

RESTRICTED

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SUMMARY RECORD OF THE ONE HUNDRED AND  
SEVENTH MEETING

held in New York on Wednesday  
19 October 1949, at 3.30 p.m.

Present: Mr. de Boisanger (France) - Chairman  
Mr. Yalcin (Turkey)  
Mr. Rockwell (U.S.A.)  
Dr. Azcarate - Principal Secretary

Report of the Principal Secretary

Summarizing the activities of the Secretariat during the period of the Commission's recess, the PRINCIPAL SECRETARY reported that he had returned with his staff from Lausanne to Jerusalem, where he had re-established himself at Government House. He had then paid a series of formal visits to various Israeli and Arab authorities.

The Secretariat was now preparing a written report on the stage reached in the negotiations concerning the Arab blocked accounts and the proposed arrangement relating to Arabs living in Arab occupied territory whose lands were situated in Israeli-occupied territory. Mr. Servoise had remained in the Middle East to continue his work on the question of the blocked accounts ; a communication had been received from him indicating that some unblocking of funds appeared possible, although on a smaller scale than previously contemplated. With regard to the proposed arrangement for the cultivation of Arab lands in Israeli-occupied territory an agreement in principle had been established between the Israeli and Jordanian authorities, that the question fell within the competence of and would be examined by the Special Committee set up by the Armistice Agreement.

Concerning the repatriation of members of separated families, the Arab Governments had agreed in principle to appoint representatives to implement the plan in collaboration with the competent Israeli authorities. The Governments of Lebanon and

Egypt had in fact appointed their representatives and these representatives had entered into discussions with their Israeli opposite numbers. The Hashemite Jordan Kingdom had also indicated that it was appointing its representative. With regard to the orange groves, however, the Secretariat's efforts had produced only a negative result, the Israeli Government adhering to its former position that it could not accept the presence of a mixed group and that the Custodian of absentee property must be left in sole charge of the matter. The Israeli Government had indicated its willingness to accept the presence of a neutral observer but since such an observer would not be given access to the records of the Custodian his usefulness appeared negligible.

Reporting on his general impressions during his stay in Jerusalem, the Principal Secretary observed that at the time of his arrival in that city Israeli public feeling had been high with regard to the publication of the draft Instrument for an international regime in Jerusalem, and the appointment of a United Nations representative in Jerusalem. Such feeling had been evidenced by official statements, a press campaign, and public manifestations. With regard to the draft Instrument, Israeli governmental officials had considered it incomprehensible that such a document should have been submitted to the Secretary General without prior consultation with the Governments concerned ; they had also commented specifically on the clauses relating to Jewish immigration into the Jerusalem area and the demilitarisation of the area. The attitude of the Arab Governments to the draft Instrument was confused and contradictory ; some States found it in general satisfactory but were skeptical of the possibilities of application in view of the hostile attitude of the Israeli Government, while in other quarters a definite opposition to internationalisation was evidenced. Neutral opinion, as represented by the French, Turkish and United States consular officials, held the Instrument to be a reasonable solution of the problem, but inapplicable without the agreement of both parties.

In general, the Principal Secretary had found life in Jerusalem more normal, and communications between the Israeli and Arab sectors, for United Nations personnel, much improved. As regards the transfer of Israeli administrative services to Jerusalem, that operation was continuing and developing constantly.

It was difficult to say whether or not the Government's intention was to make Jerusalem the capital of the State of Israel. There was in any case a tendency to relieve the congestion of Tel Aviv and to give added social, political and economic life to the Jewish sector of Jerusalem. In that connection, however, Israeli authorities had drawn his attention to the existence of an analogous tendency on the part of the Arabs, to make the Old City of Jerusalem a provisional capital of the Jordan kingdom and its governor, in effect, the governor of Arab Palestine.

As far as Government House was concerned, in addition to the Commission's staff which maintained offices there, General Riley and his staff made it their headquarters, and the United Nations guards were still performing their usual duties. The Arabs were at present engaged in building a new road to Bethlehem, which would pass close to Government House and would greatly simplify access to the Arab sector from Government House. On the other hand, the Israeli authorities were constructing two blockhouses in close proximity to Government House ; the explanation given was that the Mixed Armistice Commission was considering a plan to establish a new Israeli-Jordanian Armistice Line which would virtually eliminate the neutral zone. If the plan were adopted, the blockhouses would be within the new Israeli lines. At the present moment, however, consideration of the question had been postponed by the Mixed Armistice Commission, and the constructions constituted a violation of the Armistice Agreement as it stood.

Reporting on the Commission's relations with the Economic Survey Mission, the Principal Secretary said that he had had conversations with Mr. Clapp in Beirut on his way to Jerusalem, and again at a later moment in Tel Aviv. The Chairman of the Mission had told him that its preliminary report would be ready about the beginning of November and would set forth the basis of a plan to furnish immediate work for the refugees, an emergency measure which would be independent of later consideration of the questions of resettlement and repatriation. Although such a plan, which envisaged the progressive and rapid replacement of emergency relief by work projects, would be difficult to apply in some areas, such as Gaza, Mr. Clapp was convinced that its moral effect would be of the greatest value. The mission's preliminary report would be followed later by a final report covering other questions, among them the attitude of the Israeli Government on the questions of repatriation and compensation.

Replies to the Commission's Memorandum of 12 September on territorial questions and to the communication of the draft Declaration concerning the Holy Places.

The CHAIRMAN supported the opinion of the PRINCIPAL SECRETARY that the Commission should convene meetings promptly with the Israeli and Arab delegations and request replies to the documents in question.

It was decided that meetings with the delegations would be convened on Saturday morning, 22 October.

Draft Instrument for Jerusalem

The CHAIRMAN drew attention to the fact that various interpretations of the draft Instrument were circulating which seemed to him erroneous, particularly concerning such provisions as those dealing with Israeli or Arab citizenship for the inhabitants of Jerusalem. He felt that the Commission should issue a simple written explanation of the Instrument in order to clarify such misunderstandings. He requested the Principal Secretary to prepare the text of such a statement, which could be released to the press at a future date to be determined by the Commission in the light of events.

Appointment of a United Nations representative in Jerusalem.

The Commission took note officially of the resignation of Dr. Alberto Gonzalez Fernandez. The Chairman considered the absence of a United Nations representative in Jerusalem as unfortunate and on his proposal the Commission instructed the Principal Secretary to convey to the Secretary-General its regret that it has not been possible to find another acceptable candidate for the post. The Principal Secretary informed the Commission that the continuation of the Commission's work at its permanent seat, Jerusalem, was assured by the presence there of the Deputy Principal Secretary and a political adviser. Nevertheless, he considered the absence of a United Nations Representative to Jerusalem as most unfortunate for the future work of the Commission. He proposed that the Principal Secretary should draft a letter to Mr. Cordier stating that the Commission took note of the resignation of Dr. Gonzalez-Fernandez and regretted that no other acceptable candidate for the post has as yet been submitted to the Commission.

The Commission adopted the Chairman's proposal.

Letter from Mr. Eban dated 20 September concerning the terms of reference of the United Nations Representative in Jerusalem.

The Commission adopted a suggestion by Mr. ROCKWELL that the Secretariat should draft a reply to Mr. Cordier's letter of transmittal of the Eban letter.

Relations with the Economic Survey Mission

The PRINCIPAL SECRETARY reported that he had received assurance from Mr. Cordier that all relevant communications received from the Economic Survey Mission would be transmitted immediately to the Commission. The Commission decided to send a telegram to the Economic Survey Mission informing them that it had reconvened in New York.

Press Communique

The Commission decided to issue a press communique stating that it had reconvened and that it would shortly meet with the Arab and Israeli delegations.