

UNITED NATIONS PALESTINE COMMISSION

SUMMARY RECORD OF THE TWENTIETH MEETING

Lake Success, New York

Monday, 26 January 1948, at 2.30 p.m.

Present:

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

CONSIDERATION OF THE DRAFT OF THE FIRST MONTHLY REPORT TO THE SECURITY COUNCIL

At the CHAIRMAN'S request, the SECRETARY read the informal draft prepared by the Secretariat of the Commission's first monthly report to the Security Council section by section.

No comment was made on sections 1 and 2.

Mr. SOBOLEV (Assistant Secretary-General), speaking with reference to section 3, suggested that the sentence introducing a quotation from the Secretary-General's speech might not have incorporated the most significant passage from that speech, which for this purpose would seem to be the reference to the Security Council.

After some discussion it was decided to delete the quotation.

It was decided to re-arrange the order of several sections in the following manner: section 3 was to be composed of section 3a as amended, and the present sections 4, 6, and 3b.

At the CHAIRMAN'S suggestion, it was decided to delete, in section 6b, the introductory phrase in the telegram quoted, "TODAY WE RECEIVED FROM HEAD OF PALESTINE ARAB HIGHER COMMITTEE", as well as the signature, leaving only the message from the Arab Higher Committee itself.

/The CHAIRMAN

The CHAIRMAN also suggested the addition of the following at the end of section 6b:

"The Commission will, at the appropriate time, set forth its views in a separate document with regard to the implications of this refusal by the Arab Higher Committee."

The view was expressed that the report should, at this point, contain a clear statement of what those "implications" were.

It was concluded, however, that the Chairman's suggestion would cover the point adequately.

In the interest of brevity, it was agreed to delete the second sentence in section 5.

With reference to section 7, it was suggested that the second sentence in paragraph a should be deleted.

The CHAIRMAN observed that the sentence should be kept as it was intended that the report should be seen by the general public, but that the words "soberly impressed" should be replaced by "realizes".

The decision on this point was postponed.

Mr. SOBOLEV (Assistant Secretary-General) pointed out that in paragraph (i) of 7b undue emphasis appeared to be placed on the establishment and maintenance of liaison; the first part of that paragraph might be omitted.

It was decided that paragraph (i) would read:

"Arranging for the progressive transfer of administrative authority from the Mandatory Power to the Commission and the establishment of Provisional Councils of Government".

The CHAIRMAN suggested that the words "and supervision of their activities" could be added at the end of that paragraph.

It was further suggested that "supervision of their activities" relating to Provisional Councils, might form a separate paragraph, to which might be added the present paragraph (iv).

In paragraph (iii), "the high command" was changed to "their high command", and paragraph (vii) was amended to read: "maintenance of administration and essential public services following the termination of the Mandate".

It was remarked that in section 7c mention should be made of the greater responsibility which devolved upon the Commission because of the refusal of the Arab Higher Committee to enter into negotiations with it.

It was decided, after a brief discussion, to insert the following passage after the first sentence in 7c:

/"Toward this

"Toward this end the Commission has established and is maintaining effective liaison with the Mandatory Power and with the Jewish Agency for Palestine. As previously indicated, the Commission's initial effort to establish liaison with the Arab Higher Committee as well has been rejected."

After an exchange of views, it was decided that the last sentence in 7c should be re-worded so as to show the range of subjects discussed by the Commission, and that the list of working papers which originally followed would be omitted.

In the first sentence of section 8, the words "to the work of the Commission" were deleted.

At the CHAIRMAN's suggestion it was decided to add, at the end of the first paragraph under the sub-heading 1 April 1948, the following quotation from the Plan of Partition adopted by the General Assembly: "...for such action with respect to that State as the Security Council may deem proper, and to the Secretary-General for communication to the Members of the United Nations."

There was some discussion concerning the paragraph under the sub-heading 15 May 1948. It was stated that until a final answer from the Mandatory Power had been received it would not be clear whether 15 May was the date on which the Mandate as a whole would be terminated, and also the date on which transfer of administrative responsibilities would begin. It was agreed to delete the final phrase, "and transfer administrative authority in Palestine to the Commission". As the date of 15 May 1948 did not appear in the Plan of the General Assembly, but had been selected unilaterally by the Mandatory Power, it was decided, for the sake of clarity, to use the paragraph, as amended, in the form of a footnote.

The question was raised whether, if the Commission were unable for technical reasons to take over the administration of Palestine by 15 May, the Mandatory Power would be under legal obligation to continue the Mandate. The general opinion was that no such obligation existed, and that there would be no means of requiring the Mandatory Power to do so.

In reply to a question, the CHAIRMAN stated that the Arabs might attempt to proclaim all of Palestine as an independent Arab State, whether or not the Commission had assumed responsibility, inasmuch as the Arabs refused to recognize the authority of the Commission.

With reference to section 9, it was decided that all but the first sentence of paragraph A would be deleted.

Mr. SOBOLEV (Assistant Secretary-General) suggested that the dates of the sixth and sixteenth meetings should be given in that sentence.

/This suggestion

This suggestion was accepted, as well as the CHAIRMAN's suggestion that the date 14 January 1948 should appear in the first sentence of paragraph B. In paragraph B minor drafting changes were made.

It was decided that paragraph B of section 9 should be followed by the present section 12, and that paragraph C should be merged with section 10. Paragraph C would be re-drafted so as to include a mention of the statement made by Mr. Creech-Jones in the House of Commons last December.

The phrase "progressive assumption of authority in Palestine by the Commission", contained in paragraph b of section 10, was discussed. It was decided to postpone decision concerning its use until answers to certain of the questions had been received from the Mandatory Power.

With reference to section 11, the view was expressed that it was inadvisable to give the impression that the Commission had asked Mr. Shertok for an account of the situation in Palestine. Accordingly, it was agreed to leave out the second sentence in the first paragraph.

At the suggestion of Mr. SOBOLEV (Assistant Secretary-General), it was decided to combine paragraphs a and b, so that the resulting paragraph would read: "Although from the Jewish viewpoint the Assembly's solution is a compromise solution, the Jewish agency for Palestine on behalf of the Jewish people will co-operate in the implementation of the Assembly's recommendations."

It was felt by the Commission that the remainder of section 11 could be considerably abbreviated.

The SECRETARY stated that the United Kingdom delegation had received replies from the Palestine Government to some of the questions asked by the Commission, but that those replies could not be communicated to the Commission until confirmation of these answers from His Majesty's Government in the United Kingdom had been received.

The meeting rose at 6.10 p.m.
