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SUMMARY RECORD OF THE ONE HUNDRED AND NINETY-SEVENTH MEETING

held in New York on Saturday, 2 December 1950, at 10.30 a.m.

Present: Mr. ARAS (Turkey) - Chairman  
Mr. de BOISANGER (France)  
Mr. PALMER (United States)  
Mr. de AZCARATE - Principal Secretary

Possible declaration in the Ad hoc Political Committee by the delegations concerned.

The CHAIRMAN expressed the opinion that it would be helpful if the delegations of the Arab States and of Israel were to make a statement to the Ad hoc Committee, on behalf of their Governments, to the effect that they were prepared to co-operate with the Conciliation Commission with a view to the implementation of the provisions of General Assembly resolution 194 (III) of 11 December 1948, and to the opening of negotiations.

It was agreed that the Chairman might approach the Chairman of the Ad hoc Political Committee with this suggestion.

Action required of the Commission under the four-power draft resolution (A/AC.38/L.57)

Mr. PALMER (United States) said that if the draft resolution before the Ad hoc Political Committee (A/AC.38/L.57) were adopted, the Commission would be called upon to set up an Office to perform the functions laid down in that resolution. It was important that, in establishing the proposed Office, the Commission should pay great attention to the appointment of the Director, who should be a distinguished man with experience in carrying out delicate negotiations and working out compromises. Such a man would, if necessary, be able to negotiate with authority with the governments

concerned by reason of his background and prestige. A successful business man, diplomat or government official conforming to these requirements might prove a good choice.

The members of the Commission agreed that the Director should possess the qualities and experience outlined by Mr. Palmer. It was considered inadvisable that the choice should fall on anyone who had political or administrative connections in the Middle East.

It was decided that after the adoption of the resolution by the General Assembly, the Commission would take steps to find a suitable Director for the proposed Office.

Mr. PALMER (United States) pointed out that the terms of reference of the Committee of Experts on Compensation which was being set up by the Commission required it to make a study of all aspects of the question of compensation and report on possible measures to be taken. According to the resolution now before the Ad hoc Committee (A/AC.38/L.57), the proposed Office to be set up under the direction of the Conciliation Commission would be responsible for making arrangements for the assessment and payment of compensation. Under the resolution, therefore, the facts established by the Committee on Compensation and the recommendations of that Committee would in all probability be acted upon by the Office.

It was agreed that the two members already chosen by the Commission for the Committee of Experts on Compensation - the legal expert and the area specialist - should start work as soon as possible, and that efforts should continue to find an economist as the third member.

After some discussion of the relations between the Commission, the Office and the Committee on Compensation, and at the suggestion of the Chairman, it was agreed that at its first meeting after the adoption of the resolution by the General Assembly, the Commission would take a formal decision to place the members of the Committee on Compensation at the disposal of the Director of the Office.

The PRINCIPAL SECRETARY said that in order to make the administrative arrangements for setting up the proposed Office it would be necessary to know the Commission's views as to the relations of the Director of the Office with the Commission, the organization of the Office etc.

After considerable discussion, it was agreed that the Director of the Office should work as independently as possible to carry out the tasks entrusted to him by the draft resolution; however, as the Office was "under the direction of the Conciliation Commission", the Commission should be kept fully informed of the progress of the work of the Office and of any steps proposed. The details of the relationship between the Office and the Commission could, it was felt, be established after the appointment of the Director. It was felt desirable that the personnel of the Office should be appointed through the Principal Secretary of the Commission and that for administrative purposes the Office should be considered as part of the Secretariat of the Commission.

For the present it was envisaged that the Office would consist of a Director, an Assistant to the Director and the three members of the Committee of Experts on Compensation - including the economist yet to be appointed - who would be placed at the disposal of the Director.

The Principal Secretary was requested to make whatever arrangements were most convenient with the Secretary-General of the United Nations for the setting up of the Office in accordance with the wishes of the Commission.

It was decided that at the Commission's first meeting after the adoption of a resolution by the General Assembly, the agenda would include a formal decision to establish the Office.

#### Relations between the Commission and UNRWA

Mr. de BOISANGER (France) stated that it seemed that there was some doubt on the part of the members of the Advisory Commission of UNRWA as to whether the functions assigned to the Commission's new Office by the draft

resolution before the Ad hoc Committee (A/AC.38/L.57) would overlap with those of UNRWA.

Mr. PALMER (United States) pointed out that UNRWA had no mandate to deal with the question of compensation, so that there should be no confusion on that point. He hoped that UNRWA would work in collaboration with the Commission and its Office in connection with its approaches to the Governments concerned regarding sums to be made available for reintegration of refugees. If funds which might, for example, be obtained by UNRWA from the Government of Israel were to be related to compensation, he felt that the transaction should wait until a basis had been established, by the Commission or its subsidiary bodies, for the payment of compensation.

Mr. de BOISANGER (France) suggested that the division of responsibility for certain matters, such as the economic and social rehabilitation of the refugees etc., which had not been very specifically assigned by resolutions of the Assembly, could be discussed between the Advisory Commission of UNRWA and the Conciliation Commission at the joint meetings in the Middle East in January 1951. He was convinced that any points which were not at present clear could easily be agreed upon after discussion.

This was agreed.

Formation of Committee of Experts on Compensation: report by the Principal Secretary

The PRINCIPAL SECRETARY informed the Commission of the situation regarding the appointment of members of the Committee on Compensation. He recalled that the legal expert, Mr. Erim, had already been appointed. Negotiations were still proceeding between the Bureau of Personnel, the United Kingdom Government and Mr. Sheringham (the candidate chosen by the Commission for the post of area specialist) regarding the terms of the latter's appointment, and it was hoped that these would soon be satisfactorily concluded.

Mr. Servoise, the Commission's economic adviser, had not felt able to accept the post of economist on the Committee of Experts. The Principal Secretary handed to the members of the Commission copies of correspondence exchanged with Mr. Servoise on this subject, giving his reasons for refusing.

The Commission expressed regret that Mr. Servoise had not accepted the post, and the Chairman hoped that, in the light of the new situation created by the draft four-power resolution, he might now accept.

The meeting rose at 12.30 p.m.