

but agreed that the highest legal authority could suitably be consulted. His views were shared by many delegations, and an appropriate resolution was submitted by the delegate of *Belgium*.

The *Egyptian* representative, on the other hand, saw no need for reference to the International Court, and proposed that the Secretary-General be authorized to pay compensation for injury done to United Nations agents and to negotiate directly with the countries concerned for reimbursement. A similar attitude was taken by the delegate of *Uruguay*, who submitted a separate resolution, and by the delegates of *France* and the *Soviet Union*, both of whom proposed amendments to the *Egyptian* resolution.

The *French* representative said that the international juridical personality of the United Nations had been established by Article 104 of the Charter and was also recognized in Article I of the Convention on Privileges and Immunities. The problem for the General Assembly was essentially the *practical* one of the means by which reparation should be obtained. The *Soviet* representative also contended that reference to the International Court of Justice was unnecessary. He suggested that the Secretary-General should compensate the victim or his dependants immediately; he should then, in order to prevent concurrent claims being made, reach an understanding with the State of which the victim was a national, and finally make a claim on behalf of the United Nations in the national Courts of the State concerned.

A third approach was outlined by the delegate of *Syria*, who stated that a new international convention was required. He proposed, therefore, that the International Law Commission be asked to draw up an appropriate text. The two main objections to this course of action were that it should not be undertaken before a decision by the International Court had been sought and that the International Law Commission had already been burdened with several important responsibilities.

At a late stage the *Egyptian* representative accepted a *Soviet* amendment to his proposal to the effect that the Secretary-General should claim reparations in the national Courts of the responsible nation. Since the Secretary-General's right to file claims in national Courts had not been in question, the *New Zealand* representative felt that the *Egyptian* resolution in its new form implied a limitation on the Secretary-General's powers; moreover, the weight of opposition suggested that even if it were approved its authority as a justification for claims by the Secretary-General would be uncertain. Since, however, he had spoken early in the debate in favour of the original proposals as likely to obtain quick redress for United Nations agents, he abstained in the voting, which resulted in the defeat of the resolution by 9 votes for, 26 against, with 7 abstentions. The delegate of *Egypt* then declared that the