

GENERAL
ASSEMBLYASSEMBLEE
GENERALEA/AC.21/SR.29
3 February 1948
ENGLISH ONLYSUMMARY RECORD OF THE TWENTY-NINTH MEETING OF THE UNITED NATIONS
PALESTINE COMMISSION

Lake Success, New York

Tuesday, 3 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. Bunche (Secretary)

In the absence of the Chairman during the first half of the meeting, the Vice-Chairman, Mr. MEDINA (Bolivia) took the Chair.

1. CONTINUATION OF CONSIDERATION OF STATEMENTS MADE TO THE COMMISSION BY
SIR ALEXANDER CADOGAN AT ITS TWENTY-SEVENTH MEETING, 30 JANUARY 1948

The VICE-CHAIRMAN invited members to express their views upon the replies given by Sir Alexander Cadogan to the list of questions prepared by the Commission.

In connection with question two, on the Commission's discharge of its administrative responsibilities, the point was raised as to what the reaction of the Mandatory Power would be if the Commission decided to proceed to Palestine prior to the two-week period before the termination of the Mandate specified as acceptable by Sir Alexander Cadogan. Would the Mandatory Power decide in this case to terminate the Mandate two weeks after the arrival of the Mission? The Mandatory Power under the Resolution of the General Assembly, possessed the right to terminate the Mandate at any date before 1 August 1948 and until the date of the termination of the Mandate retained full responsibility for the administration of Palestine. This legal position of the Mandatory Power was incontestable, but from a practical point of view the Commission felt it most necessary that it should arrive in Palestine earlier than a fortnight before the termination of the Mandate.

It was agreed, in view of the letter which was to be sent by the Commission to the representative of the Mandatory Power requesting a

/reconsideration

reconsideration of the matter, that the Secretary of the Commission should informally bring the question to the notice of the Mandatory Power. It was realized that if the answer to the letter were in the affirmative then the question would not arise.

It was commented that the reply given to question five indicated that there would be no objection by the Mandatory Power to the establishment of the Provisional Councils of Government, provided that they did not exercise any authority until the termination of the Mandate.

In connection with question seven, the Secretary informed the Members that the requested information furnished by Mr. Fletcher-Cooke of the United Kingdom delegation concerning the "Association of Government War-Time Departments Officers" which had sent a telegram to the Commission, would be circulated. He also told the Members that a more specific list of questions was being prepared by the Public Relations Adviser to supplement question twelve concerning Public Information.

After a short discussion it was agreed that a letter should be sent by the Commission to the Mandatory Power requesting that the Directive referred to in the reply to question thirteen should be made available to the Commission for consideration and comment before the final issuance. The Commission could then discuss the terms of the proposed Directive with representatives of the Mandatory Power and be better able to evaluate the reply given to the question.

It was clear from the reply given to question fourteen and the statement made by the representative of the Jewish Agency, that even if the Provisional Councils of Government could possibly be established by 1 April 1948, they would be unable to function, in view of the announced policy of the Mandatory Power. The attention of the Security Council should be drawn to this fact, therefore, in the Commission's special Report to the Security Council.

During the discussion of question fifteen the suggestion was made that the governmental personnel of the present administration of Palestine might be retained after the termination of the Mandate. The Secretary informed the Commission that a working paper would shortly be available which had a bearing on this subject as it dealt with financial commitments which were at present being made by the Palestine Government and which would continue after the termination of the Mandate. Consideration of the two related questions might therefore be considered later. A working paper was also being prepared on the legal aspects of the question raised by the representative of the United Kingdom concerning the Postal Union in Palestine.

2. DISCUSSION ON THE SENDING OF AN ADVANCE PARTY OF MEMBERS OF THE SECRETARIAT TO PALESTINE

The Commission discussed the advisability of sending a small advance party of members of the Secretariat to Palestine prior to the arrival of the Commission. The opinion was expressed that no announcement should be made concerning the advance party, nor should the advance party proceed to Palestine until the decision of the Security Council was known on that part of the Commission's special report to the Council concerning the establishment of an international force to implement the plan of partition. Military observers, however, might be sent to report on events in Palestine for the benefit of giving the Security Council knowledge of the type of military forces necessary. The recommendation to send such military observers might be included in the special report of the Commission to the Security Council.

After some discussion, however, the Commission decided that the sending of the advance party was of urgent concern, that it could not await the decision of the Security Council on the Commission's special report and the Commission's decision to send an advance party to Palestine should be made public. The advance party should therefore proceed to Palestine as quickly as possible. A military observer responsible solely to the Commission, would accompany the advance party to enable the Commission to gain more complete information on the defence aspects of the situation in Palestine. As to the functions and duties of the advance party, the Secretariat would draw up a draft memorandum containing suggested duties which could be discussed by the Commission at a later meeting. The Secretariat would also draw up a list of candidates who would be qualified to accompany the advance party in the capacity of military observers. The maximum number of personnel in the advance party was placed at four or five.

3. CONSIDERATION OF THE LETTER TO BE SENT BY THE COMMISSION TO THE REPRESENTATIVE OF THE MANDATORY POWER REQUESTING THE MANDATORY POWER TO RECONSIDER ITS DECISION TO ALLOW THE COMMISSION TO ENTER PALESTINE ONLY TWO WEEKS BEFORE THE TERMINATION OF THE MANDATE

Of the two draft texts prepared by the Secretariat, the Commission decided to take the shorter of the two as a basis for discussion. This text was amended as follows: the latter part of the first paragraph on page 2 beginning "the proposal of your Government . . ." and the phrase "the Commission is convinced that" of the first sentence of the second paragraph were deleted; after the second sentence of paragraph 2, of page 2, the last paragraph on page 3 of the longer draft was inserted; the words "In consequence" at the beginning of the third sentence of paragraph 2

/were deleted

were deleted and replaced by "Under the proposed policy of the Mandatory Power"; the words "the Commission" at the beginning of paragraph 3 on page 2 were deleted and replaced by the following text: "For these reasons the Commission does not find satisfactory the suggestion that the Commission should not come to Palestine until approximately a fortnight before the termination of the Mandate and".

4. FUTURE MEETINGS OF THE COMMISSION

In view of the urgency of preparing the special report of the Commission to the Security Council, it was decided that the Commission should hold, as far as possible, two meetings each day.

The meeting rose at 6.00 p.m.
