

RESTRICTED

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ORIGINAL: ENGLISH

SUMMARY RECORD OF THE ONE HUNDRED AND SIXTY-FOURTH MEETING

Held at the Palais des Nations, Geneva
on Thursday, 8 June 1950 at 11 a.m.

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

* Alternate

1. Letter to the Foreign Minister of Israel concerning compensation for losses suffered by Palestine refugees and release to the Press of the Commission's Note of 30 May 1950 to Israel and the Arab States

The Commission examined a draft letter prepared by the Secretariat, in accordance with the request made of it at the preceding meeting, and revised by Mr. PALMER (United States of America) informing the Foreign Minister of Israel that the Commission believed that the time had come to examine the question of compensation more closely, with a view to determining ways and means for settling it as soon as possible, and that it would be pleased to take up the question with a representative of the Israeli Government, and requesting the Israeli Government's views as to the best method of dealing with the question.

There was some discussion as to whether the Commission should intimate in the letter that it would be pleased to take up the question with a representative of the Government of Israel.

Mr. BARCO (United States of America) said that no opportunity for trying to induce the Israeli Government to send a representative to discuss matters with the Commission should be disregarded, since the Commission had frequently been hampered by the absence of such a representative.

Mr. PALMER (United States of America) said that if the Israeli Government sent a delegation to the planned Mixed Committees as it had declared itself ready to do, members of that delegation would presumably be competent to discuss the question of compensation. On the other hand, the Israeli Government might find it easier to send an expert to discuss that question with the Commission than to send a representative fully qualified to discuss all the questions of interest to the Commission.

The CHAIRMAN thought that the Commission should mention in the letter that it would at any time be prepared to take up the question with a representative of the Government of Israel.

With a single amendment to that effect the Commission unanimously adopted the revised draft.

Mr. BARCO (United States of America) suggested that the Commission authorize the publication of the note it had addressed to Israel on 30 May 1950 in order to enable the Government of Israel publicly to express agreement with that note and thereby make an announcement which might help to persuade the Arab Governments to send delegations to the planned Mixed Committees.

It was agreed that the United Nations Information Centre might forthwith make available to the Press the text of that note.

At the suggestion of the CHAIRMAN, it was agreed that he should consult Dr. Kahany (Israel) as to the question of what action by the Commission would best suit the Government of Israel if it wished to take the initiative in the matter under discussion, and inform him of the reason for the decision concerning the release of the Note in order that the Government of Israel might be able to make use of the Commission's action in the way the Commission hoped, as soon as possible.

2. Rules of Procedure of the Mixed Committees

The CHAIRMAN invited comments on the draft rules of procedure for the Mixed Committees prepared by the Secretariat (W/49).

After Mr. PALMER (United States of America) had pointed out that rule 2 was ambiguously worded, the Commission agreed, on the CHAIRMAN's suggestion, to refer the draft rules to the General Committee for comment.

3. Interpretation of sections 4, 5 and 6 of General Assembly Resolution 194 (III)

The CHAIRMAN drew attention to the Secretariat's analysis (W/48) of sections 4, 5 and 6 of General Assembly resolution 194 (III).

Mr. BARCO (United States of America) said that he disagreed with the Secretariat's interpretation, which he felt had been made to suit the policy followed by the Commission; for he believed that the General Assembly had meant to instruct the Commission to bring about if possible direct negotiations between the opposing Governments, with or without the Commission itself also being present at the negotiations. The Commission, in his opinion, should take a sound legal position on the Resolution and state that it had done all it could to comply with it, but it had not so far been able to bring about direct negotiations on matters of primary importance between the opposing Governments.

The PRINCIPAL SECRETARY explained that the paper had been prepared in the most genuine spirit and without having had in mind in advance the purpose of proving any particular thesis. While being quite open to any argument he personally considered that the interpretation given in the paper was right and reasonable.

At the suggestion of Mr. PALMER (United States of America) it was agreed to refer the analysis to the General Committee for comment.

The meeting rose at 12 noon