

GENERAL  
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A/AC.21/SR.23  
28 January 1948

ENGLISH ONLY

## UNITED NATIONS PALESTINE COMMISSION

## SUMMARY RECORD OF THE TWENTY-THIRD MEETING

Lake Success, New York

Wednesday, 28 January 1948, at 11.00 a.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)

## LETTER TO THE UNITED KINGDOM DELEGATION

At the CHAIRMAN's request, the SECRETARY read the letter addressed by the Commission to the United Kingdom delegation (document A/AC.21/SR.22). The letter transmitted a copy of the cable referred to by Mr. Shertok at the twenty-second meeting of the Commission, and requested the United Kingdom delegation for information and any comments that it cared to make in regard to the matter.

## CONSIDERATION OF A COMMUNICATION FROM THE REPRESENTATIVE OF THE JEWISH AGENCY FOR PALESTINE TRANSMITTING A REQUEST CONCERNING PLANS FOR THE EVACUATION OF BRITISH FORCES FROM PALESTINE

The CHAIRMAN stated that the communication from the Jewish Agency for Palestine contained a request for information which had been divulged to the Commission by the United Kingdom delegation under a pledge of secrecy. It was consequently impossible for the Commission to reveal that information to the Jewish Agency for Palestine. He pointed out that the date of 15 May 1948, which had been cited in the press, was the date set by the Mandatory Power for the termination of the Mandate, rather than for the evacuation of troops.

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The view was expressed that, as the information regarding dates of evacuation had been given to the Commission in accordance with a provision of the resolution of the General Assembly which made no mention of secrecy, that information should not have been considered as confidential. In view of the grave situation which existed in Palestine, the Jewish Agency also had a right to be informed.

It was agreed, however, that the information could not be disclosed to the Jewish Agency without the consent of the Mandatory Power.

The CHAIRMAN stated that, until the termination of the Mandate, the Mandatory Power alone was responsible for the maintenance of law and order in Palestine. A militia could not be established until the termination of the Mandate.

He remarked that two courses were open to the Commission. It could tell the Jewish Agency for Palestine that it was not free to reveal the information desired and suggest that the Jewish Agency should address itself directly to the Mandatory Power; or it could transmit the letter of the Jewish Agency to the Mandatory Power, asking whether the information could be disclosed.

The Commission's views were divided between the two proposals.

In reply to an objection, the CHAIRMAN stated that if the Commission's letter to the Mandatory Power were appropriately worded, the impression need not arise that the Commission wished the Mandatory Power to accede to the Jewish Agency's request. While, as a general principle, it was undesirable for the Commission to act as an intermediary between the Jewish Agency and the Mandatory Power, he believed that in the case in point it would be wiser to do so.

The point was raised that the Mandatory Power would be obliged to send its reply to the Jewish Agency of Palestine through the Commission.

The CHAIRMAN answered that the reply of the Mandatory Power directly interested the Commission.

The SECRETARY read the draft of a letter to the Jewish Agency for Palestine, which stated that its communication of 23 January was being transmitted to the United Kingdom representative "for his information and for such comment and action on the matter as he may deem appropriate".

It was decided that such a letter would be sent to the Jewish Agency for Palestine, and that a copy of it, together with a copy of the Jewish Agency's communication of 23 January and with a letter of transmittal from the Commission, would be sent to the representative of the Mandatory Power.

CONSIDERATION OF THE WORKING PAPER ON THE QUESTION OF THE APPLICABILITY OF THE FINANCIAL PROVISIONS OF PARAGRAPH 3 OF CHAPTER 3 OF PART I C TO THE CITY OF JERUSALEM (DOCUMENT A/AC.21/W.21)

Document A/AC.21/W.21 was considered and the conclusions expressed therein were accepted by the Commission as representing its views on the matter.

CONSIDERATION OF A COMMUNICATION FROM THE PRESIDENT OF THE ROCKEFELLER FOUNDATION CONCERNING THE FUTURE OF THE PALESTINE MUSEUM

At the CHAIRMAN's request, the SECRETARY read a letter, dated 9 January 1948, from the President of the Rockefeller Foundation.

It was suggested that the Commission would be concerned with the future status of the museum. The Commission agreed with this view.

To assist the Commission in determining its responsibility for the museum's future safety and administration during the period of transition, it was decided to request of the Mandatory Power information concerning its legal relations with the museum.

CONSIDERATION OF A COMMUNICATION FROM THE JEWISH AGENCY FOR PALESTINE CONCERNING THE CREDENTIALS OF THE AGENCY

At the CHAIRMAN's request, the SECRETARY read a communication from the Jewish Agency for Palestine concerning the credentials of the Agency.

The CHAIRMAN, speaking with reference to paragraph 3 of the communication, remarked that the Jewish Agency for Palestine represented Zionists throughout the world, but did not represent the whole Jewish population of Palestine. There existed in Palestine democratic parties and public organizations which were not represented by it.

He ascertained that a communication in writing had been received by the General Assembly at its special session from the Va'ad Leumi, the Jewish National Council, informing it that the Jewish Agency was competent to act on behalf of the Jews of Palestine.

The opinion was expressed that, since then, another session of the General Assembly had taken place and the resolution on the future government of Palestine had been adopted. In view of the passage of time and the changed situation, particularly in view of the wording of the resolution, the old credentials were no longer sufficient. Moreover, the Jewish Agency for Palestine had a double function: it represented the Zionists of the world as well as the majority of the Jews in Palestine, but it was only in the latter capacity that the Commission could have dealings with it. The communication under consideration was insufficient. The Jewish Agency for Palestine should be requested to ask the various democratic parties and public organizations which supported it for statements to the effect that it was empowered by them to act on their behalf. The Commission could then

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address directly parties and organizations which the Jewish Agency for Palestine did not represent.

It was stated, on the other hand, that it was imperative, in the interests of simplifying the work of the Commission, that it should recognize the Jewish Agency for Palestine, which had already been recognized by the General Assembly. It was impossible for the Jewish Agency to present formal credentials before a Jewish State had been set up.

The CHAIRMAN observed that the Commission was bound by a formal provision of the General Assembly's resolution to consult all the democratic parties and public organizations in Palestine. The Commission's work would, of course, be simplified if it could be established that the Jewish Agency for Palestine represented the major part of the Jewish population in Palestine; it would still be the Commission's duty, however, to establish connections with remaining democratic parties and public organizations.

He added that the executive organs of the various political parties in Palestine could send letters empowering the Jewish Agency for Palestine to act for them.

Mr. SOBOLEV (Assistant Secretary-General) remarked that there might be practical difficulties, which should be considered before the actual form of accreditation was decided. In reply to an objection, he pointed out that the General Assembly at its special session had recognized the Jewish Agency for Palestine as spokesman for the Jews in Palestine, rather than for Jews throughout the world.

After a brief discussion, it was decided that an informal request would be made to the Jewish Agency for Palestine to produce credentials from as many political parties and public organizations as it could. Other parties and public organizations could be consulted after a reply from the Jewish Agency had been received. The representative of the Palestine Government could be asked, in an equally informal manner, for views concerning both Arab and Jewish democratic parties and public organizations in Palestine.

The CHAIRMAN requested the Secretary, in his forthcoming consultation with representatives of the United Kingdom delegation, to stress the fact that the Commission was anxious to receive from the United Kingdom Government answers to questions asked by the Commission. Those answers appeared overdue.

The meeting rose at 1.00 p.m.