

UNITED NATIONS CONCILIATION COMMISSION FOR PALESTINE

GENERAL COMMITTEE

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SUMMARY RECORD OF THE SEVENTY-SIXTH MEETING

held at Government House, Jerusalem,
on Thursday 22 February 1951
at 3 p.m.

Present:

Mr. de Nicolay (France) - Chairman
Mr. Barco (United States)
Mr. Eralp (Turkey)
Mr. de Azcarate - Principal Secretary

Study of the draft resolution prepared by the Secretariat for inclusion in the memorandum to be submitted to the Commission

The CHAIRMAN tabled the draft-resolution prepared by the Secretariat. He wished to point out that the General Committee had never before submitted formal resolutions to the Commission but that its suggestions had been presented in a less positive manner.

As to the substance of the document, he remarked that the resolution brought up the question of the organisation of the Office whereas, in the course of an earlier exchange of views, the General Committee had been of the opinion that this matter should be submitted to the Commission in view of the present uncertainty regarding the membership and the status of the Committee of Experts on compensation.

Mr. ERALP (Turkey) and Mr. BARCO (United States) stated, in turn, that the procedure adopted in the past by the General Committee for submission of suggestions to the Commission appeared to them to be preferable.

An exchange of views then took place as to whether the Committee of Experts, established by a decision of the Commission adopted last October, in *Lake Success*, should be set up in a concrete form.

It was pointed out that, if the experts were to proceed with preliminary studies pending the arrival of the Head of the Office, they would have greater authority and therefore greater facilities in the conduct of their work, if they were members of a Committee of the Conciliation Commission.

The PRINCIPAL SECRETARY stated that it would be good to clarify the situation because the organisation of the work would depend on whether the experts worked as members of an officially constituted Committee or simply as experts of the Commission. The decision on this point was up to the Commission.

Mr. BARCO (United States) believed that the Commission could reach a conclusion as to whether the Committee of Experts on compensation should proceed with its work as a body of the Commission or as part of the Office, once the program of work for the coming months had been decided upon.

Mr. ERALP (Turkey) saw no disadvantage in having the experts work as members of a Committee which could function until the arrival of the Head of the Office. Once the Office had been set up, the members of the Committee of Experts would then constitute the staff of the Office. That procedure would increase the authority of the experts in their negotiations.

The PRINCIPAL SECRETARY considered that the fusion of the Committee of Experts and of the Office was the most practical method of obtaining the necessary personnel for the Office.

The CHAIRMAN concluded, on the basis of the discussion, that mention should not be made, in the memorandum to the Commission, of the question of the organisation of the Office, so as to give the Head of the Office full freedom in the formulation of suggestions concerning the organisation of its work. As for the Committee of Experts, the attention of the Commission could be drawn to the necessity of reaching a decision on that matter.

Turning to Section B of the document under study, the CHAIRMAN observed that it contained a very clear definition of the terms of reference of the Office. In his opinion, however, that definition was a repetition of that included in Parts I and II of the memorandum, except that it stressed more sharply the fact that compensation was "the main task" of the Office. It might be sufficient to insert that passage of the resolution in the part of the memorandum where recommendations were made to the Commission for the adoption of a certain number of measures.

The Committee agreed with the Chairman and decided to include in the first paragraph of Part II of the memorandum, after the words "to proceed immediately" the words "as the first order of business".

The PRINCIPAL SECRETARY wondered whether the insertion of those words would not be interpreted as meaning that the assessment of the total value of property left behind by the refugees in Israel, mentioned in that paragraph, was to be the only item to be studied at the beginning and that the study of possible procedures for the establishment of a compensation fund would only be taken up at a later date. In his view, both these studies should be carried on simultaneously, because, as a conclusion to this work, the Commission would have to submit to the Government of Israel a figure, representing the amount to be paid for compensation, which would be considered as reasonable by the Commission in that it would be based on the assessment of the property of the refugees and on a study of the financial possibilities of Israel.

The CHAIRMAN remarked that it would indeed be desirable to proceed with both these studies simultaneously. The attention of the Commission could be drawn to that procedure.

In connection with paragraph 4 of Part II, which referred to the plans for repatriation, the PRINCIPAL SECRETARY pointed out that it would be dangerous to mention the possible economic and social benefits to the State of Israel as the main criterion for the establishment of repatriation plans.

After an exchange of views, and on the suggestion of Mr. Fisher, it was decided to insert, in paragraph 4 of Part II of the memorandum, after the words "repatriation" the words "based on the best interests of the refugees as well as on possible benefits of an economic and social nature to the State of Israel".

Following a proposal made by the CHAIRMAN, who referred to the agreement concluded with UNRWA concerning the collaboration between both organisations, it was also decided to insert, in paragraph 3, after the words "compensation and resettlement", the words "and, at the appropriate time, to discuss such plans with the Relief and Works Agency".

The CHAIRMAN read out the proposed wording of the introductory paragraph to the memorandum to be submitted to the Commission.

That draft was approved without any discussion.

Parts I and II of the report, with the modifications to be inserted by the Secretariat in the light of the discussion that had taken place, were approved

The meeting rose at 4.45 p.m.
