



## UNITED NATIONS PALESTINE COMMISSION

## SUMMARY RECORD OF THE THIRTY-SEVENTH MEETING

Lake Success, New York  
Thursday, 12 February 1948, at 2.00 p.m.

Present:

Chairman:	Mr. LISICKY	(Czechoslovakia)
Members:	Mr. Medina	(Bolivia)
	Mr. Federspiel	(Denmark)
	Mr. Morgan	(Panama)
	Mr. Francisco	(Philippines)
Secretariat:	Mr. Sobolev	(Assistant Secretary-General)
	Mr. Bunche	(Secretary)

## CONTINUATION OF THE CONSIDERATION OF THE DRAFT OF THE SPECIAL REPORT TO THE SECURITY COUNCIL

Section I

The CHAIRMAN asked members to submit any proposed amendments to the introduction to the [special report](#).

During a lengthy exchange of views, the following points of view were expressed:

that the report should invoke Articles 399, 141 and 142 of the Charter; that paragraphs (a) and (c) of the General Assembly [resolution](#) should be specified as the primary basis for the Commission's appeal to the Security Council;

that the [Report](#) should present only the facts of the situation leaving the Security Council to decide which Articles of the Charter said which provisions of the Assembly's [resolution](#) were applicable.

It was unanimously agreed that an international force was necessary for the fulfilment of the Commission's task; the difference of opinion was merely as to the method of approach to the Security Council.

The opinion was again expressed that the Commission should confine itself to facts. The Security Council was sovereign in the interpretation of its powers and it was not for any other body - still less for a body subject to the guidance of the Security Council - to express an opinion on the subject. It was pointed out that an attempt to do so might draw a rebuke from the Security Council which would be a severe blow to the Commission's prestige and authority.

Several amendments to the Secretariat draft were presented for consideration. The proposed re-drafts, were as follows:

A. 1. There is a concerted and deliberate, effort on the part of powerful Arab interests not only to defy the [resolution](#) of the General Assembly, but actually to alter by force the settlement envisaged therein, within the meaning of sub-paragraph (c) of the Preamble, which requests that the Security Council "determine as a threat to the peace, breach of the peace or act of aggression, in accordance with Article 39 of the Charter, any attempt to alter by force the settlement envisaged by this [resolution](#)..."

2. There is urgent need for assistance from the Security Council in the form of an adequate armed force if the Commission is to be able to implement the [resolution](#) and maintain law and order in Palestine when authority is transferred to it, and in this connection, sub-paragraph (a) of the [resolution's](#) Preamble also requests that the Security Council "take the necessary measures as provided for in the [Plan](#) for its implementation".

B. On the strength of this information the Commission has concentrated its attention on two main considerations:

1. Powerful Arab interests within and without Palestine openly opposed to the [Resolution](#) of the General Assembly and the efforts of the Commission directed towards its implementation, even to the extent of attempting "to alter by force the settlement envisaged by this [resolution](#)".

2. The security situation in Palestine appears to be continually aggravated not only in the proposed Jewish and Arab States but even more seriously in the City of Jerusalem. For the time being it is kept under some control owing to the presence of British troops in the territory at the time of the termination of the Mandate, the Commission can have no hope of establishing security or of maintaining law and order, which is a pre-requisite or the work of implementation, unless other military forces are made available to the Commission in sufficient numbers and adequate strength.

C. On the strength of this information the Commission is convinced that:

1. The open opposition of powerful Arab interests, both within and without Palestine, to the [resolution](#) of the General Assembly and the efforts of the Commission towards its implementation, does in fact constitute an attempt to alter by force the settlement envisaged in the [resolution](#).

2. In view of the fact that the security situation in Palestine continues to be aggravated not only in the areas of the proposed Arab and Jewish States,

but also in the City of Jerusalem, and since, for the time being, it is kept under some control only because of the presence of British troops, the Commission, if it is to be enabled to maintain law and order and implement the resolution, urgently needs assistance, which only the Security Council can afford, in the form of military forces of sufficient numbers and adequate strength.

D. Those reports have persuaded the Commission that:

1. There is a concerted and deliberate effort on the part of powerful Arab interests not only to defy the [resolution](#) of the General Assembly but actually to alter by force the settlement envisaged there.
2. There is urgent need for assistance from the Security Council in the form of an adequate armed force if the Commission is to be enabled to implement the [resolution](#) and maintain law and order in Palestine when authority is transferred to it.

E. On the strength of this information the Commission has concentrated its attention on the following main considerations:

1. The security situation in Palestine continues to be aggravated not only in the areas of the proposed Jewish and Arab States, but also in the City of Jerusalem, although for the time being the situation is kept under some control owing the presence of British troops.
2. On the termination of the Mandate the troops of the Mandatory Power will no longer be available for the general purpose of maintaining law and order. The Commission will not be in any position to establish security in Palestine and to maintain law and order, without which it will not be able to implement the [Resolution](#), unless military forces in sufficient numbers and of adequate strength are made available to it.
3. The security situation is especially aggravated by the fact that powerful Arab interests, both within and without Palestine, openly defy the [Resolution](#) of the General Assembly and the efforts of the Commission toward its implementation.

After an exchange of views on those several proposed formulations, the Commission agreed, by a majority, to delete the mention of sub-paragraphs (a) and (c) of the Preamble to the [resolution](#).

Mr. FRANCISCO (Philippines) then proposed the following amendment to sub-paragraph 1 of the introduction:

“On the strength of this information, the Commission submits to the Security Council that there is an urgent need of an international armed force under Sections 29 and 42 of the Charter, to implement the [resolution](#) of the General Assembly and to maintain law and order in Palestine, because it is the considered opinion of the Commission that there is an attempt on the part of the Arab people to alter by force the settlement envisaged by the said [resolution](#).”

In view of the Commission's decision that there should be no reference to sub-paragraphs (a) and (c) of the Preamble to the resolution, Mr. Francisco (Philippines) agreed to the deletion of the phrase “under Sections 39 and 42 of the Charter”.

The CHAIRMAN suggested a compromise amendment in the following terms:

“The Commission will be unable to establish security and maintain law and order, without which it cannot implement the [resolution](#) of the General Assembly, unless military focus in adequate strength are made available to the Commission when the responsibility for the administration of Palestine is transferred to it.”

A further discussion took place during which it was suggested that three points might be mentioned instead of two, i.e.:

1. The deteriorating security situation;
2. The fact that after 15 May there would be no British forces to maintain law and order and that it would accordingly be necessary for the Commission to be provided with an adequate armed force;
3. The existence of strong Arab opposition.

The following next text of sub-paragraph 1 was approved:

“The Commission will be unable to establish security and maintain law and order, without which it cannot implement the [resolution](#) of the General Assembly, unless military forces in adequate strength are made available to the Commission when the responsibility for the administration of Palestine is transferred to it.”

The following new text of sub-paragraph 2 was approved:

“Powerful Arab interests within and without Palestine are defying the resolution of the General Assembly and are engaged in a deliberate attempt to alter by force the settlement envisaged therein.”

It was agreed to change the title from “Introduction” to “Main Considerations”.

It was agreed that the final drafting should be left to the following day.

#### COMMUNICATION TO THE COMMISSION

The SECRETARY submitted a communication he had received from Mr. Fletcher-Cooke transmitting replies from Sir Henry Gurney concerning the advance party and the Aqir airfield.

*The meeting rose at 6.20 p.m.*