

UNITED NATIONS CONCILIATION COMMISSION FOR PALESTINE

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M. Letter dated 31 August 1949,
addressed to the Chairman of the Conciliation
Commission by Mr. Reuven Shiloah, Head of the
Delegation of Israel, and containing Replies
to the Commission's Questionnaire of 15 August
1949

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Sir,

I have the honour to acknowledge receipt of the Conciliation Commission's memorandum of August 15 and to convey to you the answers of the Delegation of Israel to the questions submitted therein.

1. The Delegation of Israel is prepared to sign a declaration along the general lines suggested in Chapter I of the Commission's memorandum, subject to precision on the following specific points:

- (a) The Government of Israel considers that the solution of the refugee problem is to be sought primarily in the resettlement of the refugees in Arab territories, but it is prepared for its part, as already indicated to the Commission, to make its own contribution by agreeing to a measure of resettlement in Israel.
- (b) While the Government of Israel cannot bind itself in advance to the implementation of such solutions as the survey group may propose, it will undertake to facilitate the task of this group and to give full consideration to any proposals the group may put forward.

2. The Delegation of Israel wishes to offer certain further comments on Chapter I of the Commission's memorandum, in order to make its attitude perfectly clear:

- (a) The Delegation of Israel has taken note of the proviso that "it is understood that the repatriated refugees will become ipso facto citizens of Israel and that no discrimination will be practised against them both with regard to the civil and political rights which they will exercise and to the obligations imposed upon them by the law of the land". The Delegation is astonished, however, that there is no mention of any similar understanding with regard to the refugees to be resettled elsewhere.

- (b) The Delegation of Israel desires to stress its understanding that any repatriation in Israel, as indicated by the Commission, would take place subject to financial assistance furnished by the International community and that such assistance would be extended to include the resettlement of Jewish refugees from the Arab-controlled areas of Palestine.
- (c) The Delegation of Israel has already presented to the Commission a provisional estimate of the number of refugees which the Government of Israel would be ready to accept. It is desired, in this connection, to point out that the Government of Israel's willingness to facilitate the task of the survey group rests within the framework of the contribution which it has declared itself ready to make to the solution of the refugee problem.
- (d) The Delegation of Israel desires to take this opportunity of reiterating its earlier statement to the Commission, that the Government of Israel can agree to the repatriation of refugees to Israel only as part of an overall settlement of the refugee problem and of the Palestine conflict.

3. With regard to the territorial adjustments of which the Commission treats in Chapter II of its memorandum, the Delegation of Israel considers that in addition to the territory indicated on the working document annexed to the Protocol of May 12, all other areas falling within the control and jurisdiction of Israel under the terms of the armistice agreements concluded by Israel with Egypt, the Lebanon, the Hashemite Jordan Kingdom and Syria should be formally recognized as Israel territory. The adjustment of the frontiers so created will be subject to negotiation and agreement between Israel and the Arab Government in each case concerned.

4. In this connection the Delegation of Israel desires to offer a number of observations:

- (a) The territorial adjustment proposed above has the following effects:
 - (i) No territory forming part of Egypt, the Lebanon, the Hashemite Jordan Kingdom or Syria is added to Israel by this adjustment.
 - (ii) No territory ever awarded to Egypt, the Lebanon, the Hashemite Jordan Kingdom or Syria by any international instrument or held by them under any agreement is added to Israel by this adjustment.
 - (iii) No territory in which Egypt, the Lebanon, the Hashemite Jordan Kingdom or Syria exercises authority or jurisdiction under the armistice agreements concluded pursuant to the

Security Council's resolution of November 16, 1948 and endorsed by the Security Council's resolution of August 11, 1949 is added to Israel by this adjustment.

- (b) If the territorial adjustment proposed were not effected, territory awarded to Israel under an international instrument or held by it under the terms of an agreement (viz. territory in which Israel exercises authority and jurisdiction under the armistice agreements concluded pursuant to the Security Council's resolution of November 16, 1948 and endorsed by the Security Council's resolution of August 11, 1949) would be added to one or more Arab States.
- (c) The Delegation of Israel holds, therefore, that only the territorial adjustment proposed above falls equally in its effects on the rights and position of each negotiating party, makes no encroachment upon existing sovereignties, and preserves the juridical status and actual stability achieved by the existing agreements. This method of achieving a territorial settlement is, furthermore, in precise accord with the resolution adopted by the General Assembly on December 11, 1948 calling upon the Governments concerned "to extend the scope of the negotiations provided for in the Security Council's resolution of November 16, 1948 and to seek agreement by negotiations conducted either with the Conciliation Commission or directly, with a view to the final settlement of all questions outstanding between them."

5. I venture to point out that paragraph 3 above is to be read in the light of the observations offered in paragraph 4; and to request that in any use which the Commission may make of this statement of the Israeli Delegation's position, paragraph 3 shall not be cited without the addition of paragraph 4.

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Yours faithfully,

S/ Reuven Shiloah