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SUMMARY RECORD OF A

MEETING OF THE COMMISSION WITH THE RELIEF AND WORKS AGENCY

held in Beirut on Friday, 26 January 1951, at 3.30 p.m.

Present:

Conciliation Commission for Palestine:

Mr. Claude de Boisanger (France), Chairman.  
Mr. T. Rüstü Aras (Turkey)  
Mr. Ely E. Palmer (United States)  
Mr. Pablo de Azcarate, Principal Secretary.

United Nations Relief and Works Agency for Palestine  
Refugees in the Near East:

General Refet Bêlé (Turkey), Chairman of the Advisory Commission.  
Mr. Howard Kennedy Director  
  
H.E. Mr. J. Tarbe de St. Hardouin (France), Member of the Advisory Commission.  
Sir Henry Knight (United Kingdom), Member of the Advisory Commission.  
Mr. John B. Blandford, Jr. (United States), Member of the Advisory Commission.

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General BELE (Turkey, Chairman of the Advisory Commission of the Relief and Works Agency) extended a cordial welcome to the members of the Conciliation Commission. Passing immediately to the matter in which the two bodies were interested, he observed that they were confronted with a new decision of the General Assembly which might perhaps give rise to different interpretations but which, in any event, brought out one important point: that the Conciliation Commission and the Relief and Works Agency were both organs of the United Nations working on the same task, which could not be successfully accomplished without close and friendly collaboration between them. The two bodies were working towards the same end, but in two different spheres: the

Conciliation Commission in the political and diplomatic sphere, where its efforts would prepare the ground for the task of the Relief and Works Agency, whose mission was in the economic and humane sphere. He pointed out that the Relief and Works Agency should avoid entering the political field, leaving that province entirely to the Conciliation Commission. It seemed to him that for the work of the two institutions to be effective it was necessary, not to enter into a discussion of the letter of the Assembly resolutions, but rather to base their efforts from the start on the realities of the situation, thus making it easier to achieve positive results. He invited the Chairman of the Conciliation Commission to explain the Commission's views.

Mr. de BOISANGER (France, Chairman of the Conciliation Commission) thanked the Chairman of the Advisory Commission on his own behalf and on behalf of his colleagues, for his kind expression of welcome. He wished to say that the Conciliation Commission had always considered it of the greatest importance to arrange for very close collaboration as regards the refugee question between the two bodies, which were working towards the same objective in connection with that problem. He was convinced that complete agreement would be reached regarding the way in which that collaboration should function in practice. It was obvious that the collaboration between the two bodies should be even closer than it had been in the past, in view of the adoption by the Assembly of the resolution of which the terms were known to them all. Referring to the way in which the Conciliation Commission understood the respective tasks of the two bodies, he agreed with General Bélé that the Conciliation Commission had a political and diplomatic rôle to fulfill, while the task of the Relief and Works Agency was to be carried out in the technical field. That was indisputable, although it was sometimes difficult to make a clear distinction between that which belonged to the political and diplomatic field and that which did not. He also wished to emphasize that the principal task of the Conciliation Commission was to find a means of working out an agreement between the Arab States

and Israel and that the refugee question was of great importance, as it had been one of the main obstacles to all the attempts which had been made during the past two years to bring about a rapprochement between the parties.

In its report to the Assembly, the Commission had indicated that it was indispensable that, in negotiations with the states party to the dispute, priority should be given to the refugee question. The absence of a solution to the problem of the refugees was paralyzing efforts to solve all the other outstanding questions. The Chairman stressed that the Commission attached great importance to anything that could be done, by the Relief and Works Agency or by the Commission itself, either to repatriate the Arab refugees to Israel or to resettle them, and to pay them compensation as provided for under the terms of the resolution of the General Assembly.

Mr. PALMER (United States, Conciliation Commission) pointed out that since the last meeting between the Commission and the Relief and Works Agency a new element had been introduced: the creation of the new Office, whose activities might appear at first sight to overlap to a certain extent with those of the Advisory Commission of the Relief and Works Agency. That was, however, not the case. In effect, by the terms of the General Assembly resolution of 14 December 1950, the Office, assisted by a Committee of Experts on Compensation, would undertake the task of settling the question of compensation. To that end it would proceed to make an evaluation of the property of Arab refugees in order to fix a total sum, representing the amount of compensation which should be paid; it would then examine possible methods of payment.

Mr. Palmer stressed that repatriation and compensation were, in fact, two aspects of the same question; the latter provided an alternative solution of the problem in cases where repatriation could not be carried out. The Conciliation Commission would in the first instance concentrate on the question of repatriation, through its new Office, which would have as Director an outstanding personality. It was obvious that at present the basic elements of the problem still required clarification. At one time it had been

thought that Israel would accept a large number of refugees for repatriation, but it was soon learned that the Government was not disposed to accept more than 100,000; it now appeared that an even smaller number was contemplated by the Government of Israel.

It would seem, therefore, that the time had come to ascertain the final position which the Government of Israel intended to take on the question of repatriation, the number of refugees whose return it would accept and the conditions of their return. The question of compensation should also be considered at the same time as that of repatriation, the two questions being closely linked, since according to the terms of the resolution of 11 December 1948 refugees choosing not to return to their homes were entitled to compensation. The new Office which was to work under the direction of the Commission would try to obtain from the Government of Israel a clear indication of the measure of repatriation which seemed to it to be possible, and what effort it was prepared to make in the field of compensation. A Committee of Experts on Compensation, which the Commission was in the process of forming, would be placed at the disposal of the new Office, whose Director would be able to discuss those matters with the competent administrative authorities in Israel but would have no authority to negotiate agreements of a political character. He would inform the Conciliation Commission of his conclusions, and the Commission would decide whether it was called upon to negotiate on any point with one or other of the governments concerned.

Mr. Palmer further stated that the Conciliation Commission, bearing in mind the general task which had been entrusted to it by the General Assembly, did not feel that it could cease to concern itself with the question of the resettlement of refugees. It was obvious that for the present, owing to the way in which the Relief and Works Agency was approaching the question, it remained outside the political sphere. However, it was possible that later, in the event of the Government of

Israel accepting only a small number of refugees for repatriation, the question of resettlement would arise on the political plane, and the Conciliation Commission might thus have to take it up on a high political level. In such a case the Relief and Works Agency could rest assured that the Commission would not act without consulting it; just as it was hoped that if one of the problems on which the Relief and Works Agency was working should take a political turn, the Agency would consider calling on the good offices of the Commission. At the moment the two bodies could consider together what measures should be taken to strengthen the collaboration between them.

Mr. Palmer concluded by saying that he had intended above all to stress that the Office which the Conciliation Commission was to set up in accordance with the General Assembly resolution of 14 December 1950 was merely a new instrument of the Commission which would help it to solve, on the political level, the various problems which had been referred to it, and which, in doing so, would indirectly help the Relief and Works Agency to make progress in its work of resettlement.

Mr. ARAS (Turkey, Conciliation Commission) pointed out that if the Director and Advisory Commission of the Relief and Works Agency felt that the resettlement of refugees in the Arab countries could be discussed with the governments of those countries aside from political considerations, and that, therefore, the whole question of resettlement should be regarded as part of the task given by the General Assembly to the Relief and Works Agency, and if, moreover, the Director and Advisory Commission considered that they were in a position to reach agreements with the Arab Governments making it possible to begin the work of resettlement immediately, then the Conciliation Commission, animated by practical considerations, would understand the position and would agree to concentrate its own efforts on the question of repatriation of refugees in Israel and that of the evaluation and payment of compensation to the refugees who chose to be permanently

resettled in an Arab country. He remarked that such an arrangement would have to be considered as being purely of a practical nature, as it was, of course, understood that the Conciliation Commission, by reason of the instructions it had received from the General Assembly, could not cease to concern itself with the question of resettlement and relied on the Relief and Works Agency to keep it informed of the progress made in that field.

Mr. de BOISANGER (France, Chairman of the Conciliation Commission) remarked that, having explained their point of view, the members of the Conciliation Commission would be glad to hear that of the members of the Relief and Works Agency. He added that the Commission would welcome any suggestions which might be made as to how the collaboration between the two bodies might be organized.

General BELE (Turkey, Chairman of the Advisory Commission of the Relief and Works Agency), referring to the task which the Conciliation Commission was to undertake, through its new Office, in the field of repatriation and compensation, said that that task would be a long-term one. Once the number of refugees who would not be repatriated had been ascertained, it would be necessary to negotiate with a view to their resettlement in the Arab countries. It would, in addition, be necessary to estimate the amounts to be paid as compensation to the refugees who chose not to return to their homes. General Bélé, having had extensive personal experience of such questions, felt he was in a position to say that the task would be long and difficult. Naturally, the Advisory Commission was very anxious to be kept informed of the progress made in this work, but for its part it had to continue its task and try to resettle at least a certain number of refugees.

Mr. de ST. HARDOUIN (France, Advisory Commission of the Relief and Works Agency) agreed with General Bélé that the two bodies were aiming at the same goal. It was, however, also true that for the success of their respective tasks it was desirable to avoid any interference or confusion in their activities, and for that reason a definition of the tasks was in-

Up to the present the distinction between the tasks had been clear.

In effect, as regards the refugees, the task of the Conciliation Commission was of a political nature, while the Relief and Works Agency had, as it were, an executive task. It was quite obvious that the creation of a third body which was to deal with the refugee question could not have failed to cause some concern, which had now been dispelled by Mr. Palmer's remarks, to the members of the Relief and Works Agency, who feared an overlapping of functions. Mr. de St. Hardouin had listened with pleasure to Mr. Palmer's statement that the new Office would merely be a further tool of the Conciliation Commission, that it would not be independent of the Commission and would not have the power to negotiate agreements with the governments concerned with the refugee problem; that was quite in accordance with the terms of the General Assembly resolution of 14 December 1950, which stated expressly that the new organ would operate "under the direction of the Commission".

There would appear, however, to be some contradiction between that statement and Mr. Palmer's remark that the Director of the new Office would have to be an outstanding personality. While the Director of the Office should admittedly be extremely competent from the technical point of view, it did not, however, seem necessary to have an outstanding personality for a position in which he would not have the authority to negotiate on the political level with the governments concerned. Mr. de St. Hardouin concluded by stating that the Relief and Works Agency would continue, as in the past, to deal only with the Conciliation Commission in all matters relating to refugees.

Mr. PALMER (United States, Conciliation Commission) explained that in his previous statement he had had no intention of saying that the new Office would be merely a tool of the Conciliation Commission, but rather that the new body was an Office of the Conciliation Commission and would not work independently of the Commission but under its auspices, in the same way as the Committee of Experts on Compensation was a committee of

the Commission working under its guidance. However, as a consequence of the very nature of its functions, the Office would work on a higher level than the Committee of Experts and it was therefore natural that the Director of the Office should be not only a technical expert in repatriation and compensation questions, but also a man who, by reason of his qualifications and experience, would have all the necessary authority to carry on discussions with the Government of Israel.

The Relief and Works Agency could naturally, if it so desired, continue to deal only with the Conciliation Commission. However, if its members should wish to take advantage of the presence in the Middle East of the Director of the Office in order to exchange views with a technician who was extremely well informed regarding the questions which formed the very basis of the refugee problem, they would, of course, be quite at liberty to do so.

Sir Henry KNIGHT (United Kingdom, Advisory Commission of the Relief and Works Agency) was in complete agreement with the views expressed by his colleagues and by the members of the Conciliation Commission. It was quite plain that the primary concern of the two bodies was to solve the problem of the refugees and to improve their lot. He hoped, with the previous speakers, that no misunderstanding would arise between the two bodies. He had been pleased to hear Mr. Palmer say that the questions of repatriation and compensation, which belonged to the political field, would be dealt with by the Conciliation Commission, while the question of resettlement, which was of a technical nature, would fall to the Relief and Works Agency. However, it was with some anxiety that he had heard Mr. Palmer say that the Conciliation Commission did not intend to drop altogether its interest in resettlement and that it was possible that this question might take a political turn, in which case the Conciliation Commission might perhaps have to enter into political negotiations with the Arab States.

That idea might cause a difficult situation to arise between the two bodies, and certain people might be tempted to exploit such a situation in order to



delay a settlement of the problem. By clearly defining the respective rôles of the two bodies it was undoubtedly possible to guard against such an eventuality.

Mr. KENNEDY (Director of the Relief and Works Agency) explained that his functions called upon him to deal more specifically with the executive aspect of the problem, and that he would describe his point of view in the light of the talks which he had had in New York with the representatives of the Arab States.

In the first place, it would appear that the new resolution of the General Assembly made it necessary to define clearly the respective tasks. The Conciliation Commission should deal with repatriation and compensation, while the Relief and Works Agency would deal with resettlement. That distinction, which was even made by the Assembly resolution, could serve as the basis for defining the respective fields of activity of the two bodies. The Conciliation Commission would deal with the resettlement of refugees in Israel, while the Relief and Works Agency would take care of resettling refugees in the Arab countries.

He also wished to inform them that the activities of the Relief and Works Agency would have to be modified owing to the change which had taken place in the supply situation. On account of the drought in the Middle East, the Relief and Works Agency had been obliged to contemplate importing wheat from the United States, thereby affecting the financial position of the Agency. It was therefore necessary to wait until the situation had improved before putting into operation certain of their programmes. He concluded by stating that he saw no reason why any difficulties whatsoever should arise between the Conciliation Commission and the Relief and Works Agency.

Mr. de BOISANGER (France, Chairman of the Conciliation Commission) wondered, after having listened to the remarks of Sir Henry Knight, whether the members of the Conciliation Commission had made themselves clear. In fact, they felt that it was difficult, if not impossible, to draw too fine

a distinction between repatriation and resettlement. In his statement, Mr. Palmer had said that the Commission intended to raise the question of compensation with the Government of Israel and to discuss with that Government the possibility of a certain number of Arab refugees being repatriated to Israel.

It was obvious that the members of the Commission did not desire that, by reason of their activities, the Relief and Works Agency should be hindered in carrying out its work, and hoped that it would continue with its task. The Commission therefore understood that the Relief and Works Agency wished to carry out an experiment in resettlement which would have the effect of showing whether, working on the technical level, it would be possible to succeed in resettling a certain number of refugees, which would be a cause of satisfaction.

Possibly the Conciliation Commission might first of all take up the questions of repatriation and compensation, while the Relief and Works Agency would continue its efforts to resettle a certain number of refugees. In that way the two bodies would not be acting counter to the resolutions of the General Assembly for, whatever might be the letter of those resolutions, it was obvious that in spirit they aimed above all at the solution of the problem. If the suggested course were followed, any results achieved by one of the two bodies would assist the other in its task. It would appear that the two bodies might well arrange their activities in that way. Experience would show whether the procedure should be continued or whether it was desirable to change it.

Mr. de Boisanger, referring to Mr. de St. Hardouin's remark about the future Director of the Commission's new Office, pointed out that it would undoubtedly be to the advantage of all concerned if the Commission were able to obtain the collaboration of an outstanding man.

Mr. de ST. HARDOUIN (France, Advisory Commission of the Relief and Works Agency) observed that it was possible for a man to be outstanding without being an official of high standing. An eminent technician would

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be preferable to a personality who would be tempted to function between the two Commissions.

Mr. ARAS (Turkey, Conciliation Commission) agreed with Mr. de Boisanger's remark that it was indeed very difficult to draw too fine a distinction between repatriation and resettlement, and thought that the suggestion just made by Mr. de Boisanger might be tried out. If it proved satisfactory, there was nothing to prevent them from continuing in the same way. On the other hand, if the two bodies felt it necessary to change the system, a different one could be evolved. Mr. Aras felt that there was no difficulty which could not be overcome by good will.

General BELE (Turkey, Chairman of the Advisory Commission of the Relief and Works Agency) thought that if he had understood it correctly, Mr. Aras' last statement linked up with that which he himself had made at the beginning of the meeting.

Summarizing the main points of that statement, he indicated that the Conciliation Commission would deal with the repatriation and compensation problems, while the Relief and Works Agency, for its part, would try to reach agreement with the Arab States to resettle a certain number of refugees in their respective territories. The Conciliation Commission would then step in to settle the question of the amounts to be paid to these refugees as compensation. The Relief and Works Agency could then carry out the decisions taken regarding refugees resettled in Israel. He was unable to see any way in which this method of work could cause difficulties to arise between the two bodies. Generally speaking, it was in the abstract field that difficulties arose, and in the present case it appeared that each question would, as it arose, be the subject of a separate decision.

Mr. de BOISANGER (France, Chairman of the Conciliation Commission) said that the members of the Conciliation Commission were in complete agreement with General BÉLÉ's statement.

In the absence of any objection, it was decided that the two bodies would follow the course of action on which they had just agreed in carrying out their respective tasks, and that each would keep the other informed of

the development of its work.

Mr. de BOISANGER (France, Chairman of the Conciliation Commission) wished to raise a further question - that of the offer made by the Government of Israel to the Negotiating Committee on Contributions to Programmes of Relief and Rehabilitation. He stated that the Commission had received a copy of the summary record of the meeting in which the representative of Israel had made his offer, and had been asked for its comments. After studying the question, the Conciliation Commission had prepared a reply - which was then read - in which it stated strongly its opinion that the Government of Israel should study the possibility of making an offer without conditions as to compensation.

General BELE (Turkey, Chairman of the Advisory Commission of the Relief and Works Agency) considered that the Commission's reply was in every respect excellent. He stated that the Relief and Works Agency had also been notified by the Chairman of the Negotiating Committee of the conditional offer made by Israel, by which that country would be relieved of its obligations as to compensation by the payment of a lump sum, but that as the question was of a political nature it was beyond the competence of the Relief and Works Agency. The Agency had replied to that effect and had expressed the hope that Israel would continue, as it had done in the past, to assist the refugees and to contribute to the Relief and Works Agency's programmes for the coming fiscal year without such assistance being related to the question of compensation.

Mr. BLANDFORD (United States, Advisory Commission of the Relief and Works Agency) observed that the most useful form of collaboration between the Conciliation Commission and the Agency was the exchange of information between the two bodies. He considered that the present meeting would be an appropriate occasion to make arrangements for such collaboration. The Conciliation Commission had, in effect, indicated that it was about to embark upon an important course of action, and the Relief and Works Agency, for its part, felt obliged to mention that it was contemplating carrying

out a vast economic programme which might involve the adoption of a different course of action, or even perhaps a reorganization of the Agency. In an earnest desire to further the collaboration between the two bodies, the Relief and Works Agency wished to keep the Conciliation Commission informed of the new programme, and Mr. Blandford asked when it would be possible to explain it to the Commission.

Mr. de BOISANGER (France, Chairman of the Conciliation Commission) thanked Mr. Blandford and stated that the Conciliation Commission desired to see an even more complete exchange of information than in the past. The Commission would be very glad to hear about the programme which the Relief and Works Agency intended to launch; for that purpose the members of the Agency might visit Jerusalem, or alternatively the members of the Commission might go to Beirut, at an agreed date. For its part the Conciliation Commission would not fail to keep the Agency informed concerning its approaches to the Israel Government.

Mr. KENNEDY (Director of the Relief and Works Agency) thought that the Agency could give the members of the Conciliation Commission an outline of the programme as soon as it had been finally agreed upon.

After an exchange of views, it was decided that, barring an unexpected change in arrangements, the members of the Conciliation Commission and of the Relief and Works Agency would meet in the first week of March to discuss the proposed programme of the Relief and Works Agency.

The meeting rose at 5.30 p.m.