

## UNITED NATIONS PALESTINE COMMISSION

## SUMMARY RECORD OF THE SIXTY-SECOND MEETING

Lake Success, New York

Wednesday, 7 April 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. Bunche	(Secretary)
	Mr. Reedman	(Senior Economic Adviser)

## COMMUNICATION FROM THE JEWISH AGENCY CONCERNING THE INCREASING GRAVITY OF THE FOOD SITUATION IN JERUSALEM (Informal Paper JA/37)

The CHAIRMAN drew attention to the above communication, urging the Commission to use its influence to secure Jerusalem's food supply. He asked for the views of his colleagues as to the most effective way in which the Commission might act.

In the ensuing discussion, two proposals were suggested: firstly, that the Commission arrange to negotiate on the question, either separately or simultaneously, with both the Jewish Agency and with the United Kingdom delegation; and, secondly, that Mr. Azcarate (Deputy Principal Secretary) be informed regarding the Commission's action so that he might be in a position to do whatever possible to assist, in the technical aspects, in carrying out whatever measures were decided upon in securing the flow of food supplies to Jerusalem.

In that way the Commission would use its good offices as a mediator between the Jewish Agency and the Mandatory Power both in New York and in Jerusalem.

It was observed that in negotiating with the United Kingdom delegation, it should be pointed out that the position previously taken by the United Kingdom Government, according to answers to questions put by the Commission,

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was that the Mandatory Power would retain responsibility for the maintenance of law and order in areas of Palestine being evacuated, and that this was not being done in the present instance.

It was also pointed out that some of the information received from the two parties seemed to be in conflict. For example, there was the information that the Palestine Government had offered to provide convoys for food shipments to Jerusalem and that the Jewish elements had refused those convoys.

It was observed that probably the Jewish Agency did not wish itself to ask for the assistance in the matter of the Palestine Government for reasons of prestige, but would be glad if the Commission could arrange for that assistance.

It was agreed that, since the matter in question was extremely urgent and involved the well-being of a large number of people, time might be gained if the United Kingdom delegation were approached informally to discuss the most useful procedure which might be followed. If it was found that the existing differences between the Jewish Agency and the Palestine Government could be usefully settled and that no objections were felt by either party to the Commission's holding joint consultations with both parties, such consultations could be arranged.

On the request of the CHAIRMAN, Mr. MORGAN (Panama) agreed to approach Mr. Fletcher-Cooke in the matter on behalf of the Commission.

COMMUNICATION FROM THE UNITED KINGDOM DELEGATION CONCERNING FOOD SUPPLIES  
IN PALESTINE (Informal Paper UK/93)

Mr. REEDMAN (Senior Economic Adviser) explained that the above communication was a reply to the Commission's letter of 25 March requesting the Mandatory Power to continue until 30 June the procurement of those foods which it was procuring up to the termination of the Mandate, and suggesting that the Mandatory Power accept the Commission's assurance that reimbursement would be made firstly, out of future revenues of Palestine, and, secondly, failing that, out of current profits or out of the assets of the Currency Board.

Mr. Reedman then read the communication.

With reference to point (1) in paragraph 2 of Mr. Fletcher-Cooke's letter, Mr. Reedman said that it would be necessary to reiterate the reservations which the Commission had made in clarification of its position which was stated ambiguously in the communication.

With reference to point (2) he observed that the Commission's position had been that expenditures for food supplies should have high priority;

/the Commission

the Commission had not been consulted with reference to extraordinary expenditures out of Palestinian funds, as a result of which the Treasury surplus had become a deficit.

Point (7), he said, raised a matter which the Commission should take up seriously, for the view expressed was quite contrary to the provisions of the partition plan.

The CHAIRMAN observed that in any case the United Kingdom Government was not competent to determine the prerogatives of the Commission.

It was also observed that, in replying, the Commission could refer the United Kingdom delegation to their own statement in which they had recognized that the Commission would be the successor authority in Palestine.

It was agreed that the Commission should take a very strong position on this point.

With reference to point (8), Mr. Reedman observed that the amount of one-and-a-half million pounds sterling was puzzling. A possible explanation was that it included the existing food bill, or was meant to cover the total list of commodities that the Palestine Government had been procuring.

Mr. Reedman said that there were two aspects to the problem facing the Commission: firstly, there were the matters on which it found itself in disagreement with the United Kingdom Government and which had to be clarified, and, secondly, there was the actual food situation, requiring some action if action was possible. In the latter connection, there remained the question of financing. He informed the Commission that he had received a confidential note from Mr. Fletcher-Cooke relative to the content of the telegram from Tel-Aviv which had earlier been received by Mr. Hoofien of the Jewish Agency, concerning the financing of food imports (document A/AC.21/SR.58) and regarding which Mr. Reedman had asked Mr. Fletcher-Cooke for information. Mr. Fletcher-Cooke's note stated that the information from Tel-Aviv was unauthorized and bore no relation to anything which had been said or written by the Palestine Administration to the Jewish Agency. He thought it was probably a garbled version of an arrangement which was under consideration whereby the firm of Steel Brothers would pay up to seventy-five per cent of the cost of imports provided that the Jewish Agency paid twenty-five per cent of the cost, consideration of which arrangement arose from the fact that the Palestine Government had announced its intention to grant import licenses for procurement through normal trade channels.

Mr. Reedman then read a note he had prepared explaining the contents of a cable (Informal Paper M/28) which had been received from Mr. Henson (Consultant) and which was before the Commission.

/In reply

In reply to a question by the CHAIRMAN as to whether it was probable, especially in view of Mr. Fletcher-Cooke's communication (Informal Paper UK/93), that the United Kingdom would agree to the proposals Mr. Henson had made, Mr. Reedman stated that inasmuch as the United Kingdom Government was a large buyer and shipper of food, it was not improbable that the relatively small quantities of food required for Palestine could be so diverted. In any event, the Commission would have made every possible effort in the matter.

As far as financing was concerned, it had to be supposed that in the last resort arrangements could be made by Jewish organizations for the Jewish side, at least as long as the necessary procurement arrangements were made.

With reference to the presentation of Palestine's case before the International Emergency Food Council, the technical co-operation of the United Kingdom was absolutely necessary, and he thought that it could be counted on.

Mr. Reedman concluded by saying that inasmuch as supplies were allocated, on an area basis, it was necessary to transmit information to the International Emergency Food Council regarding whether or not it was expected that purchases for Palestine would be made from hard currency areas.

The CHAIRMAN noted that all the possibilities regarding the financing of the food supplies would have to be investigated. He wondered what the possibilities were so far as the Secretary-General was concerned.

At the invitation of the CHAIRMAN, Mr. MALANIA (Chief Administrative Officer) informed the Commission that the Secretary-General was entitled to draw from the Working Capital Fund of the United Nations, the statutory total of which is twenty million dollars, the sum of two million dollars either for the maintenance of peace and security or for urgent economic reconstruction and rehabilitation. As the Commission was aware, of these two million dollars, approximately 500 thousand dollars remained unappropriated, and the Commission had requested that amount for the expenses of the Jerusalem Police Force. For any amount beyond this, the Secretary-General would have to have the consent of the Advisory Committee on Administrative and Budgetary Questions, and since the Working Capital Fund was at present being used, among other things, to cover the running expenses of the United Nations pending the receipt of contributions from Member States, Mr. Malania held out little hope of the Secretary-General's being able to secure the consent of the Advisory Committee on Administrative

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and Budgetary Questions for the appropriation of the sum of four million dollars which the Mandatory Power had stated would be necessary for the financing of food supplies for Palestine. In conclusion, Mr. Malania expressed doubt as to whether the Secretary-General would find it possible to request the required appropriation under the heading of "urgent economic reconstruction and rehabilitation".

The Commission agreed in principle to consider the above information given by Mr. Malania as an official statement of the unavailability of funds from the Working Capital Fund of the United Nations, to regard the matter in respect to the United Kingdom as concluded, and therefore to consider it ripe for submission to the Security Council.

The SECRETARY informed the Commission that even for the appropriation of the sum necessary to cover the expenses of the Jerusalem Police Force, the Secretary-General might find it necessary to refer to the Advisory Committee on Administrative and Budgetary Questions.

In answer to a suggestion that the matter be transmitted to the General Assembly, it was pointed out that, though undoubtedly this body was competent to deal with the problem, any action on its part would come too late to relieve the needs of the situation. The urgency of the matter, as attested even by Mr. Fletcher-Cooke, necessitated immediate action which only the Security Council was in a position to undertake.

The Secretary stated that, in his opinion, there were two courses of action open to the Commission in this matter, which were not mutually exclusive. He stressed the gravity of the situation as regards the United Nations because it involved the possibility of starvation coming to a great number of people. He suggested that the Commission could protect itself by placing the whole food problem on record in a special report to the Security Council without, however, shelving its responsibility, while simultaneously it continued its consultations with the Jewish Agency in order to ascertain what measures could be taken from that side to solve the problem. He remarked that in view of the Mandatory Power's answer contained in Informal Paper UK/93, negotiations on the subject with the Mandatory Power did not seem to hold much promise. He proposed that the Commission's report to the Security Council should consist of an exposition of the food situation in Palestine and an enumeration of the limited steps that the Commission was still in a position to undertake towards the solution of the problem. He pointed out that, while all this matter would be treated in a special report to the Security Council and it would also be included in the Commission's report to the Special Session of the  
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General Assembly, there would be no time for any action to be taken by the latter. He therefore suggested, in view of the urgency of the matter, that the Commission undertake immediate negotiations with the Jewish Agency while the special report to the Security Council was in the course of preparation.

The opinion was upheld that the special report to the Security Council should be submitted immediately and regardless of the outcome of the Commission's negotiations with the Jewish Agency. It was observed that miracles could not be expected from the Jewish Agency in such a short period of time and that further, even if the Jewish Agency succeeded in financing the procurement of food supplies for Palestine on the same terms as were offered the Mandatory Power by the Commission, this would only apply to the Jews of Palestine while the Commission had to concern itself with the Arabs as well.

On this score, Mr. REEDMAN (Senior Economic Advisor) informed the Commission that Mr. Hoofien (Jewish Agency) had stated to him that he did not exclude the possibility of arriving at an agreement with the Commission for the financing of food supplies for Palestine which would cover a portion of the supply required by the Arabs. In the matter of distribution, the firm of Steel Brothers could undertake it and carry it out through the machinery that it had used in the past.

In summarizing, the CHAIRMAN asked the Commission whether it agreed on principle to report to the Security Council on the matter and simultaneously to consult with the Jewish Agency in order to ascertain their intentions and the possibilities at their disposal.

The Commission expressed unanimous agreement.

On the question of the Commission's reply to the Mandatory Power's communication concerning the food supply for Palestine (Informal Paper UK/93), it was decided that Mr. REEDMAN (Senior Economic Adviser) should prepare a draft in which he would adhere to the Commission's policy, give a brief summary of all the steps taken by the Commission, and give a clear and unequivocal answer regarding the Commission's attitude in respect to the points raised by the above communication.

PRELIMINARY DISCUSSION OF THE DRAFT OF THE SPECIAL REPORT TO THE SPECIAL SESSION OF THE GENERAL ASSEMBLY (Informal Paper R/11)

Since the first draft of the report prepared by the Secretariat was submitted for the consideration of the Commission, only at the beginning of the meeting, it was suggested that its consideration be postponed until the next meeting so that the Members could have the time to study it.

/The SECRETARY

The SECRETARY apologized to the Commission for the bulk and imperfection of the draft which was due to the short time at the Secretariat's disposal for its preparation. He informed the Commission that a considerable part of the draft report concerning administrative problems was still in course of preparation.

The CHAIRMAN expressed the warm appreciation of the Commission for the Secretariat's performance under such difficult circumstances and congratulated the Secretary on behalf of the Commission.

The SECRETARY stated that the Secretariat had purposely made the report as comprehensive as possible as it would be the only working paper to be submitted to the General Assembly. He stressed the influence that this report would have on the General Assembly's deliberations since it would be the report of an organ which the General Assembly itself had set up, and advised the Commission to consider its contents with the greatest care.

The CHAIRMAN informed the Commission that it must have completed its consideration of the draft report by Saturday.

Mr. MEDINA (Bolivia) raised the technical question of whether the Commission should report all its activities to the Special Session of the General Assembly. Although it was pointed out that the Commission had the same obligation to the Special Session of the General Assembly as it would have to the regular yearly session, to which it would have to submit a report on its progress in regard to the Palestine question, Mr. Medina suggested that a brief summary of the Commission's activities be sent to the General Assembly for its information and that, independently of this summary, the Commission should send a brief and strong report in which it would explain the present position to the General Assembly. Mr. Medina proceeded to submit for the Commission's consideration a list of ten points on which the report, as proposed by him, should be based:

1. The resolution of the General Assembly setting up the Palestine Commission.

2. The Commission's request for guidance from the Security Council as represented by the Commission's First Special Report on the Problem of Security (documents A/AC.21/9 and S/676).

3. The Security Council's failure to provide the Commission with the requested guidance and the necessary armed force with which to implement partition and its approval of the resolutions to call for a truce in Palestine and to submit the question to a special session of the General Assembly.

4. The attitude adopted by the Commission in view of the situation created by the decision of the Security Council, as expressed in the Commission's resolutions of 1 April 1948 (document S/714).

- /5. A brief

5. A brief summary of the Commission's work, including references to the various reports of the Commission to the Security Council as well as a summary of its activities which would be annexed to the special report.
6. The difficulties encountered by the Commission in the performance of its task (attitude of the Mandatory Power and of the Arabs and the Security situation).
7. The conclusion arrived at by the Commission that the dominant factor in the failure of partition was the concerted and deliberate effort by powerful Arab interests to alter by force the settlement envisaged in the resolution of the General Assembly.
8. A request to the General Assembly for direction concerning the Commission's future status and activities.
9. An enumeration of certain vital matters which would have to be dealt with urgently without reference to the ultimate decision of the General Assembly, and which would be attached as an annex to the report.
10. A statement by the Commission calling the attention of the General Assembly to the vast and tragic implications for international law and order and for the prestige of the United Nations should its decisions be subject to reversal merely because they have encountered deliberate and concerted efforts tending to alter them by force.

Mr. Medina further suggested that the first draft of the special report, prepared by the Secretariat and now under consideration, should be circulated to the General Assembly in the form of a memorandum for the information of the delegates.

In answer to a question by the Chairman concerning the technical implications of such a proposal, the SECRETARY stated that the question of time would still have to be considered, as even a memorandum would have to be distributed on Monday, 12 April.

It was remarked that though the proposed brief report might serve a useful purpose, there was no time for fundamental alterations of the present draft, which was quite satisfactory.

In answer to a remark that a report of the length of the one under consideration would never be read, it was pointed out that the delegates at the previous session of the General Assembly had read the report of UNSCOP which was a longer one. In answer to the statement, that by simply submitting a progress report the Commission was tacitly confirming the Security Council's attitude that nothing could be done to implement partition,

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it was pointed out that a chapter exposing the Commission's relations with the Security Council was included in the draft report under consideration. Furthermore, it was stressed that the report was more than a simple enumeration of facts and constituted an analysis of the underlying causes.

The CHAIRMAN emphasized the fact that the Commission, as a body emanating from the General Assembly which was its supreme authority, was in duty bound to report to it fully and not simply to express an opinion.

It was maintained that the Commission should desist from making any comments in its report to the General Assembly and should restrict itself to an enumeration and analysis of the facts.

This attitude was challenged and it was remarked that emphasis on the political aspect of the matter was essential, and that its impact would be lost if it were merely included in the long report under consideration.

The CHAIRMAN remarked on the futility of a discussion of a document that had not yet been read by the members of the Commission, and suggested that further consideration of Mr. Medina's proposed report be postponed until the members had had time to acquaint themselves with its contents.

It was suggested that Mr. Medina prepare a draft based on the ten points which he had submitted to the Commission for consideration at its next meeting.

Mr. MEDINA (Bolivia) stated that he wished to have the points of his proposed report included in the summary record. Though the Chairman pointed out that it was quite possible for the Commission to consider two drafts simultaneously at its next meeting, Mr. Medina considered that there would be no time for such action and insisted that all the Commission had to decide was whether or not it would stress the political aspect of the question. He did not think that the Commission needed any elaboration of his ten points in order to decide on this matter of principle.

The SECRETARY drew the attention of the members to the possibility of amending the first draft report considerably and including much of what Mr. Medina suggested. He expressed the opinion that the conclusions of the first draft report, arrived at by following the outline that the Commission had approved, seemed to him weak. The Secretariat could easily rewrite these conclusions if the Commission decided to change its instructions.

It was decided that the Commission should postpone its examination of the first draft report until its next meeting when it would be supplied with the part that had not been ready for the present meeting.

CONSIDERATION OF THE COMMISSION'S RELATIONS WITH THE INTERNATIONAL POSTAL UNION

After examining briefly the relations between the Commission and the International Postal Union, the Commission agreed to send a cable to Mr. Azcarate (Deputy Principal Secretary) instructing him to inquire whether a non-partisan organization could be agreed upon for the purpose of operating the postal services in Palestine after 15 May through the existing channels. The Commission was prepared to delegate authority or recommend to the International Postal Union any such responsible organization. Mr. Azcarate was instructed to consult with members of the Citrus Board or the Chamber of Shipping or Commerce as to possibilities for the establishment of an organization to deal with the International Postal Union.

CONSIDERATION OF THE STATUS OF THE ADVANCE PARTY

It was suggested that Mr. Azcarate (Deputy Principal Secretary) be instructed to return to New York in order to be at the disposal of the General Assembly, but that the rest of the party remain at their posts. This was considered desirable in order to show that the Commission was continuing its work.

The SECRETARY informed the Commission that Mr. Stavropoulos (Senior Legal Adviser) was returning in any case.

The CHAIRMAN remarked that in that case only Mr. Ghosh and Colonel Roscher Lund would remain in Palestine and suggested that before deciding on the matter the Commission should await Mr. Azcarate's answer to their previous query.

The Commission accepted this suggestion.

The meeting rose at 6.00 p.m.

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