

**394 (V). Palestine: Progress report of the United Nations Conciliation Commission for Palestine; Repatriation or resettlement of Palestine refugees and payment of compensation due to them**

*The General Assembly,*

Recalling its resolution 194 (III) of 11 December 1948,

Having examined with appreciation the general progress report<sup>12</sup> dated 2 September 1950, and the supplementary report<sup>13</sup> dated 23 October 1950, of the United Nations Conciliation Commission for Palestine,

Noting with concern:

(a) That agreement has not been reached between the parties on the final settlement of the questions outstanding between them,

(b) That the repatriation, resettlement, economic and social rehabilitation of the refugees and the payment of compensation have not been effected,

Recognizing that, in the interests of the peace and stability of the Near East, the refugee question should be dealt with as a matter of urgency,

1. Urges the governments and authorities concerned to seek agreement by negotiations conducted either with the Conciliation Commission or directly, with a view to the final settlement of all questions outstanding between them;

2. Directs the United Nations Conciliation Commission for Palestine to establish an office which, under the direction of the Commission, shall:

(a) Make such arrangements as it may consider necessary for the assessment and payment of compensation in pursuance of paragraph 11 of General Assembly resolution 194 (III);

(b) Work out such arrangements as may be practicable for the implementation of the other objectives of paragraph 11 of the said resolution;

(c) Continue consultations with the parties concerned regarding measures for the protection of the rights, property and interests of the refugees;

3. Calls upon the governments concerned to undertake measures to ensure that refugees, whether repatriated or resettled, will be treated without any discrimination either in law or in fact.

*325th plenary meeting,  
14 December 1950.*

**395 (V). Treatment of people of Indian origin in the Union of South Africa**

*The General Assembly,*

Recalling its resolutions 44 (I) and 265 (III) relating to the treatment of people of Indian origin in the Union of South Africa,

Having considered the communication<sup>14</sup> by the Permanent Representative of India to the Secretary-General dated 10 July 1950.

Having in mind its resolution 103 (I) of 19 November 1946 against racial persecution and discrimination, and its resolution 217 (III) dated 10 December 1948 relating to the Universal Declaration of Human Rights,

Considering that a policy of "racial segregation" (*Apartheid*) is necessarily based on doctrines of racial discrimination,

1. Recommends that the Governments of India, Pakistan and the Union of South Africa proceed, in accordance with resolution 265 (III), with the holding of a round table conference on the basis of their agreed agenda and bearing in mind the provisions of the Charter of the United Nations and of the Universal Declaration of Human Rights;

2. Recommends that, in the event of failure of the governments concerned to hold a round table conference before 1 April 1951 or to reach agreement in the round table conference within a reasonable time, there shall be established for the purpose of assisting the parties in carrying through appropriate negotiations a commission of three members, one member to be nominated by the Government of the Union of South Africa, another to be nominated by the Governments of India and Pakistan and the third to be nominated by the other two members or, in default of agreement between these two in a reasonable time, by the Secretary-General;

3. Calls upon the governments concerned to refrain from taking any steps which would prejudice the success of their negotiations, in particular, the implementation or enforcement of the provisions of "The Group Areas Act", pending the conclusion of such negotiations;

4. Decides to include this item in the agenda of the next regular session of the General Assembly.

*315th plenary meeting,  
2 December 1950.*

**396 (V). Recognition by the United Nations of the representation of a Member State**

*The General Assembly,*

Considering that difficulties may arise regarding the representation of a Member State in the United Nations and that there is a risk that conflicting decisions may be reached by its various organs,

Considering that it is in the interest of the proper functioning of the Organization that there should be uniformity in the procedure applicable whenever more than one authority claims to be the government entitled to represent a Member State in the United Nations, and this question becomes the subject of controversy in the United Nations,

Considering that, in virtue of its composition, the General Assembly is the organ of the United Nations in which consideration can best be given to the views of all Member States in matters affecting the functioning of the Organization as a whole,

1. Recommends that, whenever more than one authority claims to be the government entitled to represent a Member State in the United Nations and this question becomes the subject of controversy in the United Na-

<sup>12</sup> See documents A/1367 and A/1367/Corr.1.

<sup>13</sup> See document A/1367/Add.1.

<sup>14</sup> See document A/1289.

tions, the question should be considered in the light of the Purposes and Principles of the Charter and the circumstances of each case;

2. *Recommends* that, when any such question arises, it should be considered by the General Assembly, or by the Interim Committee if the General Assembly is not in session;

3. *Recommends* that the attitude adopted by the General Assembly or its Interim Committee concerning any such question should be taken into account in other organs of the United Nations and in the specialized agencies;

4. *Declares* that the attitude adopted by the General Assembly or its Interim Committee concerning any such question shall not of itself affect the direct relations of individual Member States with the State concerned;

5. *Requests* the Secretary-General to transmit the present resolution to the other organs of the United Nations and to the specialized agencies for such action as may be appropriate.

*325th plenary meeting,  
14 December 1950.*

### **397 (V). Report of the Security Council**

*The General Assembly*

*Takes note* of the report<sup>15</sup> of the Security Council covering the period from 16 July 1949 to 15 July 1950.

*325th plenary meeting,  
14 December 1950.*

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<sup>15</sup> See *Official Records of the General Assembly, Fifth Session, Supplement No. 2.*