

GENERAL
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UNITED NATIONS PALESTINE COMMISSION

SUMMARY RECORD OF THE THIRTY-FIRST MEETING

Lake Success, New York

Thursday, 5 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)
	Mr. Reedman	(Senior Economic Adviser)

In the absence of the Chairman, the Vice-Chairman, Mr. Medina (Bolivia) took the Chair.

COMMUNICATIONS TO THE COMMISSION

At the CHAIRMAN's request, the SECRETARY stated that the documents distributed to the Commission that day included a communication from the United Kingdom delegation, containing answers to questions regarding food supplies in Palestine. Early action on that subject by the Commission was necessary. A communication from the United Kingdom delegation on the question of security, a working paper on policy regarding the continuance in service of employees of the Palestine Government, and a report by Mr. Francisco (Philippines) on the subject of militia had also been distributed. Several communications from the United Kingdom delegation in answer to the Commission's letter of 27 January were in the process of reproduction.

He then read a brief statement with regard to the smuggling of arms which had been omitted from the last paragraph of the daily news summary No. 8.

CONSIDERATION OF THE ANSWER TO QUESTIONS B (10) AND (11) CONTAINED IN A COMMUNICATION FROM THE UNITED KINGDOM DELEGATION

Mr. REEDMAN (Senior Economic Adviser) called the attention of the Commission to the urgent nature of the food situation in Palestine. He

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then read the answer of the United Kingdom delegation to question 11. Paragraph (b) of that answer, in his opinion, contained a warning to the Commission that its responsibilities in the matter began at once, as preparations would be required if the procurement of the food supply were to continue without interruption after the termination of the Mandate. Paragraph (c), he thought, contained an invitation to the Commission to come to an arrangement with the United Kingdom Government, which was, in some measure, prepared to co-operate with the Commission. He suggested that an arrangement might be made whereby the United Kingdom Government, after the termination of the Mandate, would act for the Commission in procuring supplies, on the understanding that the Commission assumed full financial responsibility. If such an arrangement were impossible, the Commission would have to find means of financing food procurement; the procurement itself might, in that case, be effected by a group of importers in Palestine.

It was suggested that the question of procuring food supplies might be raised during discussion with the United Kingdom delegation on the continuation of administrative services.

The CHAIRMAN agreed that this could be done. It would also be necessary, in view of the urgency of the situation, to send a representative to London to confer with the Ministry of Food, as the United Kingdom delegation suggested.

The SECRETARY called attention to the fact that food was already reported to be scarce in some parts of Palestine, and that the situation might well become grave after the termination of the Mandate.

It was decided that a member of the Secretariat should be designated to confer with the Ministry of Food in London.

CONSIDERATION OF THE MEMORANDUM ON ACTS OF AGGRESSION SUBMITTED BY THE JEWISH AGENCY FOR PALESTINE

The CHAIRMAN observed that the request of the Jewish Agency for Palestine that its memorandum on acts of aggression should be transmitted by the Commission to the Security Council could not be granted. Such an action might imply endorsement of the memorandum. Certain portions of the memorandum, however, could be used in the preparation of the Commission's special report to the Security Council. The memorandum, in the main, confirmed facts which were generally known and arrived at conclusions already accepted by the Commission. The new element in the memorandum was its emphasis on the open defiance of the General Assembly's decision by Arab States, which amounted to an attempt to alter that decision. He suggested that the special report should contain a mention of that defiance, the /whole extent

whole extent of which was unknown.

The question was raised whether the Commission could accept the facts adduced in the memorandum without a previous investigation of them. The evidence presented in the memorandum was no better than hearsay. If a copy of the memorandum were transmitted to the Arab Higher Committee, and if that Committee corroborated some of the statements it contained, the document could be cited as proof. Unless that were done, it could not be used as a basis for the special report.

The view was expressed that the facts cited in the memorandum had been reported in the Press, and included official statements and resolutions. Submission of the memorandum to the Arab Higher Committee would mean the reopening of a controversy which had been settled by the decision of the General Assembly.

The CHAIRMAN remarked that the main fact stressed in the memorandum was Arab resistance to the General Assembly's resolution. That fact was common knowledge. The special report could contain a reference to the known fact that open defiance had been expressed by the Arab States. He agreed with the suggestion that the report should mention the fact that the important decisions of the Mandatory Power with respect to the opening of a port for immigration, the termination of the Mandate, and the date on which the Commission would arrive in Palestine had all been prompted by the insecurity caused by the attitude of the Arabs.

It was agreed that the Commission would reply to the Jewish Agency for Palestine that it was unable to transmit its memorandum to the Security Council, but that the Jewish Agency itself was free to ask the Secretary-General to do so under Article 99 of the Charter; moreover, some of the facts contained in the memorandum would be used by the Commission in the preparation of its special report to the Security Council.

The SECRETARY suggested that, in order to make the body of the special report clear and concise, it might be advisable, while dealing with the questions of security and Arab resistance in the report itself, to cite facts presented by the United Kingdom delegation and by the Jewish Agency for Palestine in an annex to the report.

This suggestion was accepted.

At this point Mr. Lisicky (Czechoslovakia) took the Chair.

CONSIDERATION OF AN INFORMAL MEMORANDUM ON THE PURPOSES OF THE ADVANCE PARTY'S VISIT

The CHAIRMAN called the attention of the Commission to a memorandum prepared by the Secretariat on the purposes of the advance party's visit to Palestine.

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After a brief discussion, it was agreed that Items 2 and 4 of the memorandum could be discussed by the Commission's Secretariat representative in London, while Item 14 could be discussed here. An analysis of the remaining items showed that persons with economic, administrative, military and political experience would be required.

It was decided that the advance party might consist of six experts: two economists, two administrators, and two political experts, one of whom should have military experience. One economist who would deal with the question of the food supply, and one administrative expert might first go to London, and at a later date join the other four members of the advance party in Palestine.

The SECRETARY expressed the hope that the advance party would be permitted to do its work in Palestine unimpeded.

The CHAIRMAN instructed the Secretary to appoint the members of the party, to make arrangements for their departure, and to inform the Mandatory Power, which had already given its agreement in principle, of the intended steps.

CONSIDERATION OF WORKING PAPERS ON "QUESTIONS CONCERNING PUBLIC INFORMATION SERVICES AND FACILITIES" (A/AC.21/W.24) AND "RELATIONS BETWEEN THE UNITED NATIONS PALESTINE COMMISSION AND THE SECURITY COUNCIL" (A/AC.21/W.25)

After a brief discussion, it was decided that the Secretariat, under the supervision of Mr. Medina (Bolivia), should start negotiations concerning public information services and facilities, on an informal basis, with the United Kingdom Government. The question needed careful consideration, owing to the heavy financial responsibilities involved. It was also agreed that negotiations should be opened with the United States' authorities for the purchase of radio equipment.

The Commission took note of working paper A/AC.21/W.25.

PRELIMINARY DISCUSSION OF THE SPECIAL REPORT TO THE SECURITY COUNCIL

There was an exchange of views as to the best manner of presenting the report to the Security Council. It was suggested that the report should be based exclusively on sub-paragraph (c) of the Preamble to the resolution of the General Assembly. On the other hand, the proposal was made that the report should be based on the three points in the resolution set forth under sub-paragraphs (a), (b) and (c) of the said Preamble.

The CHAIRMAN agreed on the importance of pointing out to the Security Council the need for taking measures, but did not consider it advisable to specify what those measures should be. Only the Security Council was empowered to decide on what grounds it would base its decision.

/The SECRETARY

The SECRETARY pointed out that if emphasis were laid on any one of these particular points, it might be interpreted as a prejudgment by the Commission of decisions to be taken by the Security Council. The Commission should not give guidance to the Security Council and should avoid giving the impression that it was in any way impinging on the authority of the Security Council.

The opinion was expressed that, as the Commission was entrusted with carrying out the resolution of the General Assembly on the partition of Palestine, it had a right to indicate to the Security Council what measures it should take to implement that decision.

Mr. STAVROPOULOS (Senior Legal Adviser) expressed the opinion that the Commission should not present any arguments to the Security Council, but should simply report its findings. It was for the Council to determine whether it should take action on the matter, and on what grounds.

The view was expressed that the report should stress the need for an international police force to implement the resolution of the General Assembly. The SECRETARY gave assurances that that point would be made quite clear, but added that it had not been contemplated to base the report exclusively on sub-paragraph (c) of the Preamble to the resolution.

A brief discussion on procedural matters connected with the drafting of the special report followed, and the Chairman ruled that such matters should be raised when the draft report came under consideration.

The CHAIRMAN informed the Commission that several communications had been received from the United Kingdom Government dealing with questions raised by the Commission. It was agreed that the Commission was not bound by the decisions arrived at by the Governments of the United Kingdom and Palestine on the question of the disposal of immovable assets in Palestine. It was also decided to consult the United Kingdom Government informally on the question of the Palestine Museum in Jerusalem, as the communication received on that matter was not entirely satisfactory to the Commission.

The meeting rose at 6.00 p.m.
