

GENERAL
ASSEMBLYASSEMBLEE
GENERALEA/AC.21/SR.43
5 March 1948

ENGLISH ONLY

UNITED NATIONS PALESTINE COMMISSION

SUMMARY RECORD OF THE FORTY-THIRD MEETING

Lake Success, New York

Thursday, 19 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. Sobolev	(Assistant Secretary-General)
	Mr. Bunche	(Secretary)

CONSULTATION WITH MR. CREECH-JONES

On the invitation of the Chairman, Mr. A. Creech-Jones and Sir Alexander Cadogan, representatives of the Government of the United Kingdom, and their two assistants, Mr. J. Fletcher-Cooke and Mr. Trafford Smith, took their places at the table.

The CHAIRMAN welcomed Mr. Creech-Jones. He considered that the discussion would proceed more satisfactorily on an informal basis.

Mr. CREECH-JONES (United Kingdom) expressed his appreciation of the opportunity offered to him to address the Commission. He recognized that the Commission was tackling a job of great difficulty and responsibility. It was the responsibility of the Mandatory Power to facilitate the task of the Commission by giving what practical assistance it could. He thought the Commission recognized the limitations which the United Kingdom Government had imposed upon itself in this matter; at the same time the United Kingdom Government was anxious to help the Commission to the extent of its power by making available to the Commission its experience and information on the Palestinian problem.

It was not the policy of the United Kingdom Government that the work done by it during the past twenty-five years in Palestine should be undone or that chaos should follow the end of the United Kingdom administration.

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Therefore, the United Kingdom Government desired as much as the Palestine Commission that an orderly and peaceful transfer of authority should be assured and that the Commission should discharge its task in such a way as to assure the prosperity and happiness of Palestine.

The United Kingdom Government was conscious that the problems to be discussed with the Commission were very complex and difficult. It had tried to make available to the Commission what information and experience it had. The United Kingdom Government was equally conscious that at times, perhaps because of the procedure followed, things had not been as smooth as might be wished, but that was inherent where matters of policy were concerned. The United Kingdom representatives have had frequently to refer back to London and Jerusalem matters having a bearing on international problems and on security; it was not easy to secure prompt replies and give the information sought. He emphasized, however, that the United Kingdom Government wished to give to the Commission all possible assistance.

He hoped that the Commission, on its part, appreciated the difficulties confronting the United Kingdom Government. Where the United Kingdom Government had been unable to meet the recommendations contained in the resolution of the General Assembly, it had not been for lack of goodwill but because of practical difficulties of the situation in Palestine itself. The Commission should bear in mind that in Palestine the authorities were up against very considerable difficulties. The services in Palestine had to be maintained until the Mandate ended. They were experiencing the greatest difficulty in maintaining staff in the administration. With less and less staff they had to provide considerable information both to London and the Commission. And the problem of security was complex. While British forces were being withdraw, there was almost open civil war. The transfer of authority in an orderly way would be a task of great magnitude for the administration.

He gathered that there were a number of matters about which there had been difficulties as between the Commission and the United Kingdom Government. He realized that the Commission had to proceed on the basis of the Assembly resolution and it was hoped that the United Kingdom Government would comply with all its terms. However, the United Kingdom Government was responsible for law and order in Palestine. Already it had not been able to comply with the recommendation concerning the port of Tel Aviv as it considered that if the port were opened for Jewish immigration and the importation of arms, there would be an intensification of civil war. That was an example of the problems with which the United Kingdom Government was faced. He added that it would be unwise to have divided authority anywhere in Palestine.

Mr. Creech-Jones stated that he would not go into all the differences which had occurred. But he observed that the general policy of the United Kingdom Government was to remove any obstacle which they could and reach agreement with the Commission as far as possible on their wishes and objectives. In this connection he raised the question of the date of the arrival of the Commission in Palestine. For the United Kingdom Government that was a practical issue in terms of security. It was related to the problem whether the Mandatory Power could maintain law and order once the Commission arrived.

The United Kingdom Government had already informed the Commission that it was prepared to receive an advance party of the Secretariat in Palestine. All security precautions would be taken on its behalf; facilities would be provided for their movement, examination of problems and contact making. He made, however, this reservation. While everything would be done for the safety of the advance party in the discharge of its duties, in the nature of things, no absolute guarantee of security was possible, because conditions in Palestine were such that no authority could provide absolute guarantee for a party concerned with the implementation of the Assembly resolution. He hoped that the advance party would be able to perform many of the tasks assigned to them by the Commission.

On account of the troubled background, he was of the opinion that the Commission should undertake as much of the preliminary work as possible before leaving New York. The period of overlap brought some real difficulties to the Mandatory Power. These difficulties were further complicated by some other influences at work in Palestine, even before 1 May. He hoped that many of the problems capable of settlement would be handled in advance so that it would not be necessary to handle them in Palestine at all. Difficult and complex questions could best be settled in a reasonably tranquil environment. There was a whole range of financial and economic problems, the question of the transfer of services, etc., which could be so studied. The United Kingdom Government had a large amount of material available for the study of such problems.

Mr. Creech-Jones referred to the list of questions which had been submitted to the United Kingdom Government by the Commission in January. There were two or three questions concerning security and the militia which were still outstanding. He appreciated the urgency of the problem; much thought was being given to these matters and he hoped information would soon be available to the Commission. He would be happy to answer whatever questions were put to him by Members of the Commission.

The CHAIRMAN thanked Mr. Creech Jones for his statement. He stated that an atmosphere of mutual understanding was a prerequisite for the success of the negotiations between the Commission and the Mandatory Power. The Commission fully understood the position of the United Kingdom Government and expected that its own position would be appreciated by the United Kingdom Government. He called for questions from his colleagues.

Mr. MORGAN (Panama) endorsed the Chairman's statement that the Commission fully understood the difficulties of the United Kingdom Government. At the same time the Commission was also impressed by the magnitude of its own task. They needed the maximum co-operation possible. In his view, the most important job of the Commission was the organization of the Arab and Jewish States. In the present circumstances he would ask the Mandatory Power to give its maximum co-operation to the Commission so that the Commission would be in a position to carry out the Assembly resolution without hurting the Mandatory Power.

Mr. Morgan asked the following questions:

- (1) What plans the Mandatory Power had for the transfer of power to the Commission in such a way that the essential government services - the organization of which was the principal task given to the Commission by the General Assembly - should continue to function.
- (2) In the Assembly resolution there was to be no break in the continuity of administration. But according to the attitude of the United Kingdom Government there could be no progressive handing over of power; and it was further proposed that the Commission should not go to Palestine until 1 May, that is, two weeks prior to the termination of the Mandate. Did the United Kingdom Government consider the proposed period of fifteen days sufficient for the Commission to assume all functions of government and ensure continuity in essential services?
- (3) The shortness of this period was allegedly due to reasons of security, but would not the security situation become even worse by the Commission's arrival in Palestine at such a late date?
- (4) Since the Commission could not go to Palestine to establish Provisional Councils of Government, what help would the United Kingdom Government give in establishing a Provisional Council of Government in the Jewish State if it were not possible to establish one in the Arab State?

/(5) Considering

(5) Considering that the Plan contemplates the establishment as soon as possible of the Provisional Councils of Government which should set up central and local bodies in zones to be evacuated by the forces of the Mandatory Power, what co-operation would the United Kingdom Government offer the Provisional Councils of Government in carrying out the functions assigned to them in the Plan?

Mr. CREECH-JONES (United Kingdom) reminded the Commission that the transfer of authority would take place under conditions of violence and of fierce hostility between the Arab and Jewish communities.

What was meant by the administration of Palestine? So far the Palestine Government had received comparatively little co-operation from the masses of the people in the work of government. Political institutions were few and the administration had few roots in the life of the country. That was not because efforts had not been made in the past by the Mandatory Power to build up political institutions, but because of misapprehensions on the part of both communities. Therefore, there was somewhat of a divorce between the Government and the general communities, whose goodwill and co-operation were absolutely imperative. The difficulties in regard to terrorism had largely arisen from this fact.

The administration of Palestine was largely centralized, although organs of local government existed. He assumed that Mr. Morgan in referring to a break in the administration meant that the executive machinery and the technical services would come to an end on 15 May and that thereafter there would be new personnel. He supposed that Mr. Morgan would like the same personnel to carry on. The difficulty was that the personnel of the Palestine administration was made up of two sections, one recruited in Palestine and a small section recruited from the British Colonial Service. All personnel was now in the employment of the Crown. When the Crown ceased to function in Palestine the contracts would automatically expire. There was a small administrative and technical group employed for the time being by the Palestine Government but actually members of a unified Colonial Service. When they end their job in one territory they were liable for transfer to other territories. The persons in this small group, therefore, would have to be withdrawn. In the case of all other officials in Palestine the United Kingdom Government would have to terminate their contracts, but there was nothing to prevent the Commission from re-engaging them. However, he supposed that after 15 May there would be major readjustments with respect to future employment. This was a problem to be faced by

/the Commission

the Commission itself which could offer employment now so that the services would be continued. The situation has been made, in some respects, easier because during the last few months the Central Government in Palestine was trying to de-centralize services and devolving more authority to local authorities so that the services could be continued after the termination of the Mandate. But unless the Commission itself took action, it would not be possible to continue them. The local authorities would have to be informed in advance that employment would be offered, otherwise employment would automatically end.

The CHAIRMAN asked if Mr. Creech-Jones thought it humanly possible for anyone to make this rearrangement from outside Palestine or within the space of two weeks.

Mr. CREECH-JONES (United Kingdom) asked the Commission to remember that the United Kingdom Government was not responsible for the disorder and almost open warfare in Palestine. They were, however, trying to prevent undue inflammation of the situation. It was very clear that whatever restraint the Arabs showed now would be thrown off when the Commission arrived in Palestine for the avowed purpose unanimously opposed by them. The Mandatory Power was pulling out of Palestine as rapidly as possible, dismantling installations and removing stores, and it could not at the same time be confronted with a major problem of security due to the presence of the Commission in Palestine. The Arabs had made it clear that the authority of the Commission would be challenged. Open conflict would arise if there were a longer period of overlap. All these things must be considered. It was not a question of what the United Kingdom Government would like to do. The question was how it could achieve the transfer of authority in such a background. It was suggested earlier that the Commission could do a great deal of work before it proceeded to Palestine: contacts could be established, staffing difficulties looked at, discussions carried on with the administration, so that preliminary essential work could be performed before its arrival. That was the only answer he could give.

He repeated that the Palestine Government was at the moment engaged in strengthening the responsibilities of the local authorities and in enlisting local security forces, thus ensuring some stability as the withdrawal took place. By 15 May many of the services would be manned locally so that a great deal of the normal life of Palestine could go on.

Mr. Creech-Jones returned to the next question asked by Mr. Morgan, namely, was the period of overlap sufficient. The United Kingdom Government thought that it would be of sufficient length for all the

functions of government to be discharged. Of course, there were certain functions of government which in the conditions to exist after 15 May might be extremely difficult to discharge, and some of these functions could be considered long before the Commission arrived in Palestine. The Commission should consider this in advance and decide which of these functions should be abandoned or maintained. The Commission would be confronted with the difficulty that although the Arab State would not come into being on 15 May normal life in that area must be continued. Also there would be the time lag before the central body, the Joint Economic Board and other ad hoc bodies could function if the Arab State were not set up at that time. But all that could be considered long before 15 May.

In reply to Mr. Morgan's question concerning the Provisional Councils of Government, Mr. Creech-Jones stated he could not see what difficulties were faced by the Commission in setting up a Council for the Jewish State. Of course, definite frontiers could not be established until the Commission made investigations on the spot, but surely there was no reason why the Commission should not make the necessary enquiries among the Jewish Community concerning a Jewish Provisional Council of Government long before 15 May.

Mr. MORGAN (Panama) pointed out that the Commission needed to choose people on the spot for the Provisional Council of Government in the Jewish State. The Commission had just been told that it could set up a Provisional Council for the Jewish State from outside Palestine. If so, it would require certain co-operation from the United Kingdom Government. He asked whether the Mandatory Power would be willing not only not to place obstacles in the Commission's way but to permit persons to be nominated for positions of responsibility.

Mr. CREECH-JONES (United Kingdom) stated that the United Kingdom Government was not preventing in any way contacts between the Commission and representatives of the various communities inside and outside of Palestine. A great deal of consultation with these communities could be done long before the Commission's arrival in Palestine. He saw no practical difficulty in that.

The CHAIRMAN asked if the attitude of the United Kingdom Government was to permit the appointment of the Provisional Councils of Government well in advance of the Commission's arrival in Palestine, but not to allow the exercise of any authority by them until after the termination of the Mandate.

/Mr. CREECH-JONES

Mr. CREECH-JONES (United Kingdom) agreed that that was the position. The Provisional Councils of Government could not exercise any authority, but for all practical purposes they could be nominated. It was not for the United Kingdom to implement the plan by arranging the business which such Councils would have to perform when they were appointed. But there were no difficulties in the way of creating the Councils if the Commission so decided.

The CHAIRMAN thought that, for practical purposes, the position of the Provisional Council of Government in the Jewish State would correspond to the present position of the Jewish Agency. He referred to paragraph 4, Section B of Part I of the Plan, under the terms of which the Commission would be required to report to the Security Council if one or both Provisional Councils of Government could not carry out their functions for such action as the Security Council might deem proper.

Mr. CREECH-JONES (United Kingdom) pointed out that it was not for the United Kingdom Government to discuss what the Commission should do. He thought that the functions of the Provisional Councils of Government would have to be defined by the Commission, and that until they were defined, it was difficult for him to answer the question. He could only say that prior to 15 May there could not be a Provisional Council of Government representing the Jewish State functioning and exercising the authority of government. After 15 May it would be as the Commission itself would decide.

The CHAIRMAN observed that what Mr. Creech-Jones had said about the functions of the Provisional Councils of Government was already laid down in the Assembly resolution. He pointed out, however, that, according to paragraph 8, Section B of Part I of the Plan, one of the functions of the Provisional Councils of Government was to recruit, organize and arm a militia. The Commission's duty and the views of the United Kingdom Government on this particular point were not parallel. The Commission's position was that it must proceed according to the plan set forth in the Assembly resolution. That resolution was the Charter of the Commission. If this recommendation of the General Assembly were not carried out, it was their duty to report the matter to the Security Council, which, according to the Plan, was the guide for the Commission. He simply wished to draw the attention of Mr. Creech-Jones to this point. It was not for the Commission to pronounce judgment on or criticize the United Kingdom Government, but it was their duty to report the matter to the Security Council.

/Mr. CREECH-JONES

Mr. CREECH-JONES (United Kingdom) agreed that certain functions of the Provisional Councils of Government were set out in the Plan. However, he considered that many of them were vaguely described as to both the manner and the time in which they were to be taken over and needed to be studied by the Commission. When he had said that he would like to know what functions the Provisional Councils of Government were proposed to assume prior to 15 May, he had in mind the vague and general terms set out in the Assembly resolution.

The CHAIRMAN thought it would be helpful to know the attitude of the United Kingdom Government on each of the recommendations of the General Assembly. So far the Commission had put questions to the United Kingdom representative formally and piecemeal. The Commission well knew that the United Kingdom Government had made certain reservations at the last session of the General Assembly. If the Commission could know the definite attitude of the United Kingdom Government on each of the Assembly's recommendations it would know how to proceed and its task would be facilitated. For instance, there was the question of immigration and of the militia. As regards the former, the United Kingdom representative has clearly defined the position of his Government. As the Commission had no executive power it could not proceed against the stand of the United Kingdom Government. But if the Commission knew the position of the United Kingdom Government it could arrange its work accordingly.

Mr. CREECH-JONES (United Kingdom) thought a somewhat less formal procedure would be more satisfactory. There was no desire to withhold from the Commission any information the United Kingdom Government had or any knowledge of their future policy.

As regards the militia, Mr. Creech-Jones again reminded the Commission that the United Kingdom Government was not dealing with a settled country where there was law and order and where the central government had the full co-operation of the people. Therefore, the creation of a militia could only be viewed in the light of that background. The Jewish community had a militia of their own - the Hagana - and other armed elements outside the Hagana as well. They possessed arms and frequently used them. Hagana had not been officially recognized by the Palestine Administration for a number of reasons. In his opinion, it could not be described even today as a completely disciplined force, but it was certainly the nucleus of a militia in the narrow sense of the term. He drew attention to the fact that the Jewish State would have almost as many Arabs as Jews. He wondered whether the militia of that State was to be composed exclusively of Jews or would be genuinely representative. There would be a difficult problem if the /Arab community

Arab community would not recognize the Jewish Provisional Council. If a militia were to be created it would presumably have to be of Jews. The Arabs would react fiercely to that and conflict would arise within the Jewish State because if one section of the population were to be armed there would be no alternative but to arm the other. That was one of the great difficulties of creating a militia in the Jewish State and of recognizing Hagana as an official body. A militia for the Arab State was practically impossible. In his opinion a militia might prevent conflict within a state but could not do so between states. Moreover, it could not provide sufficient force for the protection that the Commission would require and for enabling it to carry out its work, particularly as regards the delimitation of boundaries, about which the Arabs felt very strongly. He asked the Commission what it would do concerning a militia in mixed communities. The Mandatory Power had tried to create special police forces of a local character to maintain order after 15 May. In his view it would be necessary to recruit a special police force for Jerusalem. Finally, in order to carry out its mission the Commission would require an armed force which was neither Arab nor Jewish.

The CHAIRMAN stated that, after the remarks by Mr. Creech-Jones on the militia, he would consider paragraph 8, Section B of Part I of the Plan as being valueless, in any practical sense.

Mr. MORGAN (Panama) thought that the Commission was in a difficult position. He believed that it was the intention of the Mandatory Power to withdraw its troops from the least defensible areas first. In the absence of a militia or other force there was a possibility of large-scale massacres. Even if the Security Council did authorize a force the Commission would be faced with the same difficulty. He thought that the establishment of the Provisional Councils of Government would greatly help in preventing such a situation and hoped the Mandatory Power would co-operate to avert it.

He asked if the United Kingdom Government was doing everything possible to prevent the infiltration of armed Arab bands. He felt that some explanations were desirable in view of the fact that several cases had been reported, and that in one case it had been alleged that there had been warning and that the Jordan was able to be crossed at only fifty places. He asked if the United Kingdom Government would give permission to the Commission to import arms at this stage and store them on its own account. He further asked whether it was true that armed Arab bands were exercising control in Jerusalem within sight of British troops?

Mr. CREECH-JONES (United Kingdom) pointed out that as regards the establishment of the Provisional Councils of Government and the

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possible trouble in certain areas because of inadequate arrangements for security, the difficulty was not one which the Mandatory Power could overcome. In his opinion, while it was possible to set up a Jewish Provisional Council of Government there was little immediate prospect for the creation of a corresponding Arab Council. He thought that the protection of scattered Jewish communities was the most urgent matter. In this connection he repeated his former statement that the United Kingdom Government would put no obstacles in the way for the setting up of the Provisional Councils of Government prior to 15 May, always provided that there was no transfer of authority to them before that date.

As regards the infiltration of Arab bands, Mr. Creech-Jones agreed that there had been three or four main incidents where Arab bands had crossed the borders and had subsequently been absorbed in the Arab parts of Palestine. It was not easy to safeguard all the frontiers of Palestine. There were many routes into Palestine for which adequate control just could not be provided in the nature of things.

The CHAIRMAN pointed out that the groups in question were alleged to have crossed the Jordan.

Mr. CREECH-JONES (United Kingdom) stated that he was not aware that there had been any infiltrations along well-used routes. The bands in question had not come at the invitation of the United Kingdom authorities who had done everything in their power to control the frontiers. However, it was difficult to deploy troops, when engaged in a number of actions, against all contingencies. He thought that in one or two cases the bands had been halted, and when they had arrived in Palestine they had dispersed into the hills and were now absorbed in the normal life of the country. The United Kingdom Government was very much concerned about these incidents, had made protests to neighbouring countries and had taken appropriate action. That was all he could say about this matter. Future results depended on the co-operation of the Arab States and their governments, some of whom were Members of the United Nations, as it would be difficult for the Mandatory Power to seal completely all entrances to Palestine.

As regards the police force, Mr. Creech-Jones stated that all arms, buildings and equipment of the police forces would be made available to the Commission with effect from 15 May. As far as the transfer of arms, etc. was concerned, the matter could be discussed with the Commission. He saw no difficulty about that.

In answer to the question as to whether the United Kingdom Government would have any objection to the importation of arms from now on which could be stored and might be made available to the militia when created,

/Mr. Creech-Jones

Mr. Creech-Jones stated that the policy of the United Kingdom Government was to keep out all arms possible and this applied equally to both communities. The Mandatory Power was withdrawing all possible weapons with the withdrawal of its troops. As to whether special arrangements might be made with the Commission itself, that was a matter for discussion between the Commission and the United Kingdom Government.

With regard to Mr. Morgan's question concerning Jerusalem Mr. Creech-Jones did not accept the assumptions on which the question was based. It was true that in certain areas the responsibility for maintaining order had been assumed by special forces created and recognized by the Mandatory Power, but these forces were under the direction of the Mandatory Power and there had been no abdication of authority either to Arabs or Jews. If any specific instances to the contrary were alleged he would be glad to make inquiries.

Mr. MORGAN (Panama) referred to the known incident of the entry of a band of 950 Arabs into Palestine. He said he presumed that the information regarding that incident had been obtained from the Palestinian Intelligence Service. His question was this: if the entry into Palestine of such bands could not be prevented, could not the Intelligence identify and run them down after they had entered, since, presumably they were without papers.

Mr. CREECH-JONES (United Kingdom) replied that his Government were very anxious to provide effective preventive measures against the occurrence of such incidents. A continuous check and control of frontiers was being impartially exercised. When forces had arrived they had been halted and dispersed. At times the dispersed Arabs had been received and absorbed in Arab communities, and although great efforts to run them down and expel them were made it was very difficult to identify such individuals. He called upon Mr. Fletcher-Cooke to deal with the more technical aspects of this question.

Mr. FLETCHER-COOKE (United Kingdom) referred to the Samaria incident and to the letter he had written to the Secretary of the Commission to dispel the Commission's misapprehension regarding the Mandatory Power's position in this regard. The Mandatory Power was still in complete control of Samaria as well as of all the other areas, with the Palestinian police force on duty therein under the control of military patrols.

There was no way to identify the dispersed elements which had infiltrated in Palestine, short of screening the whole population. Moreover, the bands had remained quiet in Samaria and had not taken any offensive action. Nor had they interfered in any way with the civil administration. They had not in any way replaced Government control but were supplementary to it in exactly the

exactly the same way as was the case in certain Jewish areas which were being administered by local Jewish elements under the general supervision of the Mandatory Government.

The CHAIRMAN observed that the difficulties with regard to identifying the infiltrated bands were probably similar to those experienced in connection with the Jewish blockade runners.

Mr. FEDERSPIEL (Denmark) stated that he thought that the chief preoccupation should be that of averting the breaking out of pandemonium on 15 May; and, towards that end, the negotiation of all the points of detail which were now being taken up was essential.

In that connection, his first question was this: As Mr. Creech-Jones had said that his Government would not oppose the appointment of the Provisional Councils of Government before 15 May, providing that such Councils did not exercise any functions or authority prior to 15 May, would such "shadow" authorities, if they were set up, be given full facilities for negotiation with the Mandatory Power? If this were so, many details which the Commission was discussing in New York could be discussed by them in Palestine.

His second question concerned the situation in Jerusalem. He thought that the position there was somewhat different from that in the future Arab and Jewish States. He was not forgetting that the matter was not entirely within the jurisdiction of the Commission, that it was also a matter for the Trusteeship Council, but he wondered whether the United Kingdom Government would oppose the setting up, even before 15 May, as a preparatory measure, of a neutral police force recruited in some way by the Commission in consultation with the Governor.

Mr. CREECH-JONES (United Kingdom), in reply to Mr. Federspiel's first question stated that it was well understood that the authority succeeding the United Kingdom in Palestine was the United Nations Palestine Commission, and it was with the Commission as the successor authority that the negotiations regarding the transfer of authority must take place. It was the Commission, which, in implementing the decision of the General Assembly, had to determine who and what would constitute the Provisional Councils of Government, and after bringing the Councils into being, had to direct them in their functions. It was, therefore, very clear that it was not within his Government's responsibility to discuss the future plans and arrangements directly with either the Jews or the Arabs.

It was true, however, that quite a number of services and responsibilities

responsibilities could be transferred almost at once. His Government was helping in this respect as much as it could. Some government responsibilities had already been devolved upon local authorities which were being strengthened and given the means of maintaining law and order and preserving the normal life of the community.

Mr. FEDERSPIEL (Denmark) said that he might not have made himself quite clear. The General Assembly Resolution was not very explicit on the question of the transfer of authority. The Commission's acceptance of the impracticability of the gradual assumption of authority changed the position regarding the setting up of the Provisional Councils of Government. The position now was that on 15 May there would be a sudden transfer of authority. He had wanted to know whether the Mandatory Power would oppose the detailing by the Commission to the "shadow" authorities on the spot the handling in advance of certain important but minor details.

Mr. CREECH-JONES (United Kingdom) replied that Mr. Federspiel's point was fully appreciated. Obviously, in order that there might be continuity of the services, plans must be made in advance, and he did not think there would be any difficulty in the way of the Commission's empowering on-the-spot authorities to discuss certain aspects of the services with the Mandatory Power.

The CHAIRMAN asked Mr. Creech-Jones whether he was right in thinking that the United Kingdom Government viewed the Commission's arrival in Palestine on 15 May as inadvisable.

Mr. CREECH-JONES (United Kingdom) replied that the method and form of the transfer of authority upon the withdrawal of the Mandatory Power and the continuation of the various services were questions giving rise to certain difficult points relative to the implementation, and the general principles of the policy of the United Kingdom Government regarding them were well understood. He thought it would be more satisfactory to the Commission to receive a considered answer to the question that had been put, so that the Commission might be properly seized of his Government's position.

With reference to Mr. Federspiel's second question, regarding the creation of a neutral security force in Jerusalem prior to 15 May, Mr. Creech-Jones stated that a number of steps had already been taken relative to security in Jerusalem. The first efforts had been directed towards the securing of the co-operation of the various communities in the maintenance of law and order in the City. These efforts had not all been successful but there was reason to believe that understanding would be reached to give reasonable assurance that Jerusalem, as a Holy City, would be free from violence.

/At the same

At the same time, a police force was being created representative of the two communities, and should be available long before 15 May to assist in the maintenance of law and order.

The problem of security would of course be a problem for the Governor and he understood that a scheme was being worked out now by the Trusteeship Council whereby it would be the Governor's responsibility to build up his own security force.

He was not clear what a neutral force in Palestine meant, but he thought that a number of persons, neither Jewish nor Arab, were prepared to enter some voluntary security force. Also, a number of volunteers would probably be available from the British police force, but no programme could be worked out along those lines until the Trusteeship Council had completed its present task and the plans regarding implementation were known.

Mr. FEDERSPIEL (Denmark) observed that the Commission could not wait that long. The Trusteeship Council would shortly dispose of the Statute for the City of Jerusalem and would not meet again until June.

Mr. CREECH-JONES (United Kingdom) replied that surely that was not a matter for the Mandatory Power. The latter had made it known that the Mandate would be terminated on 15 May and the United Nations had ample time prior to that date to make some preparations. It would not be fair to charge the Mandatory Power with having left Jerusalem unprovided.

Mr. FEDERSPIEL (Denmark) asked Mr. Creech-Jones if the latter agreed, at any rate, that the matter was one for negotiation between the Mandatory Power and the Commission.

Mr. CREECH-JONES (United Kingdom) replied that he had already stated his Government's position. If an authority was to be established in Jerusalem after 15 May it would have to be nominated by the Commission.

The CHAIRMAN noted that the General Assembly Resolution called for the establishment of the City of Jerusalem two months after the withdrawal of the armed forces of the Mandatory Power and not later than 1 October 1948, which meant during the period between 1 August and 1 October.

Mr. CREECH-JONES (United Kingdom) answered that unforeseen contingencies were involved. Notice should be given to his Government of the likelihood of there being a gap between 15 May and 1 August so that suitable arrangements might be made. Meanwhile his Government was endeavouring to make, prior to 15 May, such security arrangements as it could. But it hoped that a great deal of the preliminary work would be done prior to 15 May, so that the Commission could see that security was effected when it assumed authority.

/The CHAIRMAN

The CHAIRMAN pointed out that what Mr. Creech-Jones had said was at variance with a report in the New York Times to the effect that Mr. Bevin had recently reaffirmed in the House of Commons that British troops could not be left in Jerusalem after 1 August.

Mr. CREECH-JONES (United Kingdom) noted that there was apparently some confusion on the dates of 15 May and 1 August, but said that at any rate there would be no British troops in Jerusalem after 1 August and that the period between 1 August and 1 October would therefore have to be provided for.

Mr. FEDERSPIEL (Denmark) observed that that would be the Commission's responsibility.

The CHAIRMAN asked Mr. Creech-Jones to whom the police force which was being established in Jerusalem, consisting of 300 Arabs and 300 Jews, would be subordinated.

Mr. CREECH-JONES (United Kingdom) replied that he thought that they would be answerable to the Municipality Commission, consisting of three members appointed by the High Commissioner. Some of the Jewish and Arab officers of the force were legal officers of the Administration, while others were employed solely by the Municipality Commission. The latter group would have to be re-employed by the Commission after 15 May.

The CHAIRMAN asked whether the fact that the Municipality Commission was appointed by the High Commissioner meant that there would be no Municipality after 15 May.

Mr. CREECH-JONES (United Kingdom) replied that that had been considered by the Working Committee on Jerusalem appointed by the Trusteeship Council without any conclusion having been reached. The Mandatory Power had always anticipated that the Municipality would be continued, hence it had made efforts to strengthen the police forces under it. Although the forces would be reduced after 15 May, they could form the nucleus of a police force which could be enlarged by the Commission in order to form the complete structure.

Mr. MEDINA (Bolivia) asked if the Commission might conclude from some of the statements which Mr. Creech-Jones had made that the Mandatory Power agreed with the Commission in the conclusion, contained in the Commission's Special Report to the Security Council, regarding the need of an international armed force to carry out the Commission's mandate.

Mr. CREECH-JONES (United Kingdom) replied that that was the problem to be discussed in the Security Council and that it would be premature for him to make a statement regarding it.

Mr. MEDINA (Bolivia) observed that Mr. Creech-Jones had nevertheless made

made the statement that something more than the militia would be necessary.

Mr. CREECH-JONES (United Kingdom) answered that it would seem that something more than that would be necessary.

Mr. MEDINA (Bolivia) referred to the request that the Commission had made to Sir Alexander Cadogan asking for the views of the Mandatory Power regarding the possibility of sending military experts to Palestine before 15 May. He said that Sir Alexander Cadogan had referred the request to London, and he wondered if the reply was now available.

Sir Alexander CADOGAN (United Kingdom) replied that no answer had yet been received from London.

Mr. FLETCHER-COOKE (United Kingdom) pointed out that the Commission had also suggested that some military experts be permitted to go to Palestine with the advance party of the Secretariat, and that although there had been no reply from London regarding the question Mr. Medina had referred to, there was an indication that there would be no objection to the inclusion of one or two military experts in the advance party. He understood that one member of the advance party was in fact a military expert.

Mr. FRANCISCO (Philippines) noted that Mr. Creech-Jones had stated that the Mandatory Power would not permit the formation of any militia prior to the termination of the Mandate. He had also stated that the Mandatory Power was willing to co-operate with the Commission at the termination of the Mandate in the orderly transfer of authority. Had the Mandatory Power any suggestion to make as to how law and order could be maintained in the period between the termination of the Mandate and the formation of the armed militia?

He also noted that it had been stated that the Mandatory Power would not object to preliminary steps being taken to prepare for the creation of an armed militia. In that connection, would there be any objection to the Commission's taking the following steps: (1) Designating cantonment areas; (2) recruiting personnel; (3) training personnel; and (4) equipping personnel. Also, would there be any objection to the building up of a store of arms and equipment in Palestine, to be stored under seal until the termination of the Mandate?

His next question was whether the Mandatory Power would turn over to the Commission, at the termination of the Mandate, all the arms, equipment, stores, buildings, posts and depots of the Palestine police force instead of leaving them behind at that time.

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Also, was the Mandatory Power disposed to discuss with the Commission a revision of its plan of withdrawal in order to assure the maintenance of British troops in the frontier areas, especially in view of the declaration of Sir Alexander Cadogan that areas where there were no British troops would not be defended from external aggression after 15 May?

His final question was: Would the Mandatory Power be prepared to concentrate its troops in the area assigned to the Arab State rather than in the area of the Jewish State, in view of the fact that possibilities now were that order and government would be established earlier in the Jewish State?

Mr. CREECH-JONES (United Kingdom) replied that he did not grasp all the implications of the questions just from hearing them read. He thought that some of them had already been put to his Government and the answers to those would soon be forthcoming.

Regarding the withdrawal of forces, he stated that it should be realized that it would be an exclusively military operation after 15 May, with the military having only a limited purpose and facilities. On that point some questions had already been addressed and his Government had informed the Commission that the directive to the General Officer Commanding would be communicated to the Commission, so that the Commission need not have any apprehensions on that score.

Prior to 15 May the responsibility for the civil administration would lie with the Mandatory Power; therefore, the withdrawal of forces prior to that date had to be planned in conjunction with the civil authorities.

In reply to the question as to whether the Mandatory Power had any suggestions to make with regard to the maintenance of law and order between the termination of the Mandate and the creation of an armed militia, Mr. Creech-Jones said that that was surely a matter for the Mandatory Power and not for the Commission. However, if his Government could make any practical suggestions as to the difficulties that would arise they would do so. But they could not formulate the policies in the matter.

The CHAIRMAN asked if he might infer that the United Kingdom Government did not find it possible to accept the recommendation of the General Assembly contained in paragraph 2, Section B of Part I, reading, "The administration of Palestine shall, as the Mandatory Power withdraws its armed forces be progressively turned over to the Commission, which shall act in conformity with the recommendations of the General Assembly, under the guidance of the Security Council. The Mandatory Power shall to
/the fullest

the fullest possible extent co-ordinate its plans for withdrawal with the plans of the Commission to take over and administer areas which have been evacuated."

Mr. CREECH-JONES (United Kingdom) stated that he thought it was understood that there would not be any progressive surrender of authority.

The CHAIRMAN said that he had referred to the areas still occupied by the British forces after 15 May, in the period between 15 May and 1 August.

Mr. CREECH-JONES (United Kingdom) reminded the Chairman that the Commission would be kept informed of the plans of withdrawal as he had stated earlier.

The CHAIRMAN pointed out that the Resolution referred to the "co-ordination" of plans, whereas the plan whereby the Commission was kept informed of the British plans constituted unilateral action.

Mr. CREECH-JONES (United Kingdom) replied that his Government would be concerned with one purpose only, namely, the withdrawal of its troops, which would have to be done in compliance with military directives. And of that the Commission would be fully informed.

The CHAIRMAN observed that Mr. Creech-Jones' reply led him to the conclusion that the provisions of paragraph 2, Section B of Part I, of the resolution would not be applied.

Mr. MORGAN (Panama) enquired whether any of the British forces would be withdrawn prior to 15 May.

Mr. CREECH-JONES (United Kingdom) answered that the process of the withdrawal of troops had already begun. He added that the withdrawal was proceeding with some regard to the maintenance of the economic life of Palestine. He pointed out the complexity of the operation of withdrawal.

Mr. MORGAN (Panama) asked what the position of the Mandatory Power was regarding the provisions contained in paragraphs 12 and 13, Section B of Part I of the resolution.

He noted that those provisions were for the purpose of ensuring continuity in the functioning of administrative services during the period of gradual withdrawal of British forces. However, the plans for withdrawal as submitted by the Mandatory Power called for the evacuation of areas of Palestine along the frontiers with neighbouring Arab States. In view of Sir Alexander Cadogan's statement that the Mandatory Power would continue to defend only the areas in which its troops were still stationed, Mr. Morgan asked whether the result of such a plan would not be an armed Arab invasion of Palestine.

/Mr. CREECH-JONES

Mr. CREECH-JONES (United Kingdom) replied that the plan of withdrawal of troops had to be based on two considerations, firstly, the necessity to preserve order while withdrawing, and, secondly, efficiency in carrying out the operation. He said that it was not true that the areas first to be evacuated would be the areas immediately exposed to invasion. He thought that the plan worked out was the best plan possible and that whatever plan were to be adopted there would be a risk that some areas would be exposed.

Mr. MORGAN (Panama) asked whether the Mandatory Power did not consider it advisable for the Commission to promote the creation in advance of militias in those areas which would be undefended.

Mr. CREECH-JONES (United Kingdom) thought that there was some misunderstanding on that point, inasmuch as arrangements had already been made regarding police forces in those areas where other forces would be inadequate.

Mr. FLETCHER-COOKE (United Kingdom) pointed out that the militias would not exist for the purpose of dealing with outside aggression. He thought that the great difficulty in creating two militias in accordance with the plan was that the two militias would balance one another and would only facilitate the existing conflict between the Arab and Jewish elements.

The CHAIRMAN thanked Mr. Creech-Jones for his statement and his patience in replying to the Commission's many questions.

Mr. CREECH-JONES (United Kingdom) thanked the Commission for having arranged the holding of the discussion.

At this point Mr. CREECH-JONES (United Kingdom), and the other representatives of the United Kingdom Government present with him, left the meeting.

It was decided that the Commission's agenda item "Relations with the Press", would be deleted and that the matter would be discussed informally among the Members.

It was also decided that the Chairman and Mr. Federspiel (Denmark) would meet with the members of the Secretariat advance party to be sent to Palestine to give them a final briefing.

The meeting rose at 6.05 p.m.
