

UNITED NATIONS CONCILIATION COMMISSION FOR PALESTINE

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LETTER DATED 13 MAY 1949 FROM MR. NASSIB BULOS,
DELEGATION SECRETARY, ARAB REFUGEE CONGRESS;
TO THE CHAIRMAN OF THE CONCILIATION COMMISSION.

Sir,

With reference to the meeting held this morning the 13th May, 1949, between the Palestine Conciliation Commission and the Delegation on behalf of the Arab Refugee Congress, I have the honour to present to the Commission a statement of the points raised by my Delegation and of the proposals which were put forward in the course of today's meeting, as requested by the Chairman of the Palestine Conciliation Commission.

1. The Arab Refugee Congress represents the Palestine Arab refugees, at present found in Palestine, excluding those in the Gaza area, and whose number is approximately three hundred and fifty thousand persons. The Refugee Congress was convened on the 17th March, 1949, at Ramallah. Eight hundred Delegates, representing Samaria, Hebron, Jerusalem, Ramallah and Jericho Districts, themselves falling within the definition of the terms "Refugees" or "Displaced Persons", who in many cases also were members of local refugee committees, attended this conference. A Council of forty members was elected, and in turn the Council elected an Executive Committee which was instructed to carry out the resolutions taken by the Congress on that same date. The attention of the Commission is invited to a copy of the resolutions which with a covering letter dated 17th March, 1949, was sent to the Commission at the time. In Palestine, as in Beirut, my Delegation had occasion to meet with members of the Commission and to make their general views known. The attention of the Commission is invited to a second letter from my Delegation dated 24th March, 1949, and to a third letter dated 1st April 1949.

Since the Beirut Conference, the Executive Committee of the Congress decided to send a Delegation to Lausanne to

represent the Refugee Congress in all matters affecting the future, the welfare and interests of the refugees in Palestine. Notice of this Delegation was given to the Commission by letter dated 2nd May, 1949, and an informal meeting was held on the 5th May, 1949, between the Delegation and the Chairman of the P.C.C., at the time Mr. Mark Ethridge, as well as members of the American Delegation.

It will be seen from the resolutions and subsequent letters referred to above that the Arab Refugee Congress is fully empowered to represent those refugees in Palestine in the widest sense, and that no other Government, organisation or Committee, can claim to represent those refugees. The Congress not only fully realises the deep concern of the Arab Governments over the fate and future of the refugees but is also very appreciative of the efforts of the Arab Governments on their behalf and of the assistance extended by the Arab Governments to them. The Congress, however, does not claim to represent the refugees in the Arab countries; although both theirs and our interests are identical, our aims the same and our rights mutual. We do maintain, however, the closest possible touch with refugee committees in the respective Arab countries.

We maintain that the Arabs of Palestine, and in particular the refugees, are the party most intimately interested in the present deliberations. The attention of the Commission is invited to para 2 (C) and para 11 of the 11th December resolution. It is in fact our fate which is being decided upon. Consequently we request that we may be kept fully informed as well as consulted on all developments affecting the status and future of the refugees. We are not a political body. As a Refugee Delegation, we are interested in the political settlement for Palestine to the extent only it affects the interests and welfare of the refugees.

2. In referring to the 11th December resolution, we should like to remark that the rights of the refugees have not been acquired under, or conferred by the resolution. The resolution, with all due respect, merely acknowledges and expresses the natural and equitable rights of the refugees as confirmed by international usage and law.

What we are anxious to learn now is what precisely is the Jewish stand on the refugee question in the light of the resolution of 11th December. The Jewish authorities have made several statements to the effect that they are prepared to admit a certain number of refugees back to their homes. This is neither sufficient nor acceptable. The return of the refugees cannot be conditioned or limited by the immigration policy of the Jewish authorities. Rather, as a State that has just been admitted to the United Nations, it is our view that Israel must be held bound by the directives of the General Assembly, quite apart from precedents of international usage and of law. Consequently, we are anxious to learn (a) what the exact Jewish stand on the refugee question is and (b) how the Commission proposes to proceed with the implementation of the 11th December resolution and (c) what steps, if any, have been taken to that end, and (d) what measures are envisaged by the Commission; bearing in mind the matters following, to which the most earnest attention of the Commission is invited:

- (a) that full use should be made of the U.N. relief programme, before it expires, for the immediate resettlement and repatriation of refugees. The advantages are self evident and require no elaboration.
- (b) that when the late Count Bernadotte pressed the Jewish authorities for an answer on the refugee question, their reply was that the refugees could not return before an armistice had been signed. An armistice has been signed and furthermore peace talks are now in progress, such that any military objections as may have been put forward are no longer valid or warranted.
- (c) that even if we were to admit of such objections, there are certain localities where such considerations do not operate, for example in localities far from military front lines, such as Galilee, Jaffa, etc...
- (d) here we should like to pose a further question, namely whether there are not even stronger reasons why refugees should not return to their homes in Jerusalem without further delay, and whether that would not assist the Commission in the implementation of its directive

on Jerusalem?

- (e) that the matter becomes more urgent and pressing when we consider the volume of Jewish immigration, and the inevitable physical occupation of Arab property, if any further delay in the repatriation of Arab refugees is allowed and the vacuum created by their absence remains unfilled, such that any future discussion on repatriation of refugees to their homes may become purely academic, if the present situation is allowed to drag much longer.
- (f) that lest further damage occurs to Arab property, as in the circumstances is inevitable, which would render more complex and greater in volume the question of compensation and indemnity, particularly with reference to para 11 of the General Assembly's resolution of December 11th, the urgency of the question becomes even more compelling.
- (g) these are specific reasons which make the immediate repatriation of refugees imperative. There are other reasons of a specific nature, but more so, there are reasons of a general nature which are perhaps even more compelling. The refugee existence to which the majority of the Palestine Arabs have been reduced is having the most profound, and in the long run, the most dangerous and irradicable pshychological effect on the refugees. It is breeding an alarming sense of cynicism and despair, both of which can reflect themselves in various ways, the most likely of which might take the form of a violent explosion. I need hardly elaborate the effect of such a development on the Middle East generally, and ultimately on the Jewish State itself. Every disturbance in any part of the Middle East must inevitably have a bearing on the whole of the Middle East. The state in which the refugees are in cannot therefore be perpetuated much longer, without grave danger, quite apart from the social and humanitarian considerations involved.

3. To that end, and with particular reference to the General Assembly's resolution on the repatriation, resettlement and economic and social rehabilitation of the refugees and the payment of compensation, we propose that a mixed survey commission be appointed forthwith, to proceed to Palestine and to carry out a survey of conditions in Arab towns and villages and the state of Arab property, and that such commission be instructed to make its report to the Conciliation Commission before it terminates its work here in Lausanne, so that in its deliberations, the Commission can have the benefit of such factual report, without which, to our minds, a detailed discussion of the refugee question would be removed from reality. In putting forward this proposal, we do so without prejudice to the rights of every refugee wishing to return to his home, to do so. Our suggestion is that the Arab representatives on such a mixed commission should be Palestinian Arabs. They are the people most intimately concerned and best equipped to make such a factual survey in the light of their long and intimate association with the country.

4. My Delegation has submitted certain proposals on 10th May 1949, relating to orange groves and frozen assets. We are anxious to learn what action has been taken on our note. In this connection we should like to point out that the orange groves are a major economic asset, and that whether ultimately they fall within the Jewish State or the Arab State, their destruction will have a grave effect on the economy of the country as a whole. Secondly, on the question of frozen assets, it is essential that refugees should be allowed to draw on their frozen assets wherever they may be. The regulations governing sterling and other areas need not be a serious obstacle, particularly when it is recalled that the Palestine Arab share of the sterling balance held in Britain amounts to some twenty to twenty eight million pounds sterling.

5. We further request the Commission to use its good offices with the Jewish authorities with a view to the revocation or the suspension of the regulations governing the property of persons whom the Jewish authorities have chosen to call "Absentees

Owners". The Commission is no doubt aware of the fact that the "Custodian" of Absentee Property in whom such property is vested, is empowered, inter alia, to sequester and sell such property. The grave consequences which may develop from the exercise of such powers, as undoubtedly they have been exercised, are self evident and require no elaboration.

6. We propose further that members of families who may still be living in Jewish occupied areas wishing to join their families may be allowed to do so without further delay. It is difficult to say how many persons this may involve, but in any event they would not be very many in number. In this connection it is perhaps necessary to point out that the social structure of Arab society differs profoundly from that of western society. In Arab society, the family is a larger and a more closely knit unit than is the case in western society. Consequently where in western society, certain members of the family may not be regarded as immediate relations, the converse would hold true of Arab society. Various criterions can be devised; one such criterion perhaps may be one based on economic dependence. Consequently while it is difficult to give figures of persons who may be affected by this proposal, and it is maintained they are not many, it is our opinion that the absence of figures should not be an obstacle in the way of immediate implementation. It is perhaps sufficient that agreement is reached on a certain basis, and that consequently applications are invited from persons falling within such category.

7. Finally that where any of these proposals are carried out and equally as an over-riding principle, adequate guarantees of an international character carrying international sanctions for the safety of refugees who may be returning to Jewish occupied areas and the protection of their property, civic and religious rights, should be furnished.

May I take this opportunity to convey the appreciation of my delegation to the Commission for the interest they have shown in our problem and their endeavours on behalf of the Palestine refugees, and to request again that we may be kept

fully informed, and as and when the occasion arises, consulted on all matters affecting the welfare, interests and future of the refugees.

I have the honour to be, Sir,

Yours faithfully,

(signed) N. Bulos

Nassib Bulos

Secretary

Delegation Arab Refugee Congress