



General Assembly

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HUNDRED AND EIGHTY-FOURTH PLENARY MEETING

*Held at the Palais de Chaillot, Paris,
on Saturday 11 December 1948, at 10.30 a.m.
President : Mr. H. V. EVATT (Australia).*

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121. Progress Report of the United Nations Mediator on Palestine

REPORT OF THE FIRST COMMITTEE ([A/776](#))

Mr. SÄRKER (Turkey), Rapporteur, presented the report of the First Committee on the Progress Report of the United Nations Mediator on Palestine, and the accompanying resolution.

REPORT OF THE FIFTH COMMITTEE ([A/786](#))

Mr. MACHADO (Brazil), Rapporteur, presented the report of the Fifth Committee on the Progress Report of the United Nations Mediator.

AMENDMENTS PROPOSED BY AUSTRALIA, BRAZIL, CANADA, CHINA, COLOMBIA, FRANCE AND NEW ZEALAND TO THE DRAFT RESOLUTION
PROPOSED BY THE FIRST COMMITTEE (A/789)

Mr. HOOD (Australia) wished to express the Australian conception of what the amendments contained in document A/789 meant and the attitude of his delegation towards the next stage of the Assembly's deliberations on the vitally important question of Palestine. Although the sponsors of the amendments might differ on their interpretation of minor points, he was nevertheless sure that they would all be in accord on their understanding of the primary purpose of the amendments, which was to make the intention set forth in the resolution adopted by the First Committee more specific and more practical.

In its essence that resolution expressed the general will of all the delegations represented in the First Committee to see the stage of conciliation in Palestine approached in a practical and realistic fashion.

In its deliberations and in the adoption of the resolution, the First Committee had been guided by the recommendation of the General Assembly to the effect that all nations should give practical help to achieve the settlement which was so ardently desired. Those amendments were intended to bring about the collective responsibility of the United Nations and to ensure that a realistic policy would be followed. Those were the two main points which Australia had in view, and that was the reason for the amendments.

The debates of the Committee on that question had been prolonged and heated. Since the resolution had been adopted by a very narrow margin, many of the representatives had been apprehensive about the ultimate result of the recommendation of that resolution to the Assembly. In an effort to find common ground of agreement and to work out a text which would reconcile the wishes of the minorities, the Australian delegation had been conducting informal discussions with the representatives concerned. The amendments presented in document A/789 were the result of those talks. The object had been to modify the resolution without destroying its essential purpose, so as to specify more clearly what its intention was and to delete from it any polemical references. The amendments had been considered with those aims in mind and Mr. Hood hoped that they would be acceptable to the General Assembly.

The next stage in the process of obtaining a settlement in Palestine had to be based on a realistic appreciation of what was the actual situation in that country. The proposed amendment contained the implicit question of the recognition of two outstanding facts in the situation and it would be unreasonable for the Assembly to proceed to a further stage without paying due attention to those two aspects.

The first aspect was the *de facto* existence of a State of Israel, of a government of Israel and of the political and economic entity constituted by that State. That was not a new consideration. It had been noted in glaring terms in the report of the late Mediator. The Australian delegation considered that a State of Israel had come into existence and that it would stay in existence. No purpose was to be gained by failing to take the fullest possible cognizance of that fact. It was true that the resolution contained no explicit reference to the existence of such a State, but the Australian delegation believed it to be a basic element which must be kept in mind when the matter was considered further.

The other aspect was the economic interest of the area. At the time when the Assembly had approved the partition of Palestine it had envisaged a partial division which would be a constitutional setting-up of two politically independent States, but which would maintain a certain unity in the economic structure of the country. That had not come about. It would be wrong, however, to disregard the possibility that the type of partition contemplated by the General Assembly might one day exist. Mr. Hood hoped that the amended resolution of the First Committee would promote the eventual development of the whole of Palestine, and that that aim would be kept in mind when any conciliatory agreements were proposed.

The present situation in Palestine was not covered by the General Assembly resolution in its original form and it was necessary for the Assembly to take notice of the facts of the existing situation. The Assembly should do nothing which might keep Palestine entirely outside the influence and political authority of the United Nations. That was the intention of the resolution. The Australian delegation considered that if a conciliation commission were set up, it should be under the authority of the Assembly and its purpose should be closely concerned with the vital aspects of the matter. Any commission which was set up must, in fact, be a conciliation commission in the true sense of the word and it must recognize the basic facts of the situation with which it would have to deal.

The situation in Palestine was a direct development of the resolution passed by the General Assembly the previous year. Consequently, the responsibility of the General Assembly still existed and it should see that the next stages in the development of the Palestine question evolved under the cognizance of the United

Nations. In those next stages there should be no attempt to force a solution on the two parties concerned. The conciliation commission should be a body which would help the two parties concerned to meet and work out for themselves terms which would be satisfactory to both.

The conciliation commission would have to deal with the existence of the State of Israel. That did not mean that it should be unmindful of the position of the Arab States. Their point of view was quite understandable. It was not the intention of the resolution, furthermore, to impose any settlement on the parties concerned. The only possible satisfactory solution would be one of conciliation. It might be that all parties concerned would find it in their own best interests to co-operate wholeheartedly with the conciliation commission in its efforts to help them reach a solution on the basis of such conciliation.

With regard to some of the specific amendments contained in document A/789, he pointed out that a considerable condensation of the preamble had been proposed. Phrases which might be held to be prejudicial to the intention of setting up a real conciliation commission had been eliminated. The suggestion, therefore, was that the words "the General Assembly, having considered further the situation in Palestine", should be substituted for the first four paragraphs of the resolution. The same considerations had moved the sponsors of the joint amendments to propose the deletion of paragraph 2 (c), paragraph 3 and certain parts of paragraphs 10 and 11. Those changes would not materially affect the resolution, since some of the points covered in those paragraphs were repeated elsewhere in the resolution. One of the most important amendments proposed was the deletion of the paragraph relating to the means of appointment of the conciliation commission. In the First Committee the original proposal had led to much discussion. There had by no means been any general consensus of opinion on the question. The amendment suggested that the specific recommendation for the appointment of the members of the commission should be deleted. The Assembly would eventually decide how many members should be appointed to that body and it would seem right that, since the commission was the agent of the Assembly, it should be chosen by the Assembly in a normal and democratic manner.

The Australian delegation considered that the resolution offered the best prospect of leading to a further stage in the solution of the problem. The text was not perfect, of course. The First Committee had worked intensively to draft it and there had not always been time to find the best means of expression for the intentions of each particular passage. Broadly speaking, however, the Australian delegation considered that the resolution with the proposed amendments, met every requirement which the situation called for at the moment. The object was to express the undoubted and emphatic general will of the Assembly and of its First Committee that the time had come for the two parties mainly concerned in Palestine to come together in negotiations in an attempt to achieve a final settlement on a just and lasting basis. Mr. Hood expressed the sincere hope that the parties would co-operate with the conciliation commission to enable it to discharge its functions and to permit the General Assembly to acquit itself of its responsibility in the matter.

Mr. MÚNIZ (Brazil) said that the intention of the sponsors of the amendments had been to facilitate the reconciliation of the different points of view which had been expressed during the discussions in the First Committee. The changes suggested made it possible to rally a large majority in support of the resolution adopted by the First Committee.

From the outset of the discussion of the matter, the Brazilian delegation had been of the opinion that a solution for the difficult and complex question of Palestine, in a form acceptable to both parties, could be found only through the help of the good offices of a conciliation commission appointed by the United Nations. In that way the three elements which were indispensable for the settlement of the Palestine issue could be combined, namely: negotiations between parties, mediation by the United Nations, and international control of the final settlement. Those three elements were present in the resolution of the First Committee, which had been made more easily acceptable by the amendments proposed.

The Brazilian delegation therefore requested the General Assembly to support the resolution as amended, in the conviction that, by so doing, it would be embarking upon the course which, it was hoped, would lead to a final settlement of the Palestine question.

Mr. PEARSON (Canada) emphasized that, even at that advanced stage of its proceedings, the Assembly could not escape the necessity of taking a decision on the subject of Palestine, for even failure to pass any resolution at all would be a decision, although, in his delegation's view, a bad decision which would have a most harmful effect on the situation in Palestine.

It was essential therefore to consider carefully the role which the United Nations was now able to fill in that respect. It was, in the first place, an advisory role. The General Assembly could put on record the judgment of the majority of the Members of the United Nations on the course which events should be permitted to take in that part of the world.

In the second place, the United Nations should do whatever it could, through the limited powers which it had been able to develop, to keep the peace in Palestine, to prevent the fighting which had regrettably accompanied political events there from expanding into full-scale or general war, and to stop or limit the extent of external intervention. In the long run the future of Palestine would have to be settled by the people of Palestine themselves. The United Nations could, however, make clear its views on the action they should take and assist them in taking such action.

That interpretation of the functions of the United Nations in Palestine showed that a heavy responsibility rested with the General Assembly to formulate its opinion with regard to the next stage in the settlement of the problem.

The resolution which had emerged from the discussions in the First Committee obviously had not commanded the degree of support necessary for it to qualify as the further directive which was now required for Palestine. For that reason, as had been pointed out, a number of delegations had consulted among themselves and with other Members of the General Assembly to see upon what basis the resolution could be altered so that it might command more general support. Their enquiries had resulted in the amendments contained in document A/789. Those amendments did not alter the substance of the resolution, but did, however, hold out the prospect of much wider support and, because of that, the Canadian delegation was happy to participate in sponsoring them.

One of those amendments had the effect of deleting paragraph 3 of the resolution, which provided that the conciliation commission should be nominated by a Committee of the General Assembly consisting of the representatives of the United Kingdom, the United States, the Union of Soviet Socialist Republics, France and China. His delegation had proposed that paragraph, as it believed that the responsibilities which would rest on the commission were such that it should be chosen so that those responsibilities would fall upon States which were willing and able to carry them and which also enjoyed the support and confidence of the Powers which had the largest measure of influence and experience in the Eastern Mediterranean.

The debate and the vote in the First Committee had indicated clearly that the proposal had caused certain misgivings among several delegations. While his delegation was not one to yield easily, or to yield at all, on fundamental principles, it would not insist on the maintenance of the exact text of its own proposals in matters which, as in the case of that paragraph, did not involve fundamental principles. His delegation was therefore quite prepared to concur in an amendment which deleted that paragraph, so that the normal procedure of the General Assembly would apply in regard to the choice of the conciliation commission.

Referring to the French delegation's further amendment to that paragraph (A/800), he said that, if the General Assembly were on the whole in favour of that amendment, his delegation would be prepared to support it as an alternative to the deletion of the paragraph, but only on the understanding that the committee of five mentioned therein should meet and take a decision in time for the final decision on the three States which would constitute the conciliation commission to be taken in the General Assembly that very day.

The other amendments, as had been pointed out by the representative of Australia, were also designed to increase the measure of support which that resolution would receive. The preamble had been reduced to a single line. That was regrettable in a sense, but it did not make any change in substance and it gave the resolution the rare quality of brevity.

The omission of paragraph 2 (c) served the same purpose, for the directive contained therein was substantially embodied in paragraph 5 of the resolution.

The substitution of "with" for "through" in paragraph 5 would give the conciliation commission greater flexibility in the work of consultation, conciliation and negotiation that lay before it.

The two amendments to paragraphs 10 and 11 had also removed from the resolution instructions which appeared elsewhere, but which at that point had been formulated in terms that caused misgivings to certain delegations. The specific reference in paragraph 10 to two places mentioned in the Mediator's report, Haifa and Lydda, was not really necessary in view of the more general directive given to the commission to seek arrangements which would facilitate the economic development of the area. The conciliation commission would naturally take all relevant matters into consideration, and not merely those two mentioned in the original reference in the resolution.

The first part of paragraph 11 was also removed, as being redundant, for the objective it stated was adequately elaborated in the course of the paragraph which followed.

The Canadian delegation would therefore vote for the resolution as amended and hoped it would be adopted, if not unanimously, at least by a very large majority. Once the United Nations, by placing the Palestine question on its agenda, had assumed the very heavy responsibility for formulating and recording judgments regarding the political future of that country, it could not turn back. The political situation in Palestine was not different from that of any other part of the world, and was subject to the changes and fluctuations which made adjustments necessary in the recommendations made by the General Assembly. To adhere exclusively to the unaltered text of the resolution of November 1947 was, in his delegation's opinion, simply to prevent any resolution being adopted.

Even though the United Nations had not been able in the past to lay down a precise plan for Palestine that could immediately be put into effect, or to prevent violence from taking place, Mr. Pearson nevertheless believed that the influence of the United Nations had been of consequence and of benefit. It could continue to have that effect if the General Assembly now pronounced its views clearly and realistically in regard to the next stage, but not if the Assembly refused even to consider modifications of decisions previously taken.

The acceptance of the resolution, as amended, would be possible only if a number of delegations were prepared to make concessions, but not, he thought, in the terms of the amended concessions of principle.

A grave responsibility would rest upon any delegations which refused to participate in that further step. If by so doing, they endangered the two-thirds majority which that resolution required, it would indicate that because the recommendations were not a precise and complete embodiment of their views, they were determined to prevent any action concerning Palestine being taken at the present session of the General Assembly, with all the deplorable consequences that inaction would mean for peace in that area. Moreover, such a demonstration of the futility of the General Assembly would come at a moment when the prospects for a peaceful settlement in that area were perhaps brighter than at any time during the past year.

The situation before the General Assembly, therefore, was now clear. Either it passed a resolution, such as the amended resolution at present before it, as the basis for a permanent peace settlement, or it decided to do nothing at all, with the probable result of encouraging violence, disorder and division in Palestine. It was well-known that there were forces which would exploit for their own purposes the deterioration of the situation which might follow from Assembly inaction at the present time.

It was of the utmost importance to the world that the people of Palestine should be permitted to work out their political future on a peaceful basis, and it was with that in mind that Mr. Pearson appealed to the General Assembly to give its whole-hearted support to the resolution as amended.

Mr. HSU (China) wished to inform the General Assembly that all the sponsors of the joint proposal to amend the First Committee resolution had accepted the French amendment containing an amended version of paragraph 3 (A/800).

He stressed the fact that his delegation's purpose in sponsoring the joint proposed amendments, like that of the other sponsors, had been to help the General Assembly to secure the adoption of the draft resolution submitted by the First Committee, by the elimination of all references to which one or both interested parties or their sympathizers might take exception, so long as such elimination did not affect the main purpose for which the draft resolution had been submitted.

If the General Assembly should fail to adopt a resolution on Palestine, it would not mean that efforts at pacific settlement would come to a standstill, for the resolution of 14 May 1948 still stood. It was generally admitted, however, that a new stage had been reached which called for a new arrangement. If the General Assembly did not provide for such an arrangement, it would fail in its duties, and that would seriously affect its prestige and future usefulness.

As to the substance, Mr. Hsu considered that the proposed amendments were not only constructive but were in full harmony with the spirit of the Assembly's undertaking. Indeed, that should have been the basis on which the First Committee formulated its proposal.

Pacific settlement of differences presupposed two conditions: that it should be conducted in conformity with justice and international law, and that it should seek to accomplish its mission by securing the voluntary agreement of the parties involved rather than by any form of coercion. If the General Assembly wished to succeed in its conciliation effort in the Palestine question, and indeed in any question, it should take note of those two cardinal principles. If it could not indicate what it considered to be the justice and law of the case but was obliged to leave that to the conciliation commission to decide, it should at least avoid prejudging the chances of success of conciliation by introducing controversial points into the resolution. Since such points had been discovered in the draft resolution before the General Assembly, it was desirable that they should be eliminated, and his delegation therefore recommended the joint proposed amendments to the favourable consideration of the General Assembly.

Mr. SCHUMAN (France) emphasized the fact that during the two years that the Palestine question had been before the General Assembly and in every attempt that had been made to put an end to the tragic conflict, France had always laid particular stress upon the need for direct agreement between the parties concerned. Such an agreement, under which both populations, Native and immigrant alike, would decide to live side by side in harmony and mutual respect, was the only means of constituting a basis for a true peace. Otherwise the war which had already broken out would continue, massacres and destruction would be carried out from time to time by both sides and the recommendations of the United Nations would have no practical effect. The result would be a situation which was neither peace nor war. It was therefore in the interests of everyone that such a situation should come to an end.

Moreover, some 70,000 refugees were suffering untold hardships. Homeless, lacking food and clothing, they were, according to a neutral observer, living like animals. Many of the villages which they had been obliged to leave had been partly demolished by systematic action which was still continuing. There were detailed reports on that subject, prepared by impartial witnesses.

It was unthinkable that the horrors perpetrated during the war against the Jewish populations in Europe should be repeated or should be reproduced in respect of the Arab population. Such a situation, which was a disgrace to mankind, must be brought to a close. That was all the more essential since those events were taking place in a land where, twenty centuries ago, a great message of peace and brotherhood had first been propagated and where for the first time in the history of the world, charity and respect for humanity had been preached. It was essential that that land which had so many memories and which was holy ground not only for Christians, but for Jews and Mohammedans also, should cease to be the scene of strife and hatred.

In considering the resolution now before the Assembly, the French delegation had only one concern, that which had led the French Government to co-operate in establishing a truce under the auspices of the Mediator and in assigning French observers to Palestine, and in accordance with which it was ready to accept any new responsibility which would be given it.

Mr. Schuman considered that the resolutions was such as to make for a reasonably just and peaceful settlement of the problem and to ensure to the greatest possible extent the protection of the Holy Places. In its amended form, it set up a commission composed of representatives of three States which would have the duty of continuing the task entrusted the previous May to the Mediator himself. With regard to the appointment of that commission, the French delegation had submitted an additional amendment (A/800) which it would explain at the appropriate moment.

The commission had been given explicit terms of reference in the draft resolution. Its duty consisted not only of ensuring a peaceful settlement of the situation in Palestine but of establishing as soon as possible direct relations between the parties themselves and between the parties and the commission. The commission would if necessary have to serve as an intermediary between the parties concerned, and help them to find a permanent settlement of all the political and economic questions on which they had been unable to reach agreement.

Another of the commission's duties, and one which his delegation considered of particular importance, was that of making concrete and practical proposals as to the future of the Holy Places, both in the Jerusalem area and in Palestine as a whole, and finally to submit to the General Assembly a plan for permanent international control of the Holy Places, especially of Jerusalem and its environs. The French delegation wished to stress that particular aspect of the Palestine problem. It was essential that the Holy Places in the whole of Palestine should be placed under protection as was desired by members of every religious faith as well as those who simply respected their historic significance. The French delegation would therefore support the Belgian amendment, which specified that protection should also be granted to Nazareth. With regard to the city of Jerusalem, it was essential that an international status, which would however leave the various communities a sufficient measure of autonomy, should be clearly and definitively established.

The commission was not faced with an easy task, but it would be greatly facilitated and the commission's authority greatly strengthened if the resolution were adopted by a strong majority.

The French delegation realized that certain reservations might be made with regard to some paragraphs. The resolution was neither perfect nor complete. There was no time to lose however, and the General Assembly had no right to delay an attempt which could and must succeed. It would be a lamentable failure for the United Nations if the General Assembly did not reach an agreement and if it proved powerless to deal with a conflict which was restricted in its scale, but which had incalculable moral and political consequences.

The authority of the United Nations should rise above the rivalries of nations at war. It should show the way towards reconciliation and should finally re-establish peace on the basis of a recognized juridical status for the benefit of all peoples and of all interests involved.

Mr. McNEIL (United Kingdom) said that when the present session of the General Assembly had opened in September, representatives had unanimously mourned the death of a very great man who had literally given his life for the cause of peace in Palestine. In expressing the hope that the Assembly would not conclude the first part of its session without some positive statement on the subject, he felt confident that he was reflecting the desire of Count Bernadotte himself that the task of peace-making in Palestine should be continued, irrespective of whether what were now known as the Bernadotte proposals were found to be generally acceptable or not.

That those proposals had not been found generally acceptable was a matter of keen regret to his delegation. Nevertheless, it remained convinced that the United Nations had a part to play in the establishment of peace and stability in Palestine which could not be discharged by any other body. For that reason, he hoped, and

indeed expected, that the Assembly would produce a resolution upon the subject which would be acceptable to his own and to all other delegations.

The resolution at present before the Assembly, with the proposed amendments, differed greatly from the text which his delegation had originally submitted to the First Committee. Members of that Committee would remember that, in that text, the General Assembly was asked to endorse, as a basis for future action in Palestine, the conclusions reached by Count Bernadotte and presented in the first part of his report. It was still the opinion of the United Kingdom Government that those conclusions formed a reasonable, just and workable solution for the Palestine problem, and had in no way been shaken as a result of the debate in the First Committee. In the whole course of that debate, no convincing argument had been produced against the Bernadotte proposals, nor had anyone suggested alternative proposals which would have been as just and as workable as those put forward by Count Bernadotte.

Nevertheless, the Committee had decided, by a vote of 23 to 23 in one case and 25 to 22 in the other, to delete the two principal paragraphs requesting the General Assembly to give the conciliation commission a directive based on the Bernadotte plan, as well as on the General Assembly resolution of November 1947.

There had been other delegations, which, in opposition to the view of his delegation, had wished the directive to the commission to be based exclusively on the General Assembly resolution of November 1947; but that proposal had also been rejected. Indeed, it should be noted that, when it came to the principal test, the proposal had been rejected by 24 votes to 13, a surprising commentary upon the resolution of November 1947, since it showed a substantially bigger margin than that which had defeated the resolution submitted by his delegation.

It therefore seemed certain, from the voting in the First Committee, that the Assembly would not be able to find the necessary majority for any precise directive upon which the conciliation commission could base its work, except on the three important subjects of Jerusalem, the Holy Places and the Palestine refugees. The commission was thus likely to be left without positive guidance of any kind. He did not, of course, suggest that it would ignore the resolution of November 1947, any more than such a commission would ignore the developments which had taken place in Palestine since that date, or the work of the Mediator and of his successor, Mr. Bunche, to whose zeal and ingenuity he wished to pay a tribute.

The Assembly was, in fact, leaving the conciliation commission to put its own interpretation upon the sequence of events in Palestine. His delegation accepted that conclusion, but, in so doing, felt that it should draw attention to the resulting increase in the responsibilities of the commission which it was proposed should be set up. The commission would have to define for itself, in the light of the attitude of the various parties and of the prospects for future stability, the limits within which a settlement could be sought. That being so, the composition of the conciliation commission had become, in the eyes of his own delegation, and apparently those of most delegations, perhaps the most important element in the resolution before the Assembly. On behalf of his own Government, he could scarcely over-emphasize the importance of a satisfactory procedure for ensuring the selection of a well-balanced, influential and effective commission.

He was glad to be able to give unqualified support to the French amendment concerning paragraph 2 of the draft resolution (A/800). The procedure proposed seemed to be the most practical way of arriving at a decision on the membership of the commission before the end of the first part of the session. The same unqualified support was given by his delegation to one of the amendments proposed by the group of seven delegations namely, the amendment which deleted paragraph 3.

The other amendments submitted jointly by the seven delegations were of a different nature, but to those also he pledged the support of his delegation; he thanked the representatives of the seven delegations which had been responsible for drawing them up, and for the persistence and ingenuity they had shown. As had been said by the Australian representative, the amendments had been designed with the sole objective of removing from the text of the resolution all phraseology likely to antagonise the parties directly concerned, and thus facilitating the work of the conciliation commission.

It had originally been the desire of his delegation to include in the resolution as many references as were relevant to the report of Count Bernadotte, but both parties had vigorously rejected those references. He himself had warned the Committee, surely unnecessarily, that it had been the experience of the United Kingdom Government that both Jews and Arabs would oppose any constructive proposals for Palestine which embodied an approximate justice. Thus, acting together, the two parties had been jointly strong enough to prevent those who agreed with that view from carrying through the resolution submitted by the United Kingdom delegation, which it still thought to have been of merit.

As he had already said, his delegation accepted the result of the First Committee's work in that respect. Having done so, it seemed only logical that it should join with those delegations which now asked the Assembly to remove the last vestiges of earlier drafts which had succeeded in clinging to the present text, and which should all be removed.

He also endorsed the statement made by the French representative, in support of the Belgian amendment (A/791).

There appeared to have been some misunderstanding concerning the attitude of the United Kingdom Government respecting the powers of the proposed conciliation commission. Throughout the period in which the United Nations had been considering the Palestine question, as well as during the earlier period when Palestine had been primarily a British responsibility, his Government had maintained that a final settlement could only be based on the consent of the parties concerned. Whether in pursuit of its own policy or the policy of the United Nations, that Government had declined to employ British forces to impose a settlement which would be resisted by the people of Palestine. More recently, it had supported the Bernadotte plan, to which both parties had declared their opposition, and it had argued against the view that the task of the conciliation commission should be limited to the promotion of a direct agreement between the parties concerned. Those opinions had been represented as contradictory to the principle of consent, upon which the United Kingdom Government had always insisted and which it would continue to maintain. There was, however, no contradiction implied. A formal act of agreement was not the only way in which the principle of consent could find expression. In the present situation in Palestine, where high feelings had been aroused on both sides and direct relations between the leaders were precarious, if not impossible, the possibility should not be overlooked that a settlement might be arrived at, based upon the passive acquiescence, rather than upon the active participation, of the parties involved.

For that reason, his delegation had consistently urged that the conciliation commission should be free to seek the consent of both Arabs and Jews to some form of settlement by any means which might seem to the commissioners appropriate and practical. The fact that his delegation did not wish to narrow down the principle of consent by limiting the commission to the facilitation of a direct agreement between the parties did not, of course, imply that it wished to give any powers of compulsion to the commission. The commission would not be able to arbitrate, but would be dependent upon the goodwill of the parties, and the results which it might achieve would be based at least upon the passive cooperation of the parties concerned. In the view of the United Kingdom Government, however, the commission should be free to use all the powers of persuasion at its disposal and to assist the leaders on both sides to arrive at practical results, without necessarily passing through formal procedures which it might be impossible for them to contemplate, much less to put into practice, in present circumstances.

Indeed, he would suggest that one of the functions of the conciliation commission should be to prevent whichever party was inferior in military strength from being driven into direct negotiations under duress. In such circumstances, it would surely be the duty of the commissioners to interpose the influence of the United Nations, with the object of establishing a settlement reflecting, not the immediate and perhaps temporary balance of military strength in the area, but rather the more lasting interests of the peoples concerned.

The United Kingdom Government would welcome and encourage any hope which might appear of direct negotiations conducted under the auspices of the conciliation commission. It could not, of course, any more than any other Member of the United Nations, countenance any attempt to force either party into such negotiations against its will. That would be ineffective and, much worse, it would be unjust. It was the earnest hope of the United Kingdom Government that, whether or not direct contact between Arab and Jewish leaders could be established and maintained, the conciliation commission would succeed in obtaining their consent or acquiescence to a reasonable settlement which would contribute, not only to the restoration of normal life in Palestine, but also to the stability and progress of the entire Middle East.

The resolution before the General Assembly represented the latest attempt to meet and accommodate the strong and conflicting opinions automatically produced by any consideration of the problem. It was not, unfortunately, a strong resolution, and, in the circumstances, it could not be so.

He would be the last to reproach anyone for not finding a solution to the problem. One of the most distasteful admissions which a politician had to make was to admit that he knew no really good answer to a problem; however, such an admission was called for at the present time. The First Committee's draft resolution was the best answer which many brains and good intentions could produce, and which those who had worked upon it thought most likely to secure adequate authority. What it lacked in precision he hoped it would command by its authority, the authority of the United Nations.

The General Assembly was not without its successes, as had been pointed out by the President; yet it had as yet shown no anxiety to make decisions upon political problems. He therefore hoped that delegations who, understandably, had reservations against the resolution, as had his own delegation, would nevertheless, like his own delegation, strain to support the resolution. In terms of Members' obligations to the United Nations and its Assembly to protect its prestige as well as to discharge its functions, and in terms of the United Nations' obligations to the peoples of Palestine, to whose sufferings the French representative had just drawn attention, it appeared essential that the General Assembly should now institute a commission, armed with the moral authority of the United Nations, by expressing a vote as nearly unanimous as delegations could possibly make it.

Mr. CASTRO (El Salvador) recalled that El Salvador had been the first Member State of the United Nations to propose that measures of conciliation should be

undertaken as a means of solving the problem of Palestine. The delegation of El Salvador had put forward a proposal to that effect during the 1947 session of the General Assembly.

As an international agency for peace, the main function of the United Nations in regard to Palestine, as to any other part of the globe, was to ensure peace and international order. For that reason the delegation of El Salvador had been unable to support the proposal for the partition of Palestine, put forward the previous year, not so much because El Salvador was opposed to partition as such, but because it considered that the population of Palestine had not been sufficiently consulted. The trend of the discussion in the First Committee was in favour of setting up a conciliation committee which should possess the widest powers unrestricted by any sort of barriers. The three essential points contained in the proposals of the First Committee were as follows: first, the setting up of a conciliation commission; secondly, the internationalization of Jerusalem and its surroundings, including the town of Bethlehem; and thirdly, protection for the Palestine refugees. The delegation of El Salvador was in favour of all those proposals. It had itself submitted one draft amendment to the effect that the town of Nazareth should be included in the internationalized zone.

The delegation of El Salvador had supported in the debate as well as in the voting all those paragraphs of the First Committee's resolution which included the three essential points outlined above. It had abstained, however, from voting on those paragraphs which contained proposals liable to exacerbate the differences between the Jewish and Arab populations of Palestine. The joint amendments submitted by Australia, Brazil, Canada, China, Colombia, France and New Zealand appeared to meet the objections of the delegation of El Salvador and others.

With regard to the amendment put forward by his own delegation, Mr. Castro explained that it consisted of adding the town of Nazareth to the zone which was to be internationalized. It was obvious that to the Christian world Nazareth was as important as Bethlehem, as being the place where Christ had spent the greater part of his life.

Mr. CARTON DE WIART (Belgium) stated that the proposed Belgian amendment to paragraph 7 of the First Committee's draft resolution consisted of the addition of the words "and Nazareth" at the beginning of that paragraph. He recommended the amendment to the Assembly in view of the historical associations of Nazareth.

Mr. de Wiart went on to announce his support of the French delegation's proposal with regard to the composition of the conciliation commission, on the ground that it would enable a decision to be taken before the General Assembly came to an end.

Mr. DULLES (United States of America) said that the United States delegation supported the First Committee's resolution on Palestine, together with the amendments submitted in document A/789.

After the incorporation of the amendments proposed, the resolution could be reduced to three very important propositions. In the first place it appealed to the Governments and authorities concerned to seek a peaceful settlement of the Palestine problem, either with the aid of a conciliation commission or directly; in the second place, it sought the protection of the Holy Places and the provision of free access; in the third place, it aimed at facilitating the repatriation and resettlement of refugees.

The terms and contents of the resolution might not be to the liking of all Member States. The Committee had received a large number of proposals and the resolution evolved was to some extent composite. It was possible that the United States delegation might have wished for certain amendments, but it was nevertheless prepared to accept the resolution because its terms were basically sound and held out hope of achieving its three main objectives.

At one time the United States delegation had been in favour of giving the conciliation commission detailed guidance in arriving at a final settlement. Earlier drafts of the resolution had in fact contained more detailed recommendations than the resolution at present under consideration, but specific recommendations on important issues such as boundaries and the disposition of Arab Palestine had been deleted by the strongest supporters of the claims of Arab States and of Israel in the Committee, whose combined votes had produced that result. Although the United States delegation had originally considered that efforts at conciliation should be directed along channels to some extent determined by the middle group in the Assembly, it was prepared to agree to the omission of such directions, since the parties concerned appeared to prefer that course.

There were, however, two respects in which it was essential for the commission to receive directions, having regard to overriding international interests. It was a matter of international interest that fighting should be brought to an end and a solution sought by peaceful means. Fighting must give way to truce, truce to armistice, and armistice to final peace.

A second matter of international concern was arrangements for the Holy Places. The sacred shrines of three great world religions should never be treated as being of purely private or local concern. As regards the demilitarisation of Jerusalem, dealt with in paragraph 8 of the resolution, the United States delegation interpreted that to mean that the Holy City should not be used as a battle-ground by the armed forces of opposing groups. That did not, of course, exclude adequate police and security protection, in accordance with the demilitarization which the Security Council was required to organize.

With regard to the amendments suggested to the First Committee's resolution, Mr. Dulles pointed out that the proposed elimination of the preamble was admissible, since it had no operative effect. The vague injunction to the Commission "to promote good relations..." contained in paragraph 2 (c) could also be eliminated, since the relevant instructions were contained elsewhere. The United States delegation was in favour of the selection of the commission by the General Assembly, preferably by nomination, as proposed by the French delegation's amendment (A/800). Specific references to the Mediator's report might similarly be deleted without affecting the essential features of the document.

The primary responsibility for a settlement in Palestine rested of course with the parties directly concerned. Although the General Assembly had no powers of compulsion, it could express a world judgment, which, if wisely done, could greatly influence the course of events. The Assembly could make it easier for the parties to reach agreement, by setting up a conciliation commission. The question of Palestine had laid a heavy burden on the United Nations, but had it not been for the United Nations, a far more grievous burden would have been imposed upon the world. The prospect of a final settlement was in sight. The proposed resolution, if adopted, would enable the United Nations to make an important contribution to that end.

The President, before adjourning the meeting, drew the attention of Members to the effect on the First Committee's resolution of the amendments contained in document A/789.

If the amendments were adopted, the first four paragraphs would be deleted and the resolution would begin with the words "The General Assembly, having considered further the situation in Palestine", followed by the paragraph numbered 1 in the draft resolution, which would be the first operative provision of the resolution.

Paragraph 2 provided for the setting up of the conciliation commission. The amendments submitted by the seven delegations would result in the retention of sub-paragraphs (a) (b) and (d) and the deletion of sub-paragraph (c).

The proposed amendments would result in the deletion of paragraph 3 which, in the draft resolution, provided for the selection of the members of the commission by the five permanent members of the Security Council. The amendment put forward at the present meeting by the French delegation proposed that the five Powers concerned should submit their proposal to the General Assembly for decision. If the five Powers could reach agreement, there was little doubt that the Assembly would be able to accept their recommendation, in view of the unusual nature of such an event.

Paragraph 4 would remain after incorporation of the amendments, as would paragraph 5, subject to the substitution of the word "with" for the word "through", so that the phrase would read "conducted either with the Conciliation Commission or directly".

Paragraph 6 would remain. A Belgian amendment proposed the addition of "including Nazareth" after the words "Resolves that the Holy Places".

An amendment by El Salvador suggested the addition of "and Nazareth" to that part of paragraph 7 dealing with the international regime for Jerusalem. There was a further amendment by El Salvador to paragraph 8, which referred to the last decision of the General Assembly on Jerusalem, proposing that the principle should be extended to Nazareth. He would enquire whether Nazareth had in fact been included in the resolution of the last General Assembly.

Paragraph 9, which referred to access Jerusalem, would be retained.

The amendment to paragraph 10 would result in the deletion of all words after the words "communication facilities" so that the paragraph would read as follows "Instructs the Conciliation Commission to seek arrangements among the Governments and authorities concerned which will facilitate the economic development of the area, including arrangements for access to ports and airfields and the use of transportation and communication facilities."

The remainder of the paragraph, referring to the Mediator's report, would be omitted, as would paragraph 11 which endorsed the conclusions of the Mediator's report. The second part, dealing with refugees, would be retained.

Paragraph 12 referred to the question of authorizing the commission to set up subsidiary bodies, and to its headquarters. Paragraph 14 called upon Governments to collaborate with the commission. Paragraph 15 requested the Secretary-General to provide the necessary staff and facilities.

The President concluded by pointing to the general emphasis on the conciliatory aspect of the commission's functions, which had manifested itself in the course of the discussion. It was in that spirit of conciliation that he called upon members to reflect on the question during the interval, with a view to reaching a practically unanimous decision on Palestine at the next meeting.

The meeting rose at 1.10 pm.