

UNITED NATIONS CONCILIATION COMMISSION FOR PALESTINE

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SUMMARY RECORD OF THE ONE HUNDRED AND FIFTY-FIFTH MEETING

held at the Palais des Nations, Geneva,
on Tuesday, 16 May 1950 at 11 a.m.

Present:

Mr. PALMER	(United States of America)	Chairman
Mr. de BOISANGER	(France)	
Mr. ERALP*	(Turkey)	
Mr. de Azcarate		Principal Secretary

* Alternate

Study of the procedure proposed in the Memorandum of 29 March 1950

The CHAIRMAN informed the members of the Commission that the Secretariat had prepared two working papers on that question which might serve as a basis for discussion. The first (W/44) dealt with the various aspects of the implementation of the procedure proposed in the Memorandum of 29 March 1950, while the second related to a number of concrete points in connection with the interpretation of paragraph 11 of the General Assembly Resolution of 11 December 1948 concerning the refugees.

The PRINCIPAL SECRETARY, in presenting the working papers, explained that the Secretariat's object had been to prepare a programme of work which might provide the Commission with a well-ordered basis for its discussions and serve as a guide for the study of the points developed in the Memorandum of 29 March 1950, particularly the question of the working of the mixed committees.

Mr. de BOISANGER (France) said that he had taken note of document W/44, and approved by and large of the suggestions it contained. He nevertheless felt bound to point out that the question of the refugees should not be studied within the bilateral committees but rather by an ad hoc multilateral committee.

The CHAIRMAN submitted that since the refugee question had always been considered by the Commission as being bound up with territorial questions, it would be wrong to exclude it from the competency of the bilateral committees. Such procedure would not in any case prevent the establishment of a multilateral committee responsible for studying the question from a broader angle.

Mr. de BOISANGER (France) had no objections to procedure conducted on those lines.

The CHAIRMAN invited the members of the Commission to express their views as to how the Commission should participate in the work.

Mr. de BOISANGER (France) thought it would be useful if the various questions raised were studied as far as possible by working committees. His view in regard to the Commission's representation within the various committees was that the Commission, as a corporate body, should participate as such in all the committees, the chairmanship of which would naturally be in the hands of the Chairman of the Commission. As far as the working committees were concerned, the Commission might be represented by, say, an alternate. That procedure, he contended, would prevent the Commission from being overburdened with work, since it was quite obvious that it was the working committees which would have occasion to meet most frequently.

Mr. ERALP (Turkey) having observed that there might not be sufficient alternates to ensure that the Commission was represented within the various working committees, Mr. de BOISANGER (France) suggested that members of the Secretariat might preside over the working committees where necessary. To back his suggestion, he quoted the precedent of the armistice negotiations between Israel and Syria, which had been presided over by a member of the Secretariat.

The PRINCIPAL SECRETARY pointed out that the nature of the various committees had to be taken into account. In the case of the mixed committees, which were distinctly political in character, it would, he felt, be better to have an alternate as Chairman. If the course of negotiations led to the establishment of technical working groups more particularly responsible for studying special aspects of certain problems, it would be possible to consider entrusting their chairmanship to a member of the Secretariat who had specialized in the field in question.

Mr. BARCO (United States of America), who had originally been in favour of placing the chairmanship of the committees in the hands of a member of the Secretariat considered on reflexion that it would be better for them to be presided over either by a member of the Commission or by an alternate. It would be wrong, in fact, to ignore the psychological factor which might weigh with delegations taking part in the negotiations, who, if the chairmanship of the committees were entrusted to members of the Secretariat, might be inclined to think that the negotiations were in some way preliminary to the signature of the peace treaty rather than designed to resolve the questions outstanding. In those circumstances, and in order to ensure that there were sufficient Commission members to supply chairmen to the various committees, it might be necessary to provide for an increase in the number of representatives making up the delegations.

The CHAIRMAN, while agreeing, in reply to an observation by the Principal Secretary, that the secretarial work of each committee should be carried out by members of the Secretariat, considered Mr. Barco's suggestion worth following. He also shared Mr. de Boisanger's opinion that the Commission, as a corporate body, should participate in the work of certain of the committees and should be represented by deputy representatives within the other committees. The first task, therefore, was to decide on the number of committees to be established in order to ascertain whether it would be necessary to increase the complement of the delegations serving on the Commission.

Mr. ERALP (Turkey) felt that the proposed increase would confront Turkey with certain difficulties.

Mr. de BOISANGER (France) thought that the French delegation could easily be enlarged, but before getting in touch with his Government wanted to be sure that additional members were really necessary. There was no certainty that such was the case, since it was highly probable that the working committees would quickly set up technical groups, in view of the nature of the questions to be studied.

Mr. BARCO (United States of America) wondered whether the establishment of a Committee on Refugees would not entail certain disadvantages. Should that committee find itself deadlocked, as might well be feared, the work of the other committees might suffer. It might therefore be better to set up a Steering Committee - consisting of the heads of the delegations of the various countries represented and the members of the Conciliation Commission - in which all the questions raised on the subject of the refugees or other matters would be discussed.

Mr. de BOISANGER (France) was afraid that the creation of a Steering Committee might give rise to certain reactions in the Arab countries. His own view on the refugee question was that it should prove possible to induce the Arab countries on the one hand, and the Israeli Government on the other, to express their views in full freedom; it could be indicated that while the Commission was fully aware that views on the question had remained unchanged, it had nevertheless set itself the task of persevering in seeking a solution regardless of the prospects of a successful issue.

The CHAIRMAN concurred with Mr. de Boisanger's opinion on that point and felt that the Committee on Refugees, in view of the vital nature of the subject dealt with, should have "Commission" status. If the intention was to establish the Steering Committee to handle all outstanding questions, it might be agreed that that Committee should have an advisory or even a co-ordinating role.

Mr. de BOISANGER (France) felt that in those circumstances there would be no point in setting up the proposed Committee until the national committees had been formed.

The PRINCIPAL SECRETARY interpreted the foregoing exchange of views as indicating that the Commission would be prepared to consider establishing four bilateral committees, together with one multilateral committee on refugees, on the clear understanding that sub-committees, working groups or technical groups could be duly established immediately it was felt that a useful purpose could thereby be served.

The Commission would participate in plenary meetings of the committees as a corporate body, the chairmanship of the meetings being in the hands of the Chairman of the Commission. The working meetings would be presided over by an alternate. The chairmanship of any working groups or technical sub-committees which might be set up could if necessary be entrusted to members of the Secretariat.

The CHAIRMAN proposed that the Secretariat prepare a draft organizational scheme for the forthcoming negotiations on the bases outlined by the Principal Secretary, with due regard to the observations made in the course of the discussion.

It was so decided.

Terms of reference of the proposed committees

In reply to a question by the PRINCIPAL SECRETARY, who asked whether the national committees should deal only with territorial questions outstanding between the Arab States and the State of Israel, or whether they would be competent to deal with those and any other questions which might be studied with advantage, the CHAIRMAN suggested that it would be better not to specify the terms of reference of the committees at the present stage. Perhaps the Secretariat might prepare, for the Commission's information, a list of the points which might usefully be brought forward within the committees or which were likely to be raised by the various parties.

It was decided that the Secretariat would prepare the requested document for the following day's meeting.

The CHAIRMAN informed the members of the Commission that the second document which had just been circulated to them contained a study of paragraph 11 of the General Assembly Resolution of 11 December 1948. He drew attention to the importance of the analysis submitted and described it as an extremely useful source of valuable data which would help the Commission to maintain a sound position on the refugee question during the forthcoming negotiations.

The PRINCIPAL SECRETARY announced that Part II of the document, dealing with the second sub-paragraph of the paragraph in question, was now being prepared and would be ready shortly.

The meeting rose at 12.15 p.m.