

UNITED NATIONS CONCILIATION COMMISSION FOR PALESTINE

COMMITTEE ON JERUSALEM

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SUMMARY RECORD OF A MEETING BETWEEN THE
COMMITTEE ON JERUSALEM AND THE DELEGATION
OF THE HASHEMITE JORDAN KINGDOM

(TWENTYSEVENTH MEETING OF THE COMMITTEE)

held in Lausanne on Tuesday
3 May 1949 at 4 p.m.

Present: Mr. Yenisey (Turkey) - Chairman
Mr. Benoist (France)
Mr. Barco (U.S.A.)
Dr. Serup - Secretary ~~(Representative)~~
of the Committee
Dr. Mussa Husseini - Representative of the
Hashemite Jordan
Kingdom

The CHAIRMAN welcomed the Hashemite Jordan representative and reviewed briefly the terms of reference of the Committee on Jerusalem, pointing out that the Committee could not adopt a final regime for Jerusalem until the views of the delegations present in Lausanne had been ascertained. He presented the two questionnaires prepared by the Committee, explaining that they were exploratory in nature and did not commit the Committee in any way, and asked for the views of the Jordan representative.

Dr. HUSSEINI explained that his delegation could not at present take a definite position regarding the internationalization of Jerusalem; it reserved its full right to consider the question of Jerusalem in connection with the final settlement of the whole Palestine question. He desired, at the present meeting, to go over the questionnaires and obtain the opinions of the Committee on certain questions, for the information of his delegation.

/Questionnaire

Questionnaire on Jerusalem

Question 1. With regard to guarantees and sanctions, Dr. HUSSEINI recalled that at one time there had been talk of a possible international police force for Jerusalem. He wondered whether such a force was still under consideration and what its size would be.

Mr. BENOIST replied that the Committee's ideas on the point were still indefinite; it had taken no decisions. If there were such a force, it might vary greatly in size. The Committee's thinking had followed more fundamental lines, dealing particularly with moral, economic and military sanctions, which it considered more important than a police force. Obviously, however, both sanctions and guarantees must be provided for.

Dr. HUSSEINI pointed out that the guarantees were a more positive form of action than sanctions; his delegation attached more importance to the positive guarantees.

Questions 2 and 3. In reply to a question by Dr. Husseini, the CHAIRMAN explained that under the type of regime envisaged in question 2, there would be one international administration for the whole of Jerusalem, without division into separate zones. A certain degree of municipal autonomy would be recognized, but the city would be entirely separate from the neighbouring States; it would have the status of an independent state, with separate citizenship. Under the type of regime contemplated in question 3, there would be two zones, Arab and Jewish, which would be under the authority of the two neighbouring States, except for certain functions which would be reserved to the international authority.

Dr. HUSSEINI asked how the Committee envisaged the division into two zones.

/The CHAIRMAN

The CHAIRMAN replied that the Committee had no definite demarcation line in mind. The interested parties might perhaps be asked to discuss that question under the guidance of the Commission.

Mr. BENOIST added that that question involved the matter of free access to the Holy Places. For example, the line from the Jaffa Gate to Bethlehem either should be under Arab control or should form part of the line between the two zones, in order that a direct free route to Bethlehem might be maintained.

Dr. HUSSEINI agreed that the matter of the Holy Places must enter into the settlement, but pointed out that Jerusalem was more than a collection of Holy Places and that the human question must also be considered. Retention of the present lines inside Jerusalem was out of the question. His delegation was interested in the principle on which the division into zones would be made; he stressed the legal aspect of the question and declared that any division based on military considerations would not be valid.

Concerning the type of regime envisaged under question 2, Dr. Hussein asked whether a regime of dual sovereignty, a sort of condominium such as existed in the Anglo-Egyptian Sudan, would be considered impossible by the Committee.

The CHAIRMAN explained that it was not a question of sovereignty, but of authority. The two zones would not be a part of the neighbouring States; those States would simply exercise authority over certain functions within the zones. The resolution implied that sovereignty over Jerusalem belonged to all the United Nations. Moreover, a condominium could not rightly be termed an "international regime".

Dr. HUSSEINI pointed out that Tangier was under the

/sovereignty

sovereignty of the Sultan but under the authority of its international regime. He wondered whether the reverse of such a plan might not be contemplated for Jerusalem.

The CHAIRMAN replied that in the opinion of the Committee such a course would not be practicable.

To a question by Dr. Husseini, who asked whether it was within the competence of the Committee to discuss Jerusalem in relation to the rest of Palestine from a territorial point of view, the CHAIRMAN replied in the negative.

Question 7. Dr. HUSSEINI expressed the hope that it was not the Committee's intention to make any changes in the status quo as regards the Holy Places. He thought some assurances should be given that such changes would not be made without the agreement of all interested parties and then only in cases of definite necessity.

Mr. BENOIST declared that the Committee was in entire agreement on that point. In any case no changes would be made before the final peace settlement. It was possible that eventually a commission might be set up, as had been contemplated in 1919, to exercise certain functions with regard to the Christian Holy Places only: e.g., to effect certain necessary repairs to the Church of the Holy Sepulchre.

Question 8. Mr. BENOIST drew attention to the fact that this question included such matters as the furnishing of transit visas and the eventual building of an airport.

Dr. HUSSEINI pointed out that the question of permanent free access "by road, rail and air" to the Holy Places and Jerusalem would be closely related to the type of regime established and the territorial arrangements made.

Question 9. In reply to a question by Dr. Husseini concerning the relation between the terms "demilitarisation" and "neutralisation", the CHAIRMAN explained that within the

meaning of the term "demilitarisation" no military forces could be introduced from outside into the two zones, which would have no connection with the armed forces of the two neighbouring States. The contemplated "neutralisation" would also be of a political character.

The Chairman agreed with Dr. Husseini's suggestion that questions 11 and 12 applied more to the regime considered under question 2 than to that envisaged under question 3.

Questionnaire on the Holy Places

The CHAIRMAN drew attention to the fact that the Committee had prepared a list of the Holy Places with which it was concerned. The list was not complete, however, as regards the Moslem Holy Places; Dr. Husseini might be able to make certain additions to it.
