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UNITED NATIONS CONCILIATION COMMISSION FOR PALESTINE

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SUMMARY RECORD OF THE ONE HUNDRED AND THIRTIETH MEETING

Held at the Palais des Nations, Geneva,  
on Tuesday, 28 February 1950, at 11 a.m.

Present:

Mr. de BOISANGER (France)

Chairman

Mr. PALMER (United States of America)

Mr. YALCIN (Turkey)

Mr. de AZCARATE

Principal Secretary

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Report by the General Committee on the question of the establishment of a  
Joint Committee to study the Egyptian proposals concerning the Gaza refugees  
and other related questions

The CHAIRMAN informed the Commission that Mr. Eban would very shortly be coming to see him in connection with a communication on the question of the proposed Joint Committee which the Israeli representative had just received from his Government.

Israeli governmental circles appeared to be under the impression that there was a certain amount of duplication between the work of the Conciliation Commission and that of the Mixed Armistice Commission. Although the Conciliation Commission would be only too pleased if Brigadier General Riley arrived at a satisfactory solution, it was important to make sure that the two Commissions did not both drop the question together.

He was expecting to meet Mr. Mostapha and would give an account of the interview at the next meeting of the Commission which, if the members agreed, he proposed to fix for Wednesday, 1 March, at 4 p.m.

It was so agreed.

Mr. PALMER (United States of America), replying to the Chairman, stated that he was expecting to have talks both with Mr. Eban, when the latter had studied the instructions just received from his Government, and with Mr. Mostapha. The interviews could take place before the next meeting of the Commission which would be devoted to giving final approval to the resolution relating to the establishment of the Joint Committee.

Whereas the Israeli delegation, in accordance with its instructions, had some observations to submit to the Commission concerning the proposed Committee, the Egyptian delegation seemed prepared to accept the Commission's proposals as a whole provided that it had some assurance that the Commission would not accept Israeli counter-proposals unacceptable to the Egyptian delegation.

The CHAIRMAN, who agreed that the Commission might reserve its decision until the next meeting, had certain amendments to propose to the draft resolution on the establishment of the Joint Committee (see new draft annexed). Quite apart from various formal emendations, he considered that it would be better to delete the phrase "through the General Committee" since that provision would tend to diminish the authority of the Joint Committee. That was a thing to be avoided, particularly as the Committee might subsequently be called upon to widen its sphere of competence.

Mr. PALMER (United States of America) considered the new draft of the resolution to be an improvement. He approved particularly of the new points 5 and 6. With regard to point 6, he stipulated that the representatives of the authorities concerned and, in particular, the representative of the American Friends Service Committee should be invited to state their views to the Joint Committee itself.

The last sentence of point 4 was a very desirable addition since, while the first sentence of point 4 gave satisfaction to the Israeli delegation, the other interested party was safeguarded by the stipulation that "decision shall be taken by common agreement".

The CHAIRMAN remarked that he had taken the opportunity of pointing out to Mr. Eban that when one party was confronted with a request to widen the work of the Committee submitted by the other party and supported by the Chairman, it would fairly naturally be led to agree to such a request.

On quite a different matter, in view of the announcement in the Press of the elimination of the no-man's-land zone in the Gaza area, some changes would have to be made to the wording of the draft resolution.

On the instance of the PRINCIPAL SECRETARY, the Commission decided to invite the Secretariat to request Brigadier General Riley to supply further details on the conditions under which the Gaza no-man's-land zone had been eliminated and on the effect and scope of that measure.

Mr. YALCIN (Turkey) enquired whether the Mixed Armistice Commission was competent to settle the questions raised by Egypt with regard to the Gaza area.

The PRINCIPAL SECRETARY recalled the fact that the Egyptian proposals included the question of the return to their lands of the inhabitants of the no-man's-land created by the armistice. Since all matters relating to the establishment or adjustment of the armistice demarcation lines came directly within the competence of the Armistice Commission, the elimination of the no-man's-land zone certainly fell well within its purview. In the case in point, although the elimination of the no-man's-land zone to the North of Gaza by the Armistice Commission had indirectly affected the problems before the Conciliation Commission there was, strictly speaking, no overlapping of activities.

The CHAIRMAN observed that the press report dealing with the matter spoke not only of adjustment of demarcation lines but also of the cultivation of lands and it seemed, furthermore, that it was not the first time that the Armistice Commission had broached that question. In those circumstances, the first Egyptian proposal was more or less dealt with already.

The PRINCIPAL SECRETARY said that, judging from the press report alone and subject to confirmation by Brigadier General Riley, it appeared that the decision of the Mixed Armistice Commission applied solely to the elimination of the no-man's-land zone and that it was only as a corollary of that step that cultivation or grazing would again be possible in the area.

Mr. PALMER (United States of America) and Mr. YALCIN (Turkey) both pointed out that the announcements in the Press left the exact nature of the measure taken by the Mixed Armistice Commission in some doubt.

The CHAIRMAN considered that, from a more general point of view, it would be desirable to study to what extent the Mixed Armistice Commission was entitled, under the provisions of the Armistice agreements, to examine certain questions foreign to the implementation proper of those agreements.

Request from the "Committee for the Arab Property Owners of Jerusalem".

The CHAIRMAN announced that the Secretariat had just laid before the Commission some correspondence relating to the above question, amongst which a communication from the Commission's representative in Jerusalem.

The PRINCIPAL SECRETARY recalled that, as he had expressed some doubt concerning the desirability, in the interests of certain prominent persons in Jerusalem, of communicating to the Trusteeship Council in their entirety the minutes approved by those persons of their conversation with Mr. Quimper, he had requested the latter to clear up the difficulty. The reply from Mr. Quimper, however, did not make it very clear what the authors of the request really desired.

Mr. YALCIN (Turkey) declared that it was not in the interest of the authors of the request for the minutes to be communicated to the Trusteeship Council in their entirety. The end those persons were pursuing was somewhat compromising in itself and it was preferable for them not to make their position worse by giving unnecessary publicity to incautious remarks.

The CHAIRMAN, for his part, considered it preferable to limit the communication to be made to the Trusteeship Council to the actual declaration made by the spokesman of the property owners.

Mr. PALMER (United States of America) suggested that it would be desirable to know what the authors of the request had communicated to King Abdullah and to the Secretary-General of the United Nations.

The CHAIRMAN proposed that the Commission should invite the Secretariat to draft a covering letter to the President of the Trusteeship Council informing him that the Commission had received from its representative in Jerusalem a communication, the text of which was transmitted to him for such purpose as he might think fit. The letter would be accompanied by the actual resolution of the Committee for the Arab property owners of Jerusalem and by other documents annexed simply in order to shed some light on the nature of the Committee.

It was so agreed.

Question of Compensation for loss of or damage to Arab property

The CHAIRMAN reminded the Commission that the question of compensation for loss of or damage to Arab property had still to be dealt with. He himself had received instructions from his Government which he would communicate to the Commission.

The meeting rose at 12.15 p.m.

UNITED NATIONS CONCILIATION COMMISSION FOR PALESTINE

Draft Resolution  
of the Conciliation Commission on the  
establishment of a Joint Committee on the  
Egyptian proposals concerning the Gaza refugees

1. A Joint Committee on problems relating to the Gaza area shall be established. It shall be composed of one Israeli representative, one Egyptian representative and a representative of the Conciliation Commission.
2. The chairmanship of the Joint Committee shall be assumed by the representative of the Conciliation Commission.
3. The terms of reference of the Joint Committee shall be the following:

To consider the steps to be taken on the three following proposals submitted to the Conciliation Commission by the Egyptian delegation on 24 October 1949:

- (i) That inhabitants of areas falling within the no-man's-land in the north of the Gaza region be allowed to return as soon as possible to their lands to cultivate them.
- (ii) That refugees at present in the Gaza area under Egyptian control and possessing land in the hinterland of this zone be allowed to undertake as soon as possible the cultivation of these lands.
- (iii) That refugees at present in the Gaza zone originating from the Beersheba area be allowed, provisionally and pending a final settlement, to establish themselves in that area.

4. Either the Chairman or any member of the Joint Committee shall be entitled to request that any related question whose examination, in his opinion, becomes necessary in the course of the work be placed on the agenda of the Joint Committee. Decision on this point shall be taken by common agreement.
5. The Chairman of the Joint Committee shall report regularly to the Conciliation Commission on the progress of the Joint Committee's work.
6. The Joint Committee may seek the views of the interested authorities and organizations.