UNITED NATIONS CONCILIATION COMMISSION FOR PALESTINE

GENERAL COMMITTEE

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SUMMARY RECORD OF THE SIXTY-~~FIRST~~ SECOND MEETING

Held at the Palais des Nations, Geneva,
on Thursday, 22 June 1950, at 4 p.m.

Present:

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

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1. Analysis of paragraphs 4, 5 and 6 of the General Assembly's Resolution of 11 December 1948

The CHAIRMAN drew the Committee's attention to the document containing an analysis of paragraphs 4, 5 and 6 of the General Assembly's Resolution of 11 December 1948. He pointed out that the first part of the document was something of a commentary on the text of the Resolution, while the second part was mainly concerned with defining the role assigned to the Commission therein.

The analysis showed that the Commission's activities were fully in conformity with the Resolution, which provided the parties with the opportunity of negotiating, either directly among themselves, or with the Commission, while leaving the latter free to explore the methods of negotiation which would produce the best results.

Mr. ERALP (Turkey) thought that, in view of the extremely clear analysis provided, there could no longer be the slightest doubt as to the interpretation of the spirit and letter of the Resolution. Nevertheless, with regard to the second paragraph on page 2 he thought it should be pointed out that it was open to the parties to study one specific aspect of the general problem, which, he might add, would not debar the Commission from continuing to mediate.

Mr. BARCO (United States of America) thought that the study made the inner meaning of the Resolution and also the terms of reference of the Commission absolutely clear. In that connection, he thought that the passage which dealt with the main task of the Commission and established a distinction between direct negotiations and negotiations with the Commission would be clarified by the addition to paragraph b) on page 3 of the sentence: "Such negotiations include negotiations between the parties themselves in the presence of the Commission".

The PRINCIPAL SECRETARY pointed out that paragraph 5 of the General Assembly's Resolution of 11 December 1948 applied, not to the Commission, but to the parties, and that it left the latter free to conduct direct negotiations apart from the Commission or indirect negotiations, that was to say through the intermediary of the Commission. If that was the accepted interpretation, the Arab States' refusal to meet with Israel under the auspices of the Commission might perhaps be regarded as contrary to the terms of the General Assembly's Resolution. That point should be clarified so that the Commission might, if necessary, be in a position to answer any question on the subject.

The CHAIRMAN did not think the Arab States' refusal could be held to indicate an attitude incompatible with the terms of the Resolution of 11 December 1948, since, although the States had refused to conduct direct negotiations with Israel under the auspices of the Commission they had not, on the other hand, refused to conduct negotiations through the intermediary of the Commission.

Mr. BARCO (United States of America) thought that the aim of the General Assembly, in adopting the Resolution, had been to acquaint the Governments concerned with the types of procedure likely to produce a settlement of the Palestine problem, while at the same time stating the Assembly's preference for the method of direct negotiations. On that ground he thought it advisable to add to paragraph b) a sentence indicating the possibility of direct negotiations between the parties.

Mr. ERALP (Turkey) agreed with the Chairman that the attitude of the Arab States was not incompatible with the terms of the General Assembly's Resolution, which provided for various types of negotiations. It was conceivable that consultations might take various forms according to the state of progress of the Commission's work. As for the point raised by Mr. Barco, it seemed to be covered, in the list of the Commission's functions, by the phrase "It (the Commission) would initiate negotiations" between the parties.

The CHAIRMAN wondered whether the list of methods of negotiation (page 4) did not give the text a restrictive character. He therefore thought it advisable for the list to contain the phrase "whether it adopts any other method which it will deem more helpful". The addition proposed by Mr. Barco would be inserted at the end of paragraph b) on page 3.

It was so agreed.

After some discussion it was also agreed to substitute the words "between the Government of Israel and an Arab Government" for the words "between one Government and another" in the third paragraph on page 2.

On the proposal of the CHAIRMAN it was agreed, in view of the importance of the document in laying down certain standards for interpreting the General Assembly's Resolution of 11 December 1948, to request the Secretariat to prepare the text as amended and to publish it as a Commission document.

2. Draft Rules of Procedure for the Mixed Arab-Israeli Committees (Document W/49/Rev.1)

After some discussion certain amendments of form were made in rules 2, 4, 6, 11 and 15 of the document, which was thereafter approved.

It was agreed to submit the draft rules of procedure for the mixed Arab-Israeli Committees in this final form to the Commission for approval.

3. Frozen assets

The PRINCIPAL SECRETARY, referring to the question of frozen assets, pointed out that the Commission had been instructed to find a trustee to act as intermediary for the payment of advances on blocked accounts to refugees. It would be recalled that the Commission had approached the Ottoman Bank, which had given an evasive reply, and thereafter the Bank for International Settlements, which had recently informed the Commission's Economic Advisor by letter that the Commission's request had been examined by the Central Banks at their last General Meeting and that the said Banks had objected on principle to an operation which they regarded as being in some respects political, rather than technical, in character. That rejection put the Commission in an awkward position since the procedure laid down for granting advances to refugees was such that the assistance of a trustee was essential.

Replying to a question by Mr. ERALP (Turkey), he thought it unlikely that a further approach to the Ottoman Bank would yield satisfactory results.

Mr. BARCO (United States of America) thought it essential that the Commission should continue the correspondence with the Bank for International Settlements with a view to obtaining a reply addressed officially to the Commission and thus to securing data enabling it to mention the matter in a future report to the General Assembly.

The CHAIRMAN stated that the General Committee noted the reply by the Bank for International Settlements to the Commission's Economic Advisor and suggested that the question should be placed on the agenda for the next meeting of the Commission.

It was so agreed.

The meeting rose at 5 p.m.