

GENERAL  
ASSEMBLYASSEMBLEE  
GENERALEA/AC.21/SR.6  
14 January 1948

ENGLISH ONLY

SUMMARY RECORD OF THE SIXTH MEETING  
OF THE UNITED NATIONS PALESTINE COMMISSION

Lake Success, New York

Wednesday, 14 January 1948, at 3.00 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)

1. Continuation of Consideration of the Draft Rules of Procedure  
(Document A/AC.21/W.14)

The CHAIRMAN called attention to a draft resolution which had been addressed to the Commission by the member for the Philippines and which would be circulated to members of the Commission for their consideration. He proposed that the Commission continue with its consideration of the draft rules of procedure until Sir Alexander Cadogan's arrival at 3.30. He invited comment on proposed rule 33.

Mr. MEDINA (Bolivia) recalled the earlier discussion and the view that the Commission was an executive and not a deliberative body. He therefore proposed a suspension of the discussion of the draft rules of procedure and suggested that the Secretariat be invited to submit a few general rules of this nature for the consideration of the Commission.

The CHAIRMAN sought the views of the other members of the Commission on the proposal, calling to the attention of the members, however, that only a few draft rules remained to be examined.

Mr. MEDINA (Bolivia) stated that a decision along the lines he had proposed would establish the principle that the Commission was not a deliberative but an executive body.

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/Mr. FEDERSPIEL (Denmark)

Mr. FEDERSPIEL (Denmark) agreed in principle with the representative of Bolivia but urged that the Commission complete the consideration and provisional adoption of the draft rules.

Mr. MEDINA (Bolivia) reiterated the view that a few short and precise rules might be better.

Mr. MORGAN (Panama) proposed that the Commission proceed with the consideration of the draft rules which might later be modified in the light of experience.

Proposed rule 33 was adopted without amendment.

Mr. FRANCISCO (Philippines) proposed in connection with draft rule 34 that the Chairman might not vote except in case of a dead-lock.

The CHAIRMAN explained that he could not forego his right to vote as the representative of his country.

Mr. FRANCISCO (Philippines) withdrew his proposal in view of the explanation that it was accepted by the members that the Commission was not a deliberative body.

Proposed rule 34 was adopted without amendment.

Proposed rule 35 was adopted without amendment.

Proposed rules 36 and 37 were deleted.

Proposed rules 38 and 39 were adopted without amendment.

Proposed rule 40 was deleted.

Proposed rule 41 was adopted without amendment.

## 2. Consultation with the Representative of the Government of the United Kingdom

At this point, Sir Alexander Cadogan arrived with his two assistants, Mr. J. Fletcher-Cooke and Mr. Trafford Smith, who had come at the invitation of the Commission as representatives of the Government of the United Kingdom. A partial record of the discussion with Sir Alexander Cadogan follows:

CHAIRMAN: I am pleased to welcome Sir Alexander Cadogan, representative of the United Kingdom to our midst.

I understand that Sir Alexander is willing to give the Commission a sort of preliminary general statement in connection with our deliberations. The Commission is at a stage in its deliberations when it is particularly interested in authoritative information on the following matters, among others:

Development of United Kingdom policy since the adoption of the Resolution of the General Assembly with regard to the Palestine policy of the United Kingdom Government.

/Then, if possible,

Then, if possible, the proposed time-table of the United Kingdom with regard to the termination of the Mandate and evacuation of the troops.

Further, because we know that one of the members of the United Kingdom delegation has just come from Palestine, perhaps we might hear a review and appraisal of the events which have occurred in Palestine since the adoption of the Resolution of the General Assembly.

Of course, Sir Alexander Cadogan reserves the right to say what he thinks is to be said at this early stage. I ask Sir Alexander Cadogan to take the floor.

Sir Alexander CADOGAN (United Kingdom): Thank you for your welcome. I am very pleased to be here and I put myself at the disposal of the Commission, as I shall always be, for any assistance that I may be able to give it. Within the limits of my instructions, I shall certainly help in every way I can, and give the Commission all possible information.

May I present my assistants to the Commission, Mr. Trafford Smith of the Colonial Office, and Mr. J. Fletcher-Cooke of the Government of Palestine. Between them, they have a wealth of technical detail and information which I shall ask your leave for them to present when necessary. Of course, they too, will be only too ready to give all the information at their disposal.

I do not know how the Commission would like me to begin. At one time, I did say that if I was to meet the Commission first in a public session, I could not do much more than recapitulate what has already been said publicly on behalf of my Government. I could do that if you like. Presumably, the members of the Commission have those statements, and I daresay the members of the Secretariat have collected those various statements for the Commission. It may be wasting your time, but if you wish me to do it, I would.

Then, again, I can give you a very short and very general statement in regard to the factual position in Palestine. It would not be very complete or detailed because I have not been receiving very detailed day-to-day reports from Palestine. I have sent for further supplementary information. When I get it, of course I shall place it at the disposal of the Commission.

I suppose there will be a number of questions that the Commission will wish to raise. There are a number of problems that have occurred to us which we should wish to discuss with the Commission. I could indicate these problems, and we shall be able, at one time or another - whenever convenient - to tackle all of these problems.

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Sir Alexander CADOGAN (United Kingdom): If the Commission desires, I  
/can give

can give a limited circulation to this statement at a later date. I do not have enough copies now.

If the Commission desires, I could read a statement that I have prepared on the position, which includes certain dates.

CHAIRMAN: Please do.

Sir Alexander CADOGAN (United Kingdom): At the outset of our discussions, it is perhaps desirable that I should once more reaffirm the position from which His Majesty's Government have not deviated since the original statements were made in the course of the recent session of the General Assembly.

As a good member of the United Nations, my Government have accepted the General Assembly decision in so far as its terms do not conflict with the conditions laid down by the United Kingdom spokesmen during the discussions both in the Ad Hoc Committee and in the plenary meetings of the General Assembly. My Government have already announced their intention to complete the withdrawal of British forces from Palestine by 1 August of this year.

I am instructed to inform the Commission that in accordance with the provisions of the United Nations plan that the Mandate shall terminate as soon as possible, His Majesty's Government have decided to lay down the Mandate and terminate the mandatory administration at the latest on 15 May, or earlier, if the necessary arrangements can be completed in time. At the moment, I am not in a position to state definitely whether an earlier date is likely to be achieved, but I hope to be able to do so in the near future. Perhaps I might explain that so far as I know, officially that date, 15 May, remains as it is.

As you have noticed, there have been reports to the effect that consideration is being given to the possibility of making the date earlier. Mr. Bevin himself said "May 15th or earlier." I telegraphed my Government yesterday to ask them, in the event of any change being made, to let me know as soon as possible because it would obviously be of the utmost interest and importance to the Commission.

One more point must be made clear in regard to this date - that is, the date of 15 May - for the termination of the Mandate. His Majesty's Government regard it as essential that, so long as the mandatory regime is retained, they must retain undivided control over the whole of Palestine. On the appointed day - that is, 15 May - their responsibility for the government of Palestine will be relinquished as a whole. They cannot agree to relinquish it piecemeal. They are, however, prepared to agree to

/the Commission's

the Commission's arrival in Palestine shortly before the Mandate is terminated, in order that there may be an overlap of say, a fortnight during which the Commission can take up its responsibilities.

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There are a number of important matters arising out of the relinquishment of authority by the mandatory administration and its assumption by the Commission in regard to which His Majesty's Government in the United Kingdom wish to consult with the Commission. No doubt there are also many questions which the Commission wishes to raise with my Government. In all these matters, my Government will endeavour to give the Commission the benefit of their experience and knowledge of the situation in Palestine, subject always to their decision that they are unable to take part in the implementation of the United Nations plan. That is, of course, in accordance with the statement made originally to the General Assembly by the Colonial Secretary to the effect that we could not alone implement any plan not accepted by both sides; and that as regards joining in any implementation, that would depend on two conditions. The Commission will remember that one was the inherent justice of the plan, and the other was the degree of force requisite for its implementation.

That is a very short summary statement, in case the Commission wants any kind of an introductory statement, recalling the position of my Government in regard to the main points.

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CHAIRMAN: Perhaps Sir Alexander Cadogan will be interested to know how the Commission envisages our procedure for consultation. We understood that today we would hear a general statement and on the basis of this statement the Commission will deliberate and make a list of concrete questions to be put to Sir Alexander at another meeting. These questions will concern the different points of the plan adopted by the General Assembly. We should then like to hear the views of the United Kingdom Government on these points. Among these points is one which is nearing its possible execution, that is, the date of 1 February. The clause states that the Mandatory Power shall use its best endeavour to evacuate a seaport and hinterland. We can take it for granted then, when the representatives of the Jewish Agency appear before us, that they will surely raise this question and they will ask the Commission about its views. Therefore, if Sir Alexander can give us some indication on this subject it may facilitate our work in this respect.

/Sir Alexander CADOGAN (United Kingdom):

Sir Alexander CADOGAN (United Kingdom): In regard to the question of the evacuation of the Jewish port, although of course under the Mandate and until the Mandate is terminated we still retain control over the whole of Palestine, members of the Commission are probably aware that in practice we have evacuated Tel Aviv. Our troops are not there. Moreover, in the port of Tel Aviv I understand that the Customs, for instance, are manned entirely by Jews now. Therefore, as far as we are concerned we have no control over the port of Tel Aviv and in practice it is free for Jewish entry.

CHAIRMAN: But this Customs administration is still under the orders of the central Palestine administration?

Sir Alexander CADOGAN (United Kingdom): It is, but we do not have local control actually on the spot in the manner in which it affects their control.

CHAIRMAN: Am I correct in interpreting your statement to mean that you feel you have accomplished the meaning of this clause by having accomplished this evacuation of British Police from the area of Tel Aviv?

Sir Alexander CADOGAN (United Kingdom): No, I cannot say that absolutely. What I meant to show was that the port itself is not under our control. That does not mean that if we knew there was a ship carrying what we call illegal immigrants heading for Tel Aviv that we should allow it, in the present circumstances, to proceed into the port. But the control in the port itself is no longer in practice ours.

That may lead possibly to what we call illegal immigration, and indeed it may involve more; it may mean the smuggling in of arms and ammunition.

CHAIRMAN: Does it mean that you would not oppose these moves when they arise?

Sir Alexander CADOGAN (United Kingdom): It means that in practice we are not checking actually what comes in the port. I understand the position would be that if we know that a ship which was approaching was carrying illegal immigrants, we do not say that we should not stop that ship. In practice we do not materially exercise control on the spot, but so long as we are still in the position of holding the Mandate we have not declared Tel Aviv free of that or free of our control. But in practice, owing to the circumstance that the officials there are Jewish only, it may be that our control is not very complete.

CHAIRMAN: The clause to which I refer states: The Mandatory Power shall use its best endeavours to ensure that an area situated in the territory of the Jewish State including a seaport and hinterland required to provide  
/facilities

facilities for substantial immigration shall be evacuated at the earliest possible date, and in any event not later than 1 February 1948.

I believe it is in the interest of our consultation not to push this matter any further today. I merely wish to draw to your attention that the list of questions which will be presented at our next meeting will probably contain this very question as a sort of preliminary.

Sir Alexander CADOGAN (United Kingdom): I hope very shortly to be able to give the Commission a definite statement on this subject. I remember that clause very well.

CHAIRMAN: May we hear some direct information concerning the present situation in Palestine?

Sir Alexander CADOGAN (United Kingdom): Yes, I can give the Commission a statement. As I explained before it is very general and not detailed. I hope to be able to supplement this statement later and keep the Commission informed from time to time.

The serious disturbances which have occurred in Palestine since the General Assembly's approval of the Plan of Partition may be deemed to have started with the three-day general strike called by the Arabs shortly after the General Assembly's decision.

As members of the Commission will no doubt be aware, this led to the destruction of a considerable amount of Jewish property in the commercial centre of Jerusalem and elsewhere. At the same time the Arabs made it clear that they proposed to resist with all the forces at their disposal the implementation of the partition plan.

Since the first week of December the position has deteriorated rapidly and each community has inflicted on the other a series of reprisal measures. By the second week in January, the position had deteriorated to such an extent that the Supreme Court and the Assize Courts had been unable to sit for a month, the General Post Office was closed, and about one-half of the thirty-two departments of Government had been without staffs, either wholly or intermittently, for the best part of a month.

Owing to the serious outrage at the Consolidated Refineries Limited in Haifa, where some forty Jews were killed by Arabs who had been standing in a queue into which Jews threw a bomb from a passing taxi, the Refineries have been closed and Palestine has only one month's supply of certain types of fuel oil in the country.

It should be made clear that the closing of these Government departments is in no sense due to a strike of Government employees, but has resulted from three facts:

Firstly, in many cases owing to the general insecurity, Palestinian officers have been unable to reach their offices at all.

/Secondly,

Secondly, there is a sense of insecurity in the offices themselves, that is to say the officers of each community are afraid that if, as a result of incidents outside tempers rise, officers of the other community may set upon them in the office by way of reprisal. Although this attitude of mind is widespread, I am not aware of any cases in which such an attack has actually occurred in a Government office.

Thirdly, if for any reason the officers of one community do not attend a particular office, the officers of the other community fear that they will become the target for an attack from outside the office and they in turn tend to stay away.

As it has been reported in the Press from time to time, there is a daily toll of lives among military and police personnel, quite apart from continued murderous attacks of one community against another. Generally speaking, there has been a very severe diminution in the functions and authority of Civil Government, and in view of recent developments, it would be optimistic to hope for any improvement in the future.

As regards communications, the Arabs have set up blocks on many of the roads in Palestine, and also in a number of the towns. This has resulted in a very considerable interference with road traffic, and as has been reported in the press, a number of military and police personnel have been killed and wounded in negotiating these blocks.

So far as I am aware, the export of the citrus crop has been continuing fairly satisfactorily inasmuch as attacks on the railways have not, for the most part, taken the form which has hitherto prevailed, namely of blowing up the actual line. Attacks have come chiefly from Arabs on specific trains. It has been reported that these raids have been conducted so as to enable the Arabs to furnish themselves with supplies, such as food stuffs and military stores for their guerrilla training camps.

Incidents have also been reported of Arab attacks on Police Stations, etc., for the purpose of obtaining arms.

Although revenue had been coming in fairly satisfactorily up to the end of 1947, there are indications that the amounts to be collected in the last three months of the financial year, which ends on 31 March 1948, may be very much below normal, particularly as regards income tax.

As members of the Commission will see, I am afraid that is only a very summary survey. I hope to obtain further particulars in reply to special questions. If there are any questions now I might have the information to answer them.

/CHAIRMAN: Perhaps



CHAIRMAN: Perhaps some members of the Commission might like to put some supplementary questions to Sir Alexander Cadogan, but they must deal only with the factual situation in Palestine as we have agreed that questions connected with the plan of the General Assembly will be put on a list and given to Sir Alexander beforehand.

Does Sir Alexander desire to have the list before the meeting?

Sir Alexander CADOGAN (United Kingdom): I think it would help, because then we could prepare proper and detailed replies.

CHAIRMAN: We shall arrange it accordingly.

At this point Sir Alexander Cadogan and his two assistants left the meeting.

Continuation of Consideration of the Draft Rules of Procedure  
(Document A/AC.21/W.14)

Proposed rule 42 was adopted without amendment.

Proposed rules 43, 44 and 45 were adopted with the amendment that the phrase "sub-commissions and other" in each rule be deleted.

Mr. FRANCISCO (Philippines) asked whether alternates would be expected to serve on the subsidiary bodies which might be established by the Commission.

The CHAIRMAN observed that the Resolution of the General Assembly had not provided for alternates and that only the Assembly could modify the terms of the Resolution.

Mr. FRANCISCO (Philippines) enquired whether a member of the Commission could nominate a member of his personal staff to take his place in case of illness.

The CHAIRMAN referred to the rule (Rule 19) on the composition of a quorum and pointed out that a person so nominated could only serve as an observer and not as an alternate.

Mr. FEDERSPIEL (Denmark) observed that in case of illness over a long period the Government concerned would have to appoint a new representative.

Mr. MEDINA (Bolivia) asked whether an observer could participate in the discussion of the Commission.

Mr. FEDERSPIEL (Denmark) stated that the Commission would hear the views of observers but could not grant them voting rights.

Proposed rules 46 and 47 were adopted without amendment.

Proposed rules 48, 49, 50, 51 and 52 were deleted.

Proposed rules 53, 54, 55, and 56 and 57 were adopted without amendment.

/Mr. FRANCISCO (Philippines)

Mr. FRANCISCO (Philippines) enquired whether a member of the Commission could consult an expert who was not a member of the Secretariat.

Mr. SOBOLEV (Assistant Secretary-General) stated that the normal procedure in such instances would be that additional expert advice would be sought through the Commission.

Mr. MORGAN (Panama) proposed that the last sentence of proposed rule 7 should be suppressed to permit automatic succession to the Chairmanship by the Vice-Chairman in case of the Chairman's absence or inability to perform his duties.

The CHAIRMAN observed that the absence or inability of the Chairman to perform his duties would lead to the succession of the Vice-Chairman to the Chairmanship as well as the election of a Vice-Chairman.

The last sentence of proposed rule 7 was deleted.

The CHAIRMAN referred the Revised Draft Rules of Procedure to the Secretariat to be reproduced and distributed as the Provisional Rules of Procedure for the Commission.

The meeting rose at 5.10 p.m.