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SUMMARY RECORD OF THE TWO HUNDRED AND FIRST MEETING

held in Beirut on Saturday 27 January 1951,
at 11.30 p.m.

Present:

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

1. Official Visit of the Commission in Beirut

The members of the Commission exchanged views as to the courtesy visits to be paid to the members of the Lebanese Government by the Commission. It was agreed that the Chairman and Mr. Aras would call upon the President of the Lebanese Republic and the Minister for Foreign Affairs and that Mr. Palmer would also call upon them, a little later.

2. Program of work of the Commission

Mr. ARAS (Turkey) in mentioning the efforts undertaken to resettle, in Syria and in Jordan, refugees at present living in those countries, pointed out that, even if these efforts were successful, they would not in themselves solve the problem of the refugees living in Lebanon or in the Gaza strip. He therefore considered that the first repatriation and resettlement measures should apply to the latter group. It would be advisable to draw the attention of the Government of Israel and perhaps of the Government of Iraq to the matter and to ask them to consider it.

The CHAIRMAN observed that as a result of the exchange of views held the day before with the members of the Relief and Works Agency, the question of collaboration between both organizations was now clarified. The time had come, therefore,

for the Commission to consider the way in which it should open negotiations with the Government of Israel in order to make a start in the solution of the problems of repatriation and compensation. Should the Commission approach the Government of Israel collectively or should the members of the Commission make individual contact with members of that Government?

Mr. ARAS (Turkey) and Mr. PALMER (United States) both agreed that the second alternative appeared to them to be the best procedure.

Mr. PALMER (United States) added that, once the Director of the Refugee Office had been appointed, the Commission could officially approach the Government of Israel in order to explain the nature of the work of the new Office and the procedure it intended to follow.

The CHAIRMAN believed that the members could, in the course of their private conversations, inform the members of the Government of Israel of the way in which the new Office was to function.

Mr. ARAS (Turkey) stated that each one of the members of the Commission could, in these conversations with members of the Government of Israel, stress the necessity for Israel to make a "good-will gesture" in the fields of repatriation and compensation so as to bring about a favorable climate in which efforts could be undertaken to encourage the resettlement of refugees in the Arab countries.

He further believed that it would be advantageous to have the economic expert of the Commission proceed with work of a preparatory nature on compensation so that the elements of that problem could be clearly explained to the Director of the new Office.

The CHAIRMAN indicated that, in his opinion, it would be better, at least in the beginning, to approach the problem of compensation with the Government of Israel in a general way. The Secretariat could also be requested to prepare, for the next meeting of the Commission, two memoranda dealing with the general outlines of the problems of repatriation and which could be taken up by the Commission in its conversations with the Government of Israel. As for the question of repatriation, it would be necessary, not only to have precise figures as to the number of refugees that Israel would be ready to settle in its territory, but also to be informed of the views of that Government concerning the manner in which their resettlement should be carried out, as

the resolution of the General Assembly mentioned the return of the refugees "to their homes", and not their resettlement in any part of Israel. It might also be possible to suggest that in the early stages the Government of Israel could authorize, in the first instance, the return of those refugees whose homes were located in parts of Israel where a certain number of Arabs already lived and this would eliminate problems of an economic and security nature.

Mr. PALMER (United States) was also of the opinion that, at an early stage in the conversations with the Government of Israel, the problems of compensation and repatriation should be approached in a general way. Indeed, in the field of compensation, the Commission would have no practical means of evaluating the problem until the new Office had started its work. What would have to be determined would be whether the Government of Israel was ready, as it had indicated, to facilitate the work of the new Office on assessment of damages as well as on assessment of indemnities.

Turning to the problem of repatriation, he agreed with the Chairman that it was not possible to depart from the provisions of the resolution of 11 December 1948 which provided for the return of the refugees "to their homes". The Government of Israel could therefore be asked to state the number of refugees it would be ready to see repatriated and to determine the region in which the refugees would be authorized to return "to their homes". While the Commission would try to obtain precise information on these items, the Refugee Office would proceed with the necessary preliminary work.

The PRINCIPAL SECRETARY, replying to the Chairman's request, stated that the Secretariat would draft two memoranda, one on repatriation and the other on compensation, and pointed out, in this connection, that the Secretariat had already drafted a certain number of working papers on compensation. These documents could be circulated again to the members of the Commission.

3. Negotiations concerning the appointment of the Head of the Refugee Office and the appointment of the members of the Committee of experts on compensation

The CHAIRMAN asked the Principal Secretary to comment on this subject.

The PRINCIPAL SECRETARY recalled that the Commission, at its last meeting in New York, had provided that, once established, the Refugee Office would have at its disposal the members of the Committee of experts on compensation. He wondered whether that

decision was to be considered as still valid because, if so, the first measure to be taken would be to set up that Committee. In this connection, he recalled that Mr. Sheringham had been approached and asked whether he would accept the function of expert in land evaluation in Palestine. Mr. Sheringham had just informed him that he had not been able to obtain from the Colonial Office the leave which he would require if he were to accept this new post. Furthermore, as the post offered to him by the United Nations was only temporary, he could not possibly leave the Colonial Office for good.

Mr. PALMER (United States) pointed out that before leaving New York he had been informed of the withdrawal of Mr. Sheringham's candidacy and of the absence of any other candidates. He recalled the circumstances in which he was informed of a possible candidate for the post and added that, if the work of the new Office was to begin in the near future, this post would have to be filled within a very short time. He read a letter addressed to Sir Henry Knight by the Foreign Office which indicated that "a Mr. Berncastle whose functions under the Mandate were related to problems of land-settlement and irrigation and who was, at present, a permanent civil servant with the Ministry of Town and Country Planning, would consider accepting the post if his Ministry would second him, and if accepted, the Foreign Office would ask for his secondment".

The CHAIRMAN indicated that the Principal Secretary could contact Lake Success and ask the Secretariat to take whatever steps were necessary.

It was decided that the Principal Secretary should send a cable to Mr. Cordier, asking him to contact Mr. Berncastle.

Mr. PALMER (United States) in referring to the Committee of experts on compensation, pointed out that this body, as now envisaged, would be composed of experts working on the same level, though in different fields. He therefore believed that these experts should enjoy equal administrative status so that they could enjoy equal authority in their work, whether in their relationship with the United Nations or with the parties. It would indeed be unfortunate, from the viewpoint of standing and efficiency, if unequal status were to be granted to the experts, since they would share an equal responsibility.

The PRINCIPAL SECRETARY pointed out that the members of the Committee of experts on compensation would be appointed by the Secretary-General and that, as they became thereby members of the

United Nations staff, the determination of their status would fall within the competence of the Secretary-General.

After an exchange of views, the members of the Commission concluded that they could, if need be, inform the Secretary-General of their attitude in this matter.

The meeting rose at 11.30 a.m.
