

UNITED NATIONS CONCILIATION COMMISSION FOR PALESTINE

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SUMMARY RECORD OF THE TWO HUNDRED AND TWELFTH MEETING

Held at Government House, Jerusalem,  
on Monday, 30 April 1951,  
at 10.30 a.m.

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Present :

Mr. Palmer	(United States)	- Chairman
Mr. de Boisanger	(France)	
Mr. Aras	(Turkey)	
Mr. de Azcarate		- Principal Secretary

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Mr. de BOISANGER (France), having raised the question of the transport facilities which the Commission needed for the fulfilment of its mission, wondered whether, in view of the present shortage of chauffeurs, the members of the Commission would be able in the future to make the journeys required for the purpose of official or unofficial discussions with members of the various governments concerned in the particular problems which the Commission was at present trying to solve.

An exchange of views took place, during which the PRINCIPAL SECRETARY observed that up to the present the travel requirements of members of the Commission, in Jerusalem and in the area as a whole, always appeared to have been fulfilled in a satisfactory manner. At all events, he would investigate the present situation with the competent administrative services and see to it that the members of the Commission were able to make the journeys required in the accomplishment of their mission.

Before taking up the agenda, Mr. ARAS (Turkey) wished to propose, in connection with the forthcoming meeting in Beirut between the Relief and Works Agency and the Commission, that the latter should take the initiative in arranging for exchanges of views and information with the Truce Supervision Organization, in the same way as with the Relief and Works Agency. He felt that when incidents occurred which had political implications, which came within the province of the Commission, it was desirable that the Commission should be able to give its opinion and consult with the Chief of Staff of the Truce Supervision Organization. Such meetings would, he felt, ensure better co-ordination of the respective tasks of the two bodies, and advantage might be taken of the Commission's visit to Beirut in order to arrange for a meeting, which was rendered particularly desirable by the recent incidents in the Lake Huleh area.

The CHAIRMAN wondered whether the Commission was at present in a position to make a decision on such a proposal which, although perfectly logical and justified, would represent an innovation in the relations between the Conciliation Commission and the Truce Supervision Organization. As regards the consultations between the Commission and the Relief and Works Agency, it should be remembered that they were provided for in the General Assembly resolution of 14 December 1950 and that collaboration between the two bodies was justified by the fact that they were both dealing with different aspects of the same problem. That was not so in the case of the Truce Supervision Organization, which was provided for in the Armistice Agreements and was under the jurisdiction of the Security Council, while the Commission was responsible to the General Assembly. The Lake Huleh case unquestionably had a political aspect; that, however, would be brought before the Security Council, which would take appropriate action.

However, Mr. Aras' suggestion merited the attention of the members of the Commission who might wish to consider it further before making a decision.

Mr. de BOISANGER (France) felt that the suggestion was a logical one and, in his opinion, it should be given careful attention. It was certain that the Commission should have more frequent contacts with the Truce Supervision Organization. He thought that the question of how such contacts could be arranged

would require consideration, and pending the time when a suitable solution was found, an informal exchange of views might perhaps be held with Colonel de Ridder, Acting Chief of Staff.

Mr. ARAS (Turkey) well understood the reasons why the members of the Commission wished to ponder this suggestion and thought that, for the present, unofficial contacts might be envisaged and that the Principal Secretary might be requested to have a personal meeting with the Acting Chief of Staff.

There was in fact one problem with which both the Conciliation Commission and the Truce Supervision Organization were equally concerned: that of the establishment of peace. It was therefore essential that the Commission should be kept informed of the Lake Huleh incidents, which threatened the peace. Moreover, it was natural that a member of the Commission who represented a country with a primary interest in Middle Eastern affairs should insist on the Commission being informed of developments in a matter which unquestionably had a political aspect.

The CHAIRMAN stated that he personally had had several talks with Colonel de Ridder, and had the impression that the latter was quite prepared to have conversations with the Conciliation Commission. In the meantime, as Mr. de Boisanger had suggested, the Principal Secretary could meet personally with the Acting Chief of Staff on the occasion of the Commission's visit to Beirut.

This was agreed.

1. Mr. Andersen's request concerning the application of the Development Authority Law (W/58; draft letter) (continuation of discussion).

The CHAIRMAN recalled that the Commission had asked the Secretariat to prepare a new draft letter in the light of the discussion which had taken place at the previous meeting. It had been agreed that the letter should be drafted not only in a way which would not embarrass Mr. Andersen, but in a way which would facilitate his relations with the Israel authorities with whom he would have to collaborate. It had also been recognized that it was difficult to ask Israel to suspend the application of a law which applied equally to Jewish and to Arab property. Referring to the summary record of the conversation which the Commission had had with Mr. Sharett the previous

August, he said that in the statement which he had read in his capacity of Chairman, he had indicated that the Commission was concerned to learn of a "law passed in the Knesseth on 31 July last, under which a 'Development Authority' will soon be established, having amongst its powers the right to purchase and to sell, at a price not agreed to by its owner, immovable property of Arab refugees". At the end of that conversation Mr. Sharett had said: "We mean to fulfil our obligations, but this does not mean that we undertake to pay compensation to each owner of each house..." He had added: "This problem will be studied more carefully by the Government and its experts... and a more considered reply will be presented in due course and without undue delay". That conversation should be referred to in the letter to be addressed to the Government of Israel.

Mr. de BOISANGER (France) felt that it should be added that the Commission considered that the application of the law in question ought not to hinder the work of evaluation for compensation purposes. Perhaps Mr. Sharett's statement, reproduced in the summary record of the meeting, according to which the Government of Israel meant to fulfil its obligations, should also be referred to in the letter.

The CHAIRMAN suggested that the legal adviser should be requested to prepare a further draft of the letter, taking into account the above observations.

This was agreed.

2. Consideration of working paper W/61 prepared by the legal adviser : Definition of a "refugee" under General Assembly resolution of 11 December 1948.

The CHAIRMAN felt that this item of the agenda should be considered before the Commission's meeting with the Relief and Works Agency.

Mr. de BOISANGER (France) was afraid that it would be difficult to proceed very far with the study of this question without having heard the opinion of Mr. Andersen. Indeed, the more the matter was considered, the more important appeared the problem of establishing a definition on which to work and which, once approved, would carry weight.

A further question which, in his opinion, required thorough study before the meeting with the Relief and Works Agency was the question of the relationship between compensation and reintegration.

After an exchange of views, it was decided to postpone consideration of item 2 of the agenda and to devote the next meeting to a study of the relationship between compensation and reintegration with a view to the forthcoming meeting between the Commission and the Relief and Works Agency.

The meeting rose at 12.15 p.m.

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