

UNITED NATIONS CONCILIATION COMMISSION FOR PALESTINE

RESTRICTED

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ORIGINAL: FRENCHSUMMARY RECORD OF THE ONE HUNDRED AND SIXTIETH MEETINGHeld at the Palais des Nations, Geneva,
on Friday, 26 May 1950, at 11 a.m.Present:

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

(*) Alternate

1. Study of the Commission's reply to the parties on its proposals of 29 March 1950 (Working Papers W/46 and W/47).

The CHAIRMAN drew attention to the two drafts of a note to be sent to the parties concerning the proposals of 29 March 1950, which had been prepared by the Secretariat in accordance with the suggestions made at the previous meeting. The Secretariat had submitted a draft of a common note to the Arab States and the Israeli Government, and another draft note to the Arab States only.

The Commission also had before it a draft reply to the Arab States and the Israeli Government submitted by Mr. de Boisanger. All these various drafts had something in their favour, and possibly some disadvantages too; he invited the members of the Commission to give their views.

Mr. de BOISANGER (France) thought the Commission should first of all decide whether it was going to send a common note to the two parties or a note addressed more particularly to the Arab States. He still felt that it would be preferable to send both parties a common note stating clearly the

Commission's attitude. The note should be so drafted as to dispel the objections of the Arab States and at the same time to clarify the Commission's attitude for the benefit of the Israeli Government. The latter had given an acceptance which it stated to be unconditional, yet it had nevertheless specified that it was only prepared to negotiate with States which signified their readiness to conclude a settlement of all outstanding questions with a view to establishing a lasting peace.

What he himself had wished to bring out in his draft reply was the principles which would guide the Commission in conducting the negotiations. The note would have the virtue of obviating any discussion as to the manner in which the Commission intended to proceed.

He stressed the necessity for leaving no room for misunderstanding regarding the Commission's proposals of 29 March 1950. It was important to persuade the parties to make their comments before the opening of negotiations rather than to get from them an acceptance based on a misunderstanding and thus to open negotiations which would very rapidly reach an impasse, or even fail completely. That undesirable eventuality must be avoided, and it would be well to emphasize clearly that in making its proposals for negotiations, the Commission was merely implementing the General Assembly resolution of 11 December 1948. The explanations given in the note as to the procedure suggested by the Commission as calculated to make the negotiation a success gave the Arab States the chance to accept the proposals of 29 March 1950, and hence to negotiate, if that was really their desire.

Mr. ERALP (Turkey) entirely agreed with Mr. de Boisanger as to the necessity for stating the Commission's attitude clearly, before the opening of negotiations. But he was afraid that a common reply to both parties, giving the Israeli Government explanations it had not asked for, might lead it in turn to clarify certain points, e.g. concerning those principles in the General Assembly resolution which it had only partly accepted. The Commission had received from Israel an unconditional reply. That was something definite; and the Commission should confine itself to replying to the

request from the Arab States for explanations.

The CHAIRMAN thought the Commission should seek a formula by which it could fully satisfy the Arab States without stirring up a discussion with Israel.

Mr. de BOISANGER (France) did not think that the note, as he proposed it should be drafted, called for any reply from the Israeli Government. It simply defined the attitude of the Commission, which was in an impregnable position, since it was backed by the General Assembly resolution of 11 December 1948. He thought it hardly likely that the possibility referred to by Mr. Eralp would arise, namely that the Israeli Government would bring up questions of principle regarding the General Assembly resolution and specify which it accepted and which it did not accept. Actually the principles to which it took exception were concerned with partition, a subject not raised in the resolution of 11 December 1948 on which the Commission was basing its action.

The CHAIRMAN thought that Mr. Eralp's fears might be allayed if the words "qui, par là, échappent à toute discussion" were deleted from Mr. de Boisanger's draft note.

Mr. ERALP (Turkey) thought that this might indeed obviate any discussion with the Israeli Government. But it was surely useless and unwise to give a Government explanations on a matter it had fully understood. He felt that the best procedure would be to give the Arab States explanations on the points which, in their view, called for explanation, and merely to acknowledge receipt of the note from the Israeli Government - which would of course be informed that the Commission was furnishing the other party with the additional explanations asked for, and which would receive a copy of the explanatory note sent to the Arab States.

Mr. de BOISANGER (France) pointed out that the Israeli Government had signified its acceptance of the proposals of 29 March 1950 in terms which did not rule out all possibility of difficulties when the time came for negotiation.

The CHAIRMAN thought that both parties had replied in such a way that they could maintain during the negotiations that they had not interpreted the Commission's proposals in the same way as the Commission. Hence he felt that the Commission would be in a far stronger position if it gave the parties an opportunity to make any objections before the opening of negotiations rather than after they had begun. Misinterpretation of the Commission's proposals would then no longer be an argument for the parties to fall back on in order to avoid difficulties arising during the negotiations.

Mr. BARCO (United States of America) wondered whether the best solution would not be - as the Chairman had suggested at the previous meeting - to send the parties a common note with a first paragraph drafted to apply to the one or the other party.

The PRINCIPAL SECRETARY was inclined to think that this might be the best solution. The Commission might send a common note to the two parties with a covering letter drafted in the light of the different circumstances.

After some exchange of views, it was decided to adopt this suggestion.

The CHAIRMAN asked for the opinion of the Commission as to the date on which the note should be sent. He personally felt that the time was ripe. But it might be useful to know what reactions might follow the recent statements by Israel.

After some discussion, it was decided that the Secretariat should prepare the common note and the two covering letters to the parties, and submit them at the next meeting for approval by the Commission, which would decide when the note should be despatched.

2. Letter from Mr. Kahany

The CHAIRMAN said that the Commission had before it a letter from Mr. Kahany, representative of Israel at the European Office of the United Nations, pointing out that the summary of the reply from the Israeli Foreign Minister dated 6 May 1950 to the Commission's Memorandum of 29 March 1950, and given in the sixth report of the Commission to the Secretary-General (Document

A/AC.25/PR.6) appeared to him incomplete; Mr. Kahany asked for the full text of a passage from the letter to be published in the report.

After an exchange of views and reference to the text in question, the Commission expressed the opinion that the summary given in the Commission's report to the Secretary-General (Document A/AC.25/PR.6) faithfully reflected the sense of the reply from the Israeli Government.

It was therefore decided that the Secretariat should write to Mr. Kahany to the effect that it was not customary in the Commission's reports to quote the full text of correspondence exchanged with the various Governments, but that when the final report was published, all the correspondence exchanged between the Commission and the various Governments could be included in the form of an annex.

The meeting rose at 11.50 a.m.