

UNITED NATIONS CONCILIATION COMMISSION FOR PALESTINEGENERAL COMMITTEE

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SUMMARY RECORD OF THE SIXTY-FIRST MEETING

Held at the Palais des Nations, Geneva,
on Monday, 12 June 1950, at 11.20 a.m.

Present:

Mr. de NICOLAY	(France)	Chairman
Mr. ERALP	(Turkey)	
Mr. BARCO	(United States of America)	
Mr. de AZCARATE		Principal Secretary

1. Consideration of draft Rules of Procedure for the Planned Mixed Committees (document W/49).

At the suggestion of the CHAIRMAN, it was agreed that Rule 6 should be amended in such a way as to provide that the Chairman of the Commission might call meetings of the Mixed Committees on his own initiative, as well as at the request of one or more of the delegations concerned or of the Commission.

Mr. BARCO (United States of America) urged that specific provision should be made in Rule 8 for the establishment of general working committees or groups, which he considered would be a more effective means of hammering out agreements on the differences between Israel and the Arab States than the plenary Mixed Committees. The latter, over which, according to Rule 4, the Commission in corpore would normally preside, would be somewhat unwieldy. Members of the Commission would not have time to become sufficiently familiar with every point to make their presence desirable during all the discussions.

The PRINCIPAL SECRETARY thought that there would probably be no need for the general working groups suggested by the representative of the United States of America, especially since the plenary Mixed Committees, in accordance with Rule 4, might be composed of as few elements as the working groups.

Eventually it was decided that it was undesirable to word Rules 4 and 8 so strictly as to commit the Commission to a procedure which it might later not wish to follow, and that Rules 4 and 8 should remain unchanged except for an amendment to Rule 8 to make the establishment of working groups obligatory, and an amendment to Rule 4 to permit the Chairman of the Commission, one of its Members, or one of the alternates alone, to preside over meetings of the Mixed Committees.

At the suggestion of Mr. BARCO (United States of America) it was agreed that Rules 15 and 16 should be amended so that summary records would be kept of meetings of the principal working groups, as well as of the Mixed Committees.

The Committee approved for recommendation to the Commission the draft Rules of Procedure (Document W/49) with the amendments indicated above and certain drafting changes.

2. Interpretation of sections 4, 5 and 6 of General Assembly Resolution 194 (III) (Document W/48)

The CHAIRMAN said that he agreed with the Secretariat's analysis (document W/48) of paragraphs 4, 5 and 6 of General Assembly Resolution 194 (III), except that he considered that the Assembly had therein recommended two alternative ways of reaching agreement, namely direct negotiations between Israel and the Arab States without the Commission, or negotiations with the Commission. Consequently the third course described in sub-paragraph 7, 3, of the analysis should be deleted; it was a course which might be followed merely as a consequence of trying to bring about direct negotiations under the aegis of the Commission. Similarly he considered that the word "direct" should be deleted from the last line of the second footnote to paragraph 7.

Mr. BARCO (United States of America), expressing agreement with the Chairman, said that the Commission should serve as an intermediary in indirect negotiations between Israel and the Arab States only when it was found impossible to bring about direct negotiations between them. He hoped that the Secretariat's analysis would not later be used for drafting the Commission's apologia, since it was not true that General Assembly Resolution 194 (III) placed upon the Commission a legal obligation to serve as an intermediary between Israel and the Arab States in indirect negotiations.

Mr. LADAS (Secretariat) upholding the statements in the Secretariat's analysis, pointed out that paragraph 5 of the Resolution did not contain instructions to the Commission; it contained a recommendation that Israel and the Arab States follow one of the two alternative courses described therein; the existence of those two alternatives had made the Commission's task difficult. Since the word "directly" qualified the word "conducted" and was placed in apposition to the words "with the Conciliation Commission" and since the probability of direct negotiations was remote at the time the resolution was adopted, it appeared that the Arab States would be acting in accordance with the resolution if they refused to negotiate directly with Israel but agreed to negotiate with that State indirectly, with the Commission serving as intermediary.

After some discussion it was agreed to request the Secretariat, in consultation with the Chairman, to redraft, in the light of the above discussion, those parts of its analysis of paragraphs 4, 5 and 6 of General Assembly Resolution 194 (III) which concerned the interpretation of the resolution, but not the discussions leading up to its adoption.

The meeting rose at 12.50 p.m.