

GENERAL
ASSEMBLYASSEMBLEE
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ENGLISH ONLY

UNITED NATIONS PALESTINE COMMISSION

SUMMARY RECORD OF THE SIXTY-FIRST MEETING

Lake Success, New York

Monday, 5 April 1948, at 3.00 p.m.

Present:

Chairman:	Mr. LISTICKY	(Czechoslovakia)
Members:	Mr. Medina	(Bolivia)
	Mr. Federspiel	(Denmark)
	Mr. Morgan	(Panama)
	Mr. Francisco	(Philippines)
Secretariat:	Mr. Vigier	(Senior Political Adviser)
	Mr. Reedman	(Senior Economic Adviser)

CONSIDERATION OF THE COMMISSION'S PROPOSED TRIP TO LONDON

At the request of the CHAIRMAN, Mr. VIGIER (Senior Political Adviser), who in the absence of the Principal Secretary acted as Secretary, made a statement regarding the attitude of the United Kingdom Government to the proposed trip of the Commission to London. He said that Mr. Fletcher-Cooke, in a reply to a question put to him by the Secretary, had stated that his Government was not anxious to see the Commission proceed to London; that although no hindrance would be placed by his Government in the way of the Commission, should it decide to make the trip, his Government's attitude, should the Commission come to London, would be one of polite neutrality.

Mr. Vigier also drew attention to the fact that, according to the Rules of Procedure of the General Assembly, all reports to the General Assembly must be submitted several days in advance of the opening date of a session; this meant that the Commission had only one week in which to write its Report to the Special Session of the General Assembly. The Report should be in the hands of the delegates to the Assembly by Monday, 12 April.

It was agreed that, in the circumstances, the trip to London should not, and indeed could not physically, be squeezed in between 6 April and the opening of the Special Session of the General Assembly on 16 April.

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With reference to the matters which had been considered by the Commission as being urgently outstanding with the United Kingdom Government, it was observed that the attitude of the United Kingdom to the Commission's proposed trip relieved the Commission in one way. On the other hand, it was still necessary for the Commission, out of duty to itself and to the General Assembly, to communicate to the United Kingdom delegation a list of the outstanding questions of a purely practical nature which had to be put into such shape as to make it possible for the successor authority, irrespective of which authority it was, to take those matters over. If the United Kingdom Government proved unwilling to negotiate the matters, the responsibility for failure to do so would not rest upon the Commission. The matters in question were: the food supply, the representation of Palestine on various international bodies, the question of the Postal Union, the disposal of certain assets, certain customs questions, currency and foreign exchange questions and communications.

The CHAIRMAN suggested that it might be advisable to submit a list of these outstanding questions to the Special Session of the General Assembly; possibly the Assembly would then charge the Commission to carry out that special section of its work while the Assembly session was in progress. It would be impossible to make provision for the carrying out of these tasks by 15 May by any other body.

Consideration of the Chairman's suggestion was postponed until the time of the examination by the Commission of its Report to the Special Session of the General Assembly.

Mr. FEDERSPIEL (Denmark) agreed to draft a communication to the United Kingdom delegation regarding the outstanding matters and to submit it to the Commission at the subsequent meeting.

COMMUNICATION FROM THE HEBREW COMMITTEE OF NATIONAL LIBERATION
(Informal Paper M/29)

With reference to the above communication dated 31 March from Mr. Peter Bergson of the Hebrew Committee of National Liberation, requesting an opportunity to submit proposals at an oral hearing, it was agreed that the Chairman would interview Mr. Bergson on the Commission's behalf.

COMMUNICATION FROM THE UNITED KINGDOM DELEGATION CONCERNING THE PROPOSED
POLICE FORCE FOR JERUSALEM (Informal Paper UK/91)

Note was taken of the above communication. It was agreed that the matter in question should no longer be followed up with the United Kingdom Delegation.

COMMUNICATION FROM THE COMMISSION'S SPECIAL REPRESENTATIVE IN LONDON
CONCERNING THE FOOD PROBLEM (Informal Paper M/28)

Mr. REEDMAN (Senior Economic Adviser) was asked to explain the above cable from Mr. Henson (Consultant, Food and Agriculture) and to prepare a paper on the present food situation in Palestine for submission to the Commission together with the cable.

PRELIMINARY DISCUSSION OF THE SPECIAL REPORT TO THE SPECIAL SESSION OF
THE GENERAL ASSEMBLY (Informal Paper R/10)

Consideration was given, point by point, to the Draft Outline of the Special Report to the Special Session of the General Assembly prepared by the Secretariat (Informal Paper R/10)

It was agreed that the Report should be complete in itself although references to and attachment of other reports of the Commission might be made.

With reference to Chapter I - Organization of the Commission - it was agreed that the first three sections, dealing with the establishment of the Commission, its meetings and its rules of procedure should be very brief. Section 4, dealing with the review of the tasks of the Commission should be longer, while Section 5, dealing with the invitations to the Mandatory Power, the Arab Higher Committee and the Jewish Agency should also be brief.

With reference to Chapter II - Major difficulties confronting the Commission - it was suggested that the question of the establishment of the militias should be dealt with on the basis of the points respecting it in the General Assembly resolution. Those of the points already dealt with in the Commission's Special Report on Security should be reproduced. The Report should confine itself to a statement of facts, without criticisms.

With reference to Chapters II and III, Mr. VIGIER (Senior Political Adviser) explained that the idea of the Secretariat had been that Chapter II should consist of a statement of as many facts as possible, followed by a general description of the situation in Palestine and the difficulties confronting the Commission, together with an exposition of the way in which the Commission had tried to cope with those difficulties and the progress it had made.

With reference to Chapter III - The Work of the Commission - it was agreed that the Report should conform as closely as possible to the language of the Commission's Reports to the Security Council.

With reference to Section 2 (a) - Administrative problems - of Chapter III it was agreed that that part of the Report should be as complete as possible and that it should include a clear statement of those outstanding problems

provision for which should be made in any contingency for the period before 15 May as well as for the period immediately following.

With reference to Section 2 (b) - Economic and financial problems - of Chapter III it was thought that an account of the steps taken towards the establishment of the Preparatory Economic Commission should be given as well as an explanation of the reasons for the failure to complete that task. Also, it was to be pointed out that the Economic Union had not been feasible without the co-operation of the Arabs.

Mr. REEDMAN (Senior Economic Adviser) named the following matters which should also be covered: the question of the food supply and the financial problems, including those connected with Economic Union as well as the actual financial problems such as the state of the Currency Board, the state of sterling balances, the relationship of Palestine to the sterling area, and economic, fiscal and financial problems.

The CHAIRMAN noted that the lack of a provision for a working fund for the Commission should be pointed out as one of the weaknesses of the plan of partition.

It was noted that mention should also be made of the amendments to local government Acts which had been approved by the Commission.

Mr. REEDMAN (Senior Economic Adviser) observed that the necessity for arrangements between the civil and military authorities in Haifa after 15 May should be pointed out. Also the question of assets connected with the fiscal question should be covered.

With reference to Section 2 (c) - the Security problem - of Chapter III, it was thought that this should consist of a short summary of the security problem to which should be appended the Commission's Special Report on Security. It should be stressed that the Commission had acted promptly in reporting to the Security Council on the security question.

With reference to Chapter IV - Reports of the Commission to the Security Council - it was decided that that portion of the Report should come under Chapter I, as Section 6, with the necessary change accordingly made in the title of the Chapter.

It was agreed that the resolution adopted by the Commission after the decision of the Security Council to request a convocation of the Assembly (document A/AC.21/15) instead of being incorporated in Section 1 of Chapter V - Conclusions - should be placed in a separate chapter - Chapter IV - in place of the former Chapter IV.

With reference to Chapter V, Section 3 - Review of the problems which require an urgent solution - it was agreed that the Report should emphasize that the responsibility for the settlement of the urgent problems in question

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had to be charged to some body immediately inasmuch as action on them could not be delayed as late as the final decision of the Special Session of the General Assembly.

The necessity for immediate action respecting Jerusalem was also to be pointed out in Chapter V.

CONSIDERATION OF THE STATUS OF THE ADVANCE PARTY

The CHAIRMAN told the Commission that in his opinion it was difficult to justify a further stay of the Advance Party in Palestine for if the situation deteriorated further their lives would be in danger while they would be serving no useful purpose.

It was pointed out, however, that the Commission had not as yet settled the question of the Jerusalem Police Force nor had it conferred upon Col. Roscher Lund (Senior Adviser) the authority to act as an expert for the recruitment and organization of such a police force. It was stressed that if the Commission did not decide whether or not to retain the services of the British Police personnel before 15 April it would be contributing to the chaos in Palestine. It was requested that the Commission be given a day's time to ponder the problem of whether or not to recall the Advance Party.

The CHAIRMAN stated that in his opinion the Advance Party would have to be present during the special session of the General Assembly as the information it could provide would be most useful, since they were the only neutral and unprejudiced eye-witnesses of the actual situation in Palestine.

The Chairman's suggestion was upheld on principle, but it was remarked that, before recalling the Advance Party, the Commission should know what work they were doing in connection with the Jerusalem Police Force and the proposed truce arrangements. It was further remarked that the Commission should communicate its intention of recalling the Advance Party to the Security Council in order to ascertain whether the Security Council could in any way use its members for work connected with the truce.

In answer to this last remark, the Chairman pointed out that the competence of the two organs, namely the Commission and the Security Council, could not and should not be mixed. Furthermore, he could not see what purpose the Advance Party could serve since the truce negotiations would be undertaken by the Security Council in New York.

It was decided, in principle, to recall the Advance Party in order to be at the disposal of the General Assembly.

/The CHAIRMAN

The CHAIRMAN read to the Commission the corrected version of Mr. Azcarate's cable of 1 April, concerning the British Police personnel in Jerusalem.

The Chairman stressed that the 200 policemen mentioned in the cable would obviously be insufficient to provide security for Jerusalem, and reminded the Commission that Sir Alexander Cadogan had informed the Commission that he considered the minimum number for an adequate police force in Jerusalem to be 1,000 men. He expressed the fear that the retention of this small force would simply provide an excuse for no further action by the bodies considering the problem of Palestine.

Though it was conceded that this danger existed, it was pointed out that if any kind of police force were to be established in Jerusalem, a nucleus of men who knew the situation at first hand would be needed.

The CHAIRMAN suggested that this opinion be included in the Commission's report to the General Assembly.

While it was agreed that perhaps the time limit of 15 April should not be considered as final, it was stated that from the point of view of the policemen themselves, it would be necessary for the Commission to adopt a definite attitude so that they might know where they would stand after the termination of the Mandate. For this purpose the simple inclusion of this suggestion in the Commission's report to the special session of the General Assembly would come too late. It was proposed that the Commission retain these men even if it were only for one or two months.

The CHAIRMAN read the correspondence on the subject between the Secretary and Mr. Azcarate. The first communication, from the Secretary, dated 1 April 1948, informed Mr. Azcarate of the steps that the Commission was taking in connection with the question of the British Police personnel and the financing of a police force for Jerusalem. The second communication, from Mr. Azcarate, dated 3 April 1948, set forth the terms under which it was considered that the British Police personnel would be willing to serve. A contract for one year's service was considered advisable.

In regard to the latter communication the Chairman pointed out that it was impossible for the Commission to employ the services of the British Police personnel in Jerusalem for one year as it would only have authority until the international regime of Jerusalem took over the administration of the City.

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It was proposed that the Commission make an offer to the above-mentioned personnel for a brief period and explain to them simultaneously that it would recommend their retention by the competent authorities in the future. The Commission then would have done all within its power and the outcome would depend on the answer that it would receive to its offer. Thus, the Commission would at least be showing that it was taking concrete steps for the preservation of security in Jerusalem. Concretely, it was suggested to answer Mr. Azcarate in the affirmative concerning his suggestion of retaining the services of the British Police personnel; to instruct him to transmit to them the Commission's offer for one month's service and explain to them the other steps that the Commission would take on their behalf; to explain the situation clearly in the Commission's report to the Special Session of the General Assembly; to recommend that the General Assembly use these men as a nucleus for a future police force in Jerusalem and to impress upon the General Assembly that this force would serve no purpose unless it were reinforced. This would be necessary in order to avoid losing even this last and small opportunity of preserving order in Jerusalem.

The CHAIRMAN raised the question of who would command these men.

It was pointed out that there would be time for the General Assembly to decide this point. The urgent problem was to retain the services of the men.

It was agreed that the Commission would have to receive the consent of the Mandatory Power either to second these men for the period of one month or otherwise to guarantee their future if the Commission should find itself unable to retain their services after the first month. It was suggested that Mr. Azcarate be informed of the action taken by the Commission.

Summing up the debate, the CHAIRMAN pointed out the various obstacles confronting the Commission as follows: the doubt as to whether the Secretary-General would authorize the expenditure in view of the situation as altered by the convocation of the General Assembly; the danger of the proposed steps being used as an excuse for abandoning any further steps to provide adequate security for Jerusalem; and the necessity of making it quite clear that the intention of the Commission was simply to retain the services of personnel having first-hand experience of the situation.

Although the possibility was mentioned of the establishment of a Federal State in Palestine, which would have no use for an international police force, it was agreed to submit to the Secretary-General the Commission's plan to confer with the 200 British personnel of the Jerusalem Police Force

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regarding their retention for a period of one month as a nucleus for a future international police force. The Secretary-General would then have to decide whether he would be willing to release the necessary funds. It was agreed further that simultaneous steps should be taken to ascertain the attitude of the United Kingdom Government on the matter. This would be necessary in view of the fact that the Commission's proposed contract with the personnel in question would commence on 1 May and before the termination of the Mandate.

The CHAIRMAN asked the Commission whether, since this matter had been settled and since Mr. Azcarate had asked for a specialist who would presumably command this personnel after 1 May, it would be necessary for the Advance Party to remain in Palestine. In this respect, it was suggested that Mr. Azcarate himself be asked to inform the Commission whether he considered that the Advance Party would serve a greater purpose in New York or in Palestine.

Though it was agreed in principle that the Advance Party should be back in New York in order to be at the disposal of the General Assembly, it was decided that the matter should be left to the Advance Party itself to decide. The Secretary was instructed to communicate this decision to Mr. Azcarate.

This decision was arrived at at the insistence of Mr. MORGAN (Panama) who registered the opinion that, according to the resolution passed by the Commission in its sixtieth meeting, the Advance Party should not be recalled unless it were serving no purpose in Palestine, as otherwise this would mean a suspension of the work of the Commission in contravention of the resolution adopted.

CONSIDERATION OF CHECK-LIST OF OUTSTANDING QUESTIONS

It was decided to discuss the Check-list of outstanding questions in conjunction with the discussion of the draft of the report to the Special Session of the General Assembly and the draft of the communication to the United Kingdom.

The meeting rose at 5.30 p.m.