intended to do so. Dr. Fawzi is here today so I can do that.

Mr. LALL (India): You will circulate neither of the annexes?

The SECRETARY-GENERAL: Only one, but we shall see.

Mr. PEARSON (Canada): And you would make public the draft report on basic points?

The SECRETARY-GENERAL: Yes.

Mr. PEARSON (Canada): And the draft report on arrangements for clearing the Suez Canal?

The SECRETARY-GENERAL: That is an added point. They are to explain why there is no third report on compliance.

Mr. PEARSON (Canada): And one annex, which would be the paper here marked No. I?

The SECRETARY-GENERAL: Yes. May I add one thing, Mr. Lall, namely that it was my proposal, and not the Egyptian proposal, that Annex II should be there, and my reason was the constitutional reason to which I previously referred.

Mr. LANGE (Norway): The change to be made in the draft report would be the addition of the sentence.

The SECRETARY-GENERAL: The substantive change would be that one, but I leave it open. For me there are two possible ways in which to proceed which will lead to somewhat different types of debates.

Mr. LALL (India): I should like to make this observation. When we said that we would participate in this Force, we recorded certain points regarding our participation which are very similar to the points in your Annex II. Therefore we were very happy to see Annex II, because it showed

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that our own thinking on this matter, your thinking and the thinking of the Egyptian Government were very close to each other. In the absence of Annex II, it would be very difficult for us to explain our position. We should like to explain our position. This was our position regarding participation and this we are glad to see is substantially the position which is obtaining as a result of the Secretary-General's discussions in Egypt. Therefore, at this stage, I would have to say that I should like to think a bit further about this question of Annex II, and perhaps we could talk about it again. Meanwhile, I understand that you will be speaking to the Egyptian Foreign Minister about it.

The SECRETARY-GENERAL: Yes. There is another matter. Even with Annex II, I do not consider it at all as a matter of course that there should be Annex III, the Note. It is built on an assumption of criticism of a standpoint which I personally consider to be obvious. Others do not, as you know.

Mr. LALL (India): On that, I agree with you.

The SECRETARY-GENERAL: For that reason, you can have such a paper in your pocket and you need not necessarily produce it until you are asked the question. In any event, this is a choice and it is one in which many factors come into play. For that reason I think it is essential that we -- even if Mr. Lall would like to reserve his opinion -- get as far as we can this morning in considering the wisest course to follow.

Mr. PEARSON (Canada): My first reaction is that this would make it easier for us. If Annex II were made a public document in its present form, I would certainly have to take exception to the present wording of paragraph 4.

The SECRETARY-GENERAL: I would try to change that all the same.

Mr. PEARSON (Canada): Also, if Annex II were published without your note of interpretation, I would certainly have to take some exception to paragraph 2, because paragraph 2 in its present bald form without your interpretative note would certainly lead to some misunderstanding. My first reaction is that I also would like to think this over. Your suggestion does help to get us over some of these difficulties.

To add another point related to all this, I would hope that we could iron out some of these difficulties in this Committee rather than in the full Assembly, which would certainly be an unwieldy organ for the discussion of interpretative details. We have been appointed, I believe, for that purpose. We have no final authority, of course, any more than the Secretary-General has, because if there is a difference here or a difference between us as a unit and you, we would have to go to the Assembly and get the Assembly's verdict. But I hope that we can use this smaller group to do as much of the preliminary work as possible and to iron out some of these difficulties before we submit them to the Assembly. Perhaps there are no difficulties.

The SECRETARY-GENERAL: We shall tackle them as we meet them. May I interpret your remarks in this way: that you have a tentative preference for the simpler form. If we do not use the simpler form, you would feel, quite apart from this small editing change, which I do believe will not present any difficulties, that we should have the three annexes?

Mr. PEARSON (Canada): I can see every kind of difficulty if we include paragraph 2 of Annex II without the full interpretation given in your Note. I can see difficulties even with that, but they would be much greater without your Note. I do appreciate the point about your Note and your own interpretation -- a document that was submitted to us for information. But it does not have exactly the same status as the others.

The SECRETARY-GENERAL: No, it does not.

Mr. LANGE (Norway): In giving my preliminary reaction, I would prefer the simpler form that you have suggested, subject to further thought.

The SECRETARY-GENERAL: I think it would be rather decisive to determine the Egyptian reaction. I mentioned to Mr. Lall that in fact the proposal for documentation was my own. It was a must in the case of the presence and functioning in Egypt of the UNEF and it was a must in the case of the constitutional reasons. But that was without taking fully into account the fact that in case of agreement between the Advisory Committee and the Secretary-General, there is no question that the General Assembly has not expressed any wish to do something. I do not think the problem is one of practice at all. It is much more a problem of properly understanding the wording. But you, Mr. Lall, have your special difficulty. This paper in no sense loses its status as an internal document, because it is, so to say, between Egypt and myself.

Mr. LALL (India): I was going to raise that point, Mr. Secretary-General. Here is a paper which has been agreed between you and the Egyptian Government, and we have seen it here in this Committee. My interpretation of what has been said in this Committee is that it would perhaps be undesirable to discuss these details in the General Assembly. On that point I have reservations, because there is the other view that if essential details are not made available, it might even provoke a longer discussion than if they were made available. However, there is certainly the view, and good grounds for it, that we do not want to provoke discussion. Therefore, on that basis alone, we can think about Annex II a little more.

I have not heard it said that Annex II is in itself an incorrect document. The Foreign Minister of Canada has said that it ought to be read with the third Note which explains certain parts of it. He has also mentioned a reservation regarding two words in paragraph 4 of Annex II, and you have said that those are words which you will discuss with the Egyptian Minister, which is entirely appropriate and what one would expect to be done in the circumstances. The short point is that the document with its interpretative Aide-mémoire does represent the basis of action, and therefore, it might be desirable to have it before the Assembly in order to stem discussion, and not to provoke it.

Therefore, I do have a position in this matter which I cannot quite take to finality at this stage, but I do want to make these observations and I am very glad to hear that so far as Annex II is concerned, it is a document which

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has valid status. It exists in this Committee. It is an agreement between you and the Egyptian Government. My own tentative view is that the Assembly would like to be informed of it, but I do not press that view at this stage. I should like to think about the matter further.

The SECRETARY-GENERAL: You will remember that these are five points out of some twenty cables, which indicates that if you take, for example, the words "no function", there is no explanation of what is meant by it, but if you read the exchange of cables it becomes perfectly obvious what it means. If the Government of Egypt does recognize that it should accept the stationing which follows from the functions, and if we were to maintain that they have functions in the Canal area after withdrawal, functions in this sense, it would follow that the Government of Egypt would be obliged to have the troops stationed in the Canal area. Well, that of course is something that in no way follows from what has been decided by the General Assembly, and that is really what is said here. There is no function which geographically would tie them to the area. People obviously tend to read the words "no function" in a much broader and looser sense, but that is not the story.

Mr. LALL (India): Perhaps you would prefer that we do not pursue this discussion any further at this moment.

The SECRETARY-GENERAL: It depends; there are several members who have still not expressed their views.

Mr. PEARSON (Canada): May I just mention one word, and I apologize for speaking again. Mr. Lall spoke of Annex II as an agreement between yourself and the Egyptian Government. I do not want to indulge in a semantic argument, but this is not, as I understand it, anything in the nature of a formal agreement between you and the Egyptian Government. It is a statement on your part of consultations which you have had with the Egyptian Government during which you and the Egyptian Government have come to certain agreed conclusions with respect to certain matters, but it is not an agreement in any formal sense. I do not think it was your view of your mission to Egypt that you could make an agreement in that sense.

The SECRETARY-GENERAL: We should be careful with words. The situation is the following. The Government of Egypt asked for certain clarifications of the decisions of the General Assembly. Such clarifications had to be given and were given. Then the Government of Egypt said: "Well, in the light of the interpretations given, we agree to the arrival." The next stage is that the interpretations have to be confirmed or rejected. It is not in the legal sense of the word an agreement. On the other hand, they agreed to certain actions temporarily on the basis of what was given for the time being as interpretations. That is the situation. Colloquially, I think you can say that it is an agreement, but, on the other hand, legally Mr. Pearson is right that it is not.

We are again drifting into metaphysics, but it is necessary to be careful about words.

Does any other member of the Committee wish at this stage to give any advice on the procedure to be adopted?

Mr. de FREITAS-VALLE (Brazil): Annex II, paragraph 4, uses the words "to the list agreed upon", about which I am a little bit afraid. I am also concerned about the question of consent, in that the troops can be removed merely by the will of the Egyptian Government.

The SECRETARY-GENERAL: That is in the nature of things.

Mr. de FREITAS-VALLE (Brazil): I know, but I am just discussing this point in the document.

The SECRETARY-GENERAL: That is in the nature of things. Your reasons are good reasons again for not having a paper on the table which people would find it very difficult to read correctly.

Mr. de FREITAS-VALLE (Brazil): There is also some question about the mechanism. Suppose that the troops are retiring and the Egyptian troops are advancing or our troops are staying where they are. What will be the mechanics of the operation? Something has to be done. However, I do not want to embarrass you.

The SECRETARY-GENERAL: I am not embarrassed, but this is one of those situations which I fail to envisage. I do not think that we can ever permit the situation to drift into a state where there would be conflict between the movement of Egyptian troops and UN troops. We could not permit that situation to arise. That would become a political problem long before it became a military problem.

Mr. de FREITAS-VALLE (Brazil): You have the cease-fire line and the other troops go and then these troops advance.

The SECRETARY-GENERAL: If you simplify it very much, the situation would be -- the Israelis have announced that if we can come up they will withdraw. We say that we can come up, and they will withdraw. Then the Egyptian troops will certainly not stay out of Sinai. They have no reason to. We cannot forbid them to go into what is Egyptian territory. But there must be an understanding that they will be behind the UN lines and not in front of them. That much is obvious. If they are not going to be there, that would be a frustration of the whole plan, and of course nothing in the world and no paper in the world can stop any Government from breaking an agreement or from breaking, as at present, a gentleman's agreement on paper. As I see it, we must base our whole approach on the assumption that there will be good faith and co-operation.

We can return to this question later today after you have had time to think over the alternatives and after I have had time to check with the Foreign Minister of Egypt on the present wording. The formula used is that they are papers presented on the responsibility of the Secretary-General, but that they have the approval of the Government of Egypt. The background of that is, as Mr. Pearson rightly stated, that I had no right to conclude an agreement. If I had no right to conclude an agreement, of course, the Government of Egypt would have no right to sign an agreement. We had to devise another formula, and the obvious one seems to be a joint decision in the General Assembly. That is the whole thing.

Mr. PEARSON (Canada): We will have a chance then to make any detailed observations both on the procedure and on the text of the documents before us, some of which we have just received, and we were very fortunate to receive them at all at this stage.

The SECRETARY-GENERAL: Yes. I think we could plan for a meeting some time after lunch and see where we stand. Now it may be that Dr. Fawzi may feel that aspects of these are such that he should bring them up at home. I do not think there is any great misfortune in a further day's delay.

Mr. PEARSON (Canada): I think we would be well advised to try to get this matter cleared up and get the Egyptian Foreign Minister's agreement -- I am going to avoid that word -- to any changes that we think ought to be made. So that when it goes before the General Assembly, he will approve, we hope, not only your document as it stands but any amendments that we may be able to suggest here and which are acceptable. I will have one or two. Perhaps they are just misinterpretations on my part of the language, but, for instance, in Aide Mémoire I, which is one of the documents that could certainly be submitted to the General Assembly, the third paragraph -- and this is couched almost in the form of an agreement, and I am not complaining about that because it has to be done that way -- says the following:

"Having agreed on the arrival in Egypt of units of the United Nations Emergency Force (UNEF);".

I would have no worry about that at all if it merely said "Having agreed on the arrival in Egypt of the United Nations Emergency Force". But when you put in "of units", I should think the Egyptian Government would have the right to conclude from that, that having agreed to these specific units, they would have the same right to agree to any subsequent units that might be admitted to the Force -- and I would be a little worried about that.

The SECRETARY-GENERAL: There is not the slightest difficulty there. Those preambular paragraphs were not even discussed because they seemed too obvious. Their consent was to the arrival; I put in "of units" only in order to indicate that it was the preliminary stage, in order to grade it in relation to the more definite arrangements.

Mr. BUNCHE: To imply that there was more to come.

The SECRETARY-GENERAL: Exactly.

Mr. PEARSON (Canada): Somebody reading that two weeks from now may get a different interpretation.

The SECRETARY-GENERAL: If there are other similar changes -- which at all events should be checked, when I have the opportunity, with Dr. Fawzi -- it might be good to have them, because I should have a text which is clean.

Mr. LANGE (Norway): Will you be discussing with Dr. Fawzi also the draft report on arrangements for clearing the Suez Canal?

The SECRETARY-GENERAL: We can come to that now.

Mr. LALL (India): May I make an observation about the point which has been raised by Mr. Pearson, Mr. Secretary-General, before we go to the next document?

The SECRETARY-GENERAL: Please.

Mr. LALL (India): I understand, Mr. Secretary-General, that you will discuss that change with the Foreign Minister of Egypt.

The SECRETARY-GENERAL: Yes, all of them.

Mr. LALL (India): I say that because if the intention is to take out this concept of agreement regarding the composition of the force, then it might raise difficulties which we must equally avoid. As I said the other day, the question of an emergency force of the United Nations has not been decided, so far as I am aware. All that has been decided is that an emergency force acceptable to the parties should go into Egypt for a specific purpose. And therefore my concept of this is that we are not dealing with the United Nations force. We are dealing with a United Nations Emergency Force assembled for a particular purpose. And the

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concept of this Force, including its composition, might be entirely different from the concept of the general United Nations force which the General Assembly might have or the United Nations might decide to set up as a general proposition. Therefore, I do feel that words such as "agreed" etc., which appear in this documentation, are wholly appropriate in this context.

The SECRETARY-GENERAL: I repeat, as Mr. Lange was not here yesterday, the basic "agreement" between Egypt and myself that the principle involved in this question of composition should not be brushed aside because they and I have, on the question of principle, views which it is not possible to reconcile. Then let us work on a de facto basis; that is to say, I give all weight to their political arguments when I think they are valid; otherwise we may run into an open conflict; that is to say, the question raised is the question which one day will have to be decided.

Pending that decision, I think that on the whole it is very wise to choose a terminology which does not prejudice it in either direction. For example, in point 4, Annex II, the suggestions by Mr. Pearson are, I think, perfectly all right because "the list agreed upon as representing a 'balanced composition' on which it would be possible to begin the transfer of troops" -- it is perfectly all right to say that, because it was the fact, not the legal nature of it. We had before us a list and said that we can get going. But anyway, I think that both sides are agreed that we should not prejudice a discussion which we have not been able to conclude.

Mr. PEARSON (Canada): I entirely accept Mr. Lall's interpretation of the concept of this Force, because this is not a United Nations force in the sense that we are setting up something agreed to by the United Nations with an indefinite tenure and principles that have been accepted. That is quite right. This is something of an emergency nature for an ad hoc purpose. Having said that, I feel that the composition of a force, even for this purpose, is the responsibility and power of the United Nations itself -- not any Member of the United Nations, although the Member of the United Nations in this case, on whose territory this Force is operating, has to agree to the operation of that Force on its territory. That is in the Assembly resolution; we cannot get behind that. That is a question of

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important principle. But what I am worried about is the Egyptian Government saying: "We will take a contingent in this force from country A, but we will not take a contingent in this force from country B". They have every right to tell the Secretary-General or the United Nations Assembly that that is the way they feel about it, but the decision as such has to be made by the United Nations Assembly, or through a delegation of authority by the Assembly to the Secretary-General, or to a committee, or to both.

The SECRETARY-GENERAL: The stand Mr. Pearson has expressed here is exactly the stand I take. I cannot write off the constitutional authority which has been given by the General Assembly. On the other hand, as they have a declaration of intention concerning their way of using their sovereign rights, I have a declaration of intention to consult them. In that consultation they will bring out this or that argument. If we then do not agree, and do not agree in a way which is serious, then it is for them or for me to take the matters on to the higher authority and thrash it out. Now of course none of us is likely to be so foolish as to permit that kind of conflict to develop, because it must show that there is lack of good faith in the weighing of argument and bringing out of argument on one side or the other. But the whole constitutional issue, I think, we can leave aside. At present there is a small formulation and we know that as the situation is itself, on the one side, not an international force, that is quite right; on the other hand, the General Assembly decision is such that pro forma, although not de facto, the responsibility for the constitution is not with the Government of Egypt but with the United Nations itself. The United Nations should, of course, give all weight to the views of the Government of Egypt. In fact, there is no problem, in practice, at present. So let us hope that it will not arise.

Mr. LALL (India): I feel bound to say something about this at this stage. I would like to begin by saying that I very much hope that there will be no problems in practice, and that I think is the important factor which we have; that is really the important matter before us. But with due respect, I am not able entirely to agree with your interpretation or with Mr. Pearson's interpretation of this Force. My reading of the Assembly resolution is that the consent of the parties is put into the resolution. That is point one. Secondly, and this I think

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is even more important, no force could have gone into Egypt at all unless the Egyptian Government had agreed to the force going into Egypt.

Now this is a new kind of venture. The Egyptian Government said that they could agree to the Force going in if certain clarifications were given. They did not, I think I am fair in saying, refer to them as conditions, but they asked for certain clarifications. Now we have given that clarification to Egypt through the Secretary-General. We have not, I think -- any of us -- felt that the Secretary-General has not given the appropriate clarifications. I think we have felt that he has handled that part, as other parts of this matter, with great skill and effectiveness. It would be a great pity if we were to do anything subsequently to try and detract at all from those clarifications, because those clarifications are the basis of Egypt's acceptance of the Force, and without that acceptance there would have been no Force in Egypt at all.

So I do feel obliged to say that while there are points of principle involved which have not been decided, it would, in my opinion, be very unfortunate if we were now to raise those points of principle in such a way as to detract from the agreements which have been arrived at with Egypt.

The SECRETARY-GENERAL: We now turn to the other memorandum. Before doing so, I wish to mention one thing which certainly is of very great interest to you, and I must myself hail this very important move. Today, we take a Norwegian company into Port Said which will tend to stabilize the situation very much and certainly it brings to the fore a possible development which I hope we will see emerging.

Mr. BUNCHE: With formal British agreement, of course.

The SECRETARY-GENERAL: With formal British and French agreement. With regard to the memorandum on clearing the Canal, there is one thing which I would like to point out. There is something which may appear as an ambiguity on the first page. It is a question of the extent of authority, how far we should go in asking for authority. In the fifth paragraph of page 1, the following is stated:

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"...should authorize the Secretary-General to proceed with his exploration of existing possibilities, and to negotiate and conclude agreements with such firms as might speedily and effectively undertake the clearing operations."

On page 2, however, in the second last paragraph, we see the following:

"He would, thereafter, submit to the General Assembly both his proposals for an agreement with the Government of Egypt concerning the assistance to be rendered by the United Nations, and the agreement or agreements reached with the firms approached."

It starts out talking about the final agreement. What I had in mind was that there would be preliminary agreements and there would be final agreements, so to say. But I must say that when I thought a little bit more about it, and when I read this last night, I doubted if this is very wise. I do not think there is a necessity -- after all, there are all sorts of checks and controls on it -- to have the final agreement submitted to the General Assembly.

The General Assembly will not be able to screen and scrutinize it in any good way. This Committee is a far better organ, and I am duty bound to consult with this Committee all through the stages; that is to say, I think we really should drop the indication of the final agreement being submitted to the General Assembly and, instead, ask simply for authorization to go ahead, of course with the advice and co-operation of the Advisory Committee. I think it would be the best thing. It would bring us much quicker to a conclusion and there would be no loss of money, because I do not think it likely that the General Assembly will improve on the agreement. It is not a good negotiating body. That would mean that in such circumstances, as a matter of course, we would keep in touch with the Government of Egypt the whole time, because we are their guests, even if we work for them.

The final paragraph on page 2 could easily be deleted, which would mean that the request would be one for authority to go ahead. Under such circumstances, the first paragraph of page 3 has not much of a function either. Neither of the two paragraphs has been submitted to the Egyptians; they are additions I made in this draft. The same is true of the final sentence at the beginning of page 2, namely "It is for later consideration how provision should be made for such additional assistance...". It is an obscure sentence. It does not add anything to the previous one, namely "In his contacts with the firms approached, he would try to clarify to what extent they, in turn, may need assistance from enterprises not directly approached by the United Nations."

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That sentence was submitted to the Egyptians for their approval. The next sentence was added, and I do not think it is an improvement. It is just a repetition without adding anything. My own suggestions on these texts would be that the final paragraph on page 2 and the first paragraph on page 3 should be deleted, and likewise, the last sentence in the first paragraph of page 2. The only change in substance which follows is that it would mean a request for full authority to go ahead with the Advisory Committee.

Mr. PEARSON (Canada): You will let us have a text?

The SECRETARY-GENERAL: Certainly.

Mr. PEARSON (Canada): When you make an agreement with a company to do this work, if and when you make it -- this may not seem a very sensible question -- are you committing yourself to the expenditure of \$100 million or more?

The SECRETARY-GENERAL: No. It is qualified in this way: it functions automatically so that it commits the United Nations as such. With this kind of situation, it would --

Mr. PEARSON (Canada): I do not want to bring this up at this stage, but there are going to be a lot of people in the Assembly, especially the experts on the Fifth Committee, who are going --

The SECRETARY-GENERAL: That will teach them a lesson.

Mr. PEARSON (Canada): A very expensive lesson. I admire your courage.

The SECRETARY-GENERAL: There is at least one ex-Chairman of the Fifth Committee present here. Now there is another matter. Even if it is not written in here, it is quite obvious that there must be some kind of progress report which indicates what will be the cost. There must be a report with proposals for some kind of line of sharing of cost, and at that stage -- which will be before the final conclusion of agreement -- of course the General Assembly may suddenly change its mind. I do not believe it for a second. But in fact what I delete here is that the text as such should go to the General Assembly. Of course, the substance,

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in one way or another, will necessarily be before the General Assembly; that is unavoidable, because we must give a survey of what really has to be done, the cost estimates, the organization, as a progress report is unavoidable; that is to say, the General Assembly can take the whole issue up again if they felt this was ridiculous.

Mr. MIR KHAN (Pakistan): On the other hand, if I were the company, I would be wary and hesitant about entering into an agreement with you unless you really worked out the sharing of the cost and there was some sort of indication from the Assembly that it would accept the obligation.

The SECRETARY-GENERAL: I think we can face it so as not to run into that kind of trouble.

Mr. MIR KHAN (Pakistan): That only shows that it is necessary that it should go to the Assembly to give them some sort of indication of sharing the cost, and an indication of approval.

The SECRETARY-GENERAL: There will be worse fences to jump. But as you have had it for a very short time, and as we are to meet in the afternoon, it may be just as well that you think this over also. As a matter of course, I will check this text with the country requesting our assistance, so that there is no possible snag in that direction.

Mr. LALL (India): I have a brief comment to make on this paper.

The SECRETARY-GENERAL: I do not want to cut that off.

Mr. LALL (India): Mr. Secretary-General, regarding the meeting of the cost for clearing the Suez Canal, the view of the Government of India is that this cost must be met by the invaders. And I am instructed to state this view clearly in this Committee, that this cost cannot be borne either by Egypt, in our view fairly, nor by the international community. In our view the cost must

(Mr. Iall, India)

be borne by the invaders, and we will of course advance this view, and I thought I should state that here.

Mr. PEARSON (Canada): Can I ask you a question on that? You and I seem to be asking each other a lot of questions. Does your Government's view extend to the cost of work which was created by the Egyptian Government taking action which had nothing to do with the invasion, which might even have occurred after the cease-fire? I am thinking that it might have been done in the Canal even after the firing had ended. It would have to be cleared up now.

Mr. IALL (India): I would only say that this is the general principle underlying the views of the Government of India. Of course, if it could be shown that any damage occurred to the Canal which had nothing to do with the invasion, I am sure that would be a different matter. But on this document itself, Mr. Secretary-General, I have the following observation to make: it seems to me that the last paragraph on page 1 does not correspond exactly to the last paragraph on page 2.

The SECRETARY-GENERAL: That is the reason why I am deleting.

Mr. IALL (India): You are deleting the last but one. I mean that the last paragraph on page 2 does not seem to correspond exactly to the last paragraph on page 1. The reason I say that is this: in the last paragraph on page 2, you tell us that when you come to the end of your suggested negotiations and the approximate costs have been estimated, you will prepare a proposal regarding the sharing of the costs. Now that I think, if I may say so, seems exactly how it would work out. But on the previous page, you tell us that you will negotiate and conclude the agreements. It would seem to me that these two statements do not sit together very well. Perhaps it is your intention, as soon as you have completed your negotiations and gotten all the cost picture available, to make the proposal regarding the meeting of costs, and then to conclude the agreements. I do not know. But it seems to me the two interpretations are possible here.

The SECRETARY-GENERAL: You are running into just the problem we have discussed. I do not think it is a good idea to submit an agreement as such. I do think that it is necessary to have some kind of presentation of what it means in substance, and in order also to provide the basis for a discussion of the sharing. That will follow, of course, after exploration and at a very late stage of negotiation. But it must be done in the following way. The first page says:

"...should authorize the Secretary-General to proceed with his exploration of existing possibilities, and to negotiate... agreements with" -- not talking about conclusion.

Then we come back to the second page, the last paragraph, which says:

"At the present stage the Secretary-General is not prepared to indicate how the costs should be shared. He intends to revert to this question at the end of the suggested negotiations and when the approximate costs have been estimated."

He would, after that, so to say -- I do not know exactly how to express it -- request authority to conclude an agreement.

Mr. LALL (India): May I make a suggestion regarding the paragraph? We can go back to page 1 and say: "...should authorize the Secretary-General to proceed with his exploration of existing possibilities, and to negotiate agreements", to the end of that sentence, and then say:

"At the present stage the Secretary-General is not prepared to indicate how the costs should be shared. He intends to revert to this question at the end of the negotiations when the approximate costs have been estimated."

Then you would have it all together. It might fit in best there.

The SECRETARY-GENERAL: That is a pure editing point. It does not change the substance. I think, on the other hand, that I should have a sentence indicating that there will be a request, shall we say, once the substantive issue is clear, to conclude an agreement, so as to shorten the procedure in that way. There was a thought behind having it here, but that was at the stage where I left all phrasing questions to the end of the paper.

If I may take note of that, and if you will have the indulgence to return some time in the afternoon, then we can proceed further.

The meeting rose at 12.15 p.m.