

UNITED NATIONS CONCILIATION COMMISSION FOR PALESTINE

COMMITTEE ON JERUSALEM

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SUMMARY RECORD OF THE TWENTY-SECOND MEETING

held at Lausanne on 30 April 1949

Present: Mr. Yenisey (Turkey) - Chairman
Mr. Eralp (Turkey)
Mr. Barco (U.S.A.)
Mr. Benoist (France)
Mr. de la Tour du Pin (France)

Dr. Serup - Secretary of the Committee

At its twenty-second meeting, the Committee began an examination of the draft proposal for an international regime for the Jerusalem area prepared by the Secretariat (Document Com.Jer/W.16). During the course of its discussion of this working paper, it drew up a tentative and preliminary list of questions to be put to the Arab and Israeli delegations.

I. Discussion of Document Com.Jer W/16 (Draft proposals for an international regime for the Jerusalem area prepared by the Secretariat).

The SECRETARY pointed out that Document Com.Jer W/16 was not to be taken as an expression of the views of the Secretariat on the regime for Jerusalem. The document was solely a working paper prepared at the express request of the Committee, on the basis of the Draft Statute prepared by the Trusteeship Council, the Draft Statute submitted by the French delegate and the suggestions on the same subject put forward by the United States delegate. The aim of the paper was to present proposals which might be acceptable to the two parties concerned and to the three members of the Committee.

In the discussion which preceded the detailed examination of the Secretariat working paper, there was general agreement as to the advisability of abandoning the principle

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of constituting the Jerusalem area as a corpus separatum, it being understood (a) that there should be some restrictive measures concerning the numbers of immigrants to be admitted to the Jerusalem area; (b) that the town should not be cut into two sections by customs barriers; (c) that the final decision would depend on the attitude of the parties concerned and of the Commission.

Paragraph 1. This paragraph was **redrafted** to read:

The area of Jerusalem shall include the town of Jerusalem, together with the surrounding villages and towns, the most western of which is Ain Karim (including also the built-up area of Motsa); the most northern Shu'fat; the most eastern Abu Dis, and the most southern Bethlehem.

Paragraph 2. The SECRETARY pointed out that as regards the autonomy of the Arab and Jewish zones, two questions arose: the relationship of the two zones with the international authority, and their relationship with the Arab and Jewish States respectively. It was agreed that it would be advisable to leave the question of the latter relationship indefinite at the present stage. The paragraph was amended to read as follows (amendment underlined):

The area of Jerusalem shall be divided into two zones, a Jewish zone and an Arab one. The demarcation line shall follow the centre of the following thoroughfares....., as indicated on the attached map. All matters which are not specifically dealt with in the present Statute shall be considered as being within the purview of the responsible authorities of the two zones

Paragraph 3. It was agreed to replace this paragraph by the first two sub-paragraphs of paragraph 14 of the French proposals (Document Com.Jer/W.15), amended to read (amendments underlined):

The United Nations shall be represented in the Territory of Jerusalem by an Administrator appointed for 5 years by the General Assembly. He shall be responsible to the General Assembly and may be dismissed by it. The General Assembly shall appoint a Deputy Administrator on the recommendation of the Administrator.

The Administrator and his Deputy shall not be residents of Jerusalem or nationals of the State of Israel or of an Arab State.

Paragraph 4. The appropriate composition of an Administrative Council for Jerusalem was discussed, and the paragraph was replaced by the third sub-paragraph of paragraph 14 of the French proposals, and paragraph 15 of that paper, amended to

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read (amendment underlined):

The Administrator and his Deputy shall be assisted by an Administrative Council. This Council shall be composed of nine members, three of whom shall be appointed by the authorities of the Jewish zone, three by the authorities of the Arab zone and three by the Administrator. The latter will endeavour to ensure by his choice the representation of the principal groups in Jerusalem other than Arab or Jewish communities.

Paragraph 5. The paragraph was approved, with the exception that the last sub-paragraph concerning free access to Jerusalem was omitted, since it was felt that the point could be dealt with more appropriately in the section on Holy Places.

Paragraph 6. The paragraph was amended to read (amendment underlined): The Administrator, assisted by the Administrative Council, shall ensure:

- (i) the maintenance of public order;
- (ii) the functioning of the main services of common interest to the Territory of Jerusalem;
- (iii) the equitable allocation of the contribution of each zone towards expenditure in the common interest;
- (iv) the settlement of all other municipal questions;
- (v) the execution of a general scheme of town-planning appropriate to the character of the area, the spiritual centre of the world.

II. Questions to be put to the Arab and Israeli delegations concerning the international regime for Jerusalem.

During the preliminary discussion of the questionnaire to be drawn up for submission to the Arab and Israeli delegations, the following points emerged:

- (a) It was agreed that the questionnaire should be drawn up by the Committee as a whole, and that the Chairman should put the questions to the delegations on behalf of the Committee;
- (b) It was agreed that the questions were to be put only for purposes of information and that they were not to be regarded as binding on the Committee;
- (c) It was agreed that it should be pointed out to the Delegations that the Committee had various alternative schemes in mind, and that it wished to ascertain the wishes of the parties concerned before proceeding to draw up a plan for

/Jerusalem;