

UNITED NATIONS CONCILIATION COMMISSION FOR PALESTINE

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A/AC.25/SR.197

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ORIGINAL: ENGLISH

UNITED NATIONS CONCILIATION COMMISSION FOR PALESTINE  
SUMMARY RECORD OF THE ONE-HUNDRED AND EIGHTY-FOURTH MEETING

Held in New York on 9 October 1950 at 4 p.m.

Present:

Mr. Tevfik Rustu Aras	(Turkey)	- Chairman
Mr. Claude de Boisanger	(France)	
*Mr. James Barco	(United States)	
Mr. Pablo de Azcarate		- Principal Secretary

\*Alternate

Establishment of subsidiary body on compensation

The PRINCIPAL SECRETARY stated that he had, on behalf of the Commission, requested the Secretary-General to appoint the three experts who would form the subsidiary body on compensation, and to make the necessary administrative and financial arrangements to enable this body to start functioning at the earliest possible date.

He suggested that if the draft terms of reference now before the Commission were approved they should be forwarded immediately to the Secretary-General.

The following terms of reference for the committee of experts on the question of compensation were approved by the Commission:

"To undertake the study of the question of compensation in all its aspects in order to submit to the Commission proposals regarding the implementation of the relevant terms of paragraph 11 of the General Assembly's resolution of 11 December 1948."

At the suggestion of Mr. de BOISANGER (France) it was decided that the Chairman should address a letter to the Secretary-General, enclosing the terms of reference and drawing attention to the need for urgency in this matter.

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The PRINCIPAL SECRETARY informed the Commission that he had circulated to the members some reports received from Mr. Servoise, the Commission's economic adviser, who had remained in Jerusalem to follow up the question of blocked accounts and was also trying to obtain, unofficially and on a technical level, all the information he could regarding compensation, with particular reference to the present whereabouts of the land and property records for Palestine.

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In reply to a question from Mr. BARCO (United States) the CHAIRMAN explained that although the Israel Foreign Minister had been officially informed by the then Chairman, Mr. Palmer, on 17 August 1950 of the Commission's intention to set up a special body on compensation, no communication on this subject had yet been made to the other governments concerned. The Commission's intention to establish such a body had, however, been clearly stated in the General Progress Report.

It was decided that, as soon as the committee of experts had been set up, the Commission would address official communications to the Government of Israel and to the Arab Governments concerned, requesting their co-operation and assistance in the work of this body.

Commission's Supplementary Report to the Secretary-General

The CHAIRMAN requested the representative of France to give his views on the basic outline of the Supplementary Report.

Mr. de BOISANGER (France) felt that, although the Supplementary Report might form the basis of a resolution of the Assembly, the Commission should not make its recommendations too precise or definite; it could indicate the lines along which the Assembly might take action, while leaving to the Members of the Assembly the possibility of making their own suggestions.

The Supplementary Report should, he thought, begin with an account of the situation in Palestine. The Commission might point out that the present state of affairs was not very satisfactory, that it had not improved in recent months and that it would not appear desirable for it to be prolonged indefinitely.

The Commission's first recommendation might therefore be that the Assembly invite the parties to undertake direct negotiations, under the auspices of the

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United Nations, with a view to reaching a settlement of the questions outstanding between them.

With regard to the question of refugees, Mr. de Boisanger felt that the Commission should not recommend any modification of the Assembly's resolution of 11 December 1948. The nominal right of the refugees to return to their homes should be preserved. However, the Commission could point out that, as many refugees would in any event elect to remain in the countries where they were now living, it would be helpful if the Arab States were to study the possibility of resettling non-returning refugees in their territories. Such resettlement would be assisted if the Assembly requested the Commission to make efforts to hasten the payment of compensation for abandoned refugee property. After the Commission had had the opportunity of reading the report of the Director of the UNRWA, it may wish to add to its remarks concerning refugees a paragraph supporting the recommendations of that Agency.

The above were the broad lines along which the representative of France considered that the Commission might draft its Supplementary Report.

Mr. de Boisanger felt that the Commission should not experience any difficulty in obtaining in advance a good measure of agreement from the Arab delegations and from the delegation of Israel for the suggestions it was to make in its Supplementary Report. Such agreement would be very helpful when the question was debated in the Assembly.

Mr. BARCO (United States) was in agreement with the outline suggested by Mr. de Boisanger. His view, and that of his delegation, was that an effort should be made to avoid precipitating in the Assembly a debate which would result in nothing but rancour and would not advance the solution of the problem. In the opinion of his Government, the Conciliation Commission was the best instrument through which a settlement could be brought about in the Middle East. It was to be hoped that if the Assembly supported strongly the Commission's recommendation in favour of direct negotiations, the Arab Governments would feel able to undertake such negotiations.

He agreed with Mr. de Boisanger that the Commission should not recommend changing the resolution of 11 December 1948 but felt rather that this resolution should be strengthened.

/Mr. de BOISANGER

Mr. de BOISANGER (France) said it was hoped in some quarters that all four aspects of the Palestine question would be debated at the same time in the General Assembly. He personally thought that the Commission's Supplementary Report should be such as to permit the passage by the Assembly of a single resolution dealing with three of the items on the agenda: the Arab request for the repatriation of Arab refugees and the payment of compensation due to them; the Report of the Director of the UNRWA; and the Report of the Conciliation Commission. Any difficulties which might arise in obtaining the compliance of the Arab and Israeli Governments to separate resolutions would probably be avoided by the passage of one resolution covering all three items.

Another small point which he wished to suggest was that some mention should be made in the report of the need for granting to refugees who remained in the Arab countries full rights of citizenship in those countries.

Mr. BARCO (United States) was in general agreement with the remarks which had been made, with one reservation. He felt that as a tactical measure to facilitate a prompt decision in the Committee, the report should be kept as simple as possible and should not go into detail concerning repatriation, resettlement, rights of citizenship etc. The Commission should concentrate on stressing to the General Assembly the need for direct negotiations.

The CHAIRMAN stated that the General Committee could now start drafting the Supplementary Report on the lines indicated.

He added that the Commission was agreed on the desirability of making contact with the various delegations with a view to ensuring as much advance agreement as possible to the Commission's suggestions.

The PRINCIPAL SECRETARY informed the Commission that the Secretariat had prepared a working paper (W/51) which would be distributed to the members almost immediately. It was hoped that this document would prove helpful to the Commission in its work on the Supplementary Report.

#### Commission's visit to Washington

The CHAIRMAN suggested setting a tentative date for the Commission's visit to Washington. As Mr. Palmer was not expected to return until 20 October, it was decided to fix the visit provisionally for 25 October.

/Mr. BARCO

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Mr. BARCO (United States) stated that he would inform the State Department accordingly and make the necessary arrangements.

The meeting rose at 5.15 p.m.

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