

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

Lake Success, New York

Friday, 16 January 1948, at 11.00 a.m.

Present:

Chairman: Mr. Lisicky (Czechoslovakia)

Members: Mr. Medina (Bolivia)

Mr. Federspiel (Denmark)

Mr. Morgan (Panama)

Mr. Salazar (Philippines)

(Observer for

Mr. Francisco)

Secretariat: Mr. Bunche (Secretary)

CONTINUATION OF THE DISCUSSIONS CONCERNING THE PREPARATION OF A LIST OF QUESTIONS TO BE PUT TO THE REPRESENTATIVE OF THE UNITED KINGDOM GOVERNMENT.

The VICE-CHAIRMAN, presiding in the temporary absence of the Chairman, invited comments on draft question 11 in the informal working paper prepared by the Secretariat.

Draft question 11 was deleted.

It was proposed that draft question 12 be modified to read as follows:

"What is the policy of the United Kingdom Government at the present time with regard to supplies of arms, ammunition, military equipment, etc. to individuals, organizations or communities in Palestine and is any change in that policy contemplated?"

The modified text of draft question 12 was approved.

Draft question 13 was deleted.

Draft question 14 had been modified and approved at the eighth meeting.

It was pointed out that the threat of military invasion made it necessary to include an additional question on the role of the Mandatory Power in the maintenance of the "territorial integrity" of the country before and after the termination of the Mandate.

In this connection, it was noted that the responsibility for the

JAN 20 1948

/maintenance

maintenance of internal law and order would rest on the Mandatory Power and the Commission, but that protection against military aggression should be the concern of the Security Council.

The following additional question was approved:

"Will the Mandatory Power be prepared to communicate to the Commission what steps it would intend to take in case of armed aggression against Palestine either prior to the termination of the mandate or after its termination but before the complete evacuation of British forces from the country?"

Draft question 15 was deleted, as it had already been covered in a previous question.

Draft question 16 was approved, without changes, as follows:

"After the termination of the Mandate, what functions or responsibilities will be discharged by British forces in the areas still occupied by them, with respect to maintaining law and order?"

At this point the Chairman took the chair.

The SECRETARY submitted additional suggested questions on the legal status of the British forces in Palestine after the termination of the Mandate to the Commission for its consideration.

The first question on the legal status of British forces in Palestine was approved, as follows:

"What will be the legal status of the armed forces of the United Kingdom in Palestine after the termination of the mandate? Is it correct to assume that they will be considered as armed forces on foreign territory?"

The second question on the legal status of British forces in Palestine was deleted.

It was observed that the term "occupied area" as used by the Mandatory Power and in the Resolution of the General Assembly needed clarification.

The Secretariat was asked to submit a draft question on the subject for the consideration of the Commission.

It was suggested that the provisional draft submitted by the Secretariat should form part of draft question 5 which had been approved.

The CHAIRMAN invited comments on Section III of the provisional list of questions prepared by the Secretariat dealing with the Commission's discharge of its administrative responsibilities.

The view was expressed that the text of draft question 1 might raise theoretical questions on the interpretation of paragraph 2, Section B of Part I of the Assembly's Resolution.

/The CHAIRMAN

The CHAIRMAN felt that it was important for the members of the Commission to agree on a common interpretation. He explained that the provision in question had envisaged the termination of the Mandate before the evacuation of the military forces of the United Kingdom. He added that circumstances had changed and that the Commission would need to take a realistic approach to the problem.

It was urged that the Commission should ascertain the degree of co-operation which it could reasonably expect from the United Kingdom Government.

Draft question 1 was revised to read as follows, and approved:

"Having regard to the statement of Sir Alexander Cadogan at its sixth meeting on 14 January, to the effect that the United Kingdom Government will relinquish its responsibility for the government of Palestine '... as a whole. They cannot agree to relinquish it piecemeal', what interpretation does the United Kingdom Government make of paragraph 2, Section B of Part I of the General Assembly's resolution?"

Draft question 2 was modified to read as follows, and approved:

"Is it to be understood from Sir Alexander's statement to the Commission at its sixth meeting on 14 January, that his Government would be 'prepared to agree to 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', that the Government of the United Kingdom would not regard favourably a decision of the Commission to come to Palestine at an earlier date if the Commission should so decide, and if so, for what reasons?"

Draft question 3 was deleted.

Draft question 4 was modified to read as follows, and approved:

"What facilities is the Mandatory Power prepared to provide for the accommodation and transportation of the Commission in Palestine?"

Draft question 5 was deleted.

Draft question 6 was approved as follows:

"What is the time-table and what are the details of the United Kingdom's plan of withdrawal with respect to matters of civil administration?"

Draft question 7 was deleted.

Draft question 8 was approved as follows:

"How does the Mandatory Power propose to maintain administrative services in areas from which its forces have been evacuated prior to the date of termination of the Mandate?"

/Draft question 9

Draft question 9 was modified to read as follows, and approved:

"In what manner is the Mandatory Power prepared, prior to the termination of the Mandate, to facilitate the work of the Commission respecting the measures it must take to establish

- (a) the new frontiers?
- (b) the Provisional Councils of Government?"

Draft question 10 was modified to read as follows, and approved:

"What measures are planned by the Mandatory Power to secure the transfer of the files and archives of the Palestine Government to the Commission? Will the Commission have access to the files and information of the Palestine Administration prior to the termination of the Mandate?"

The meeting rose at 1.15 p.m.