

UNITED NATIONS CONCILIATION COMMISSION FOR PALESTINE

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SUMMARY RECORD OF THE TWO HUNDRED AND NINETEENTH MEETING

held at Government House, Jerusalem, on Tuesday,
22 May 1951, at 10.30 a.m.

Present:

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

1. Incidents between Israel and Syria (W/65, W/65/Add. 1 and W/67)

The CHAIRMAN recalled that at the previous meeting the members of the Commission had decided to use working paper W/67, drafted by the Secretariat, as the basis of discussion in preparing a note in which they would submit to their respective governments their views on the Israelo-Syrian dispute.

Mr. PALMER (United States) thought that in view of the position in which the Commission was placed at present, the note in question should be worded in strong but carefully calculated terms.

The Commission should express the concern which it felt at the situation between Syria and Israel and say that the time seemed to be approaching when the supplementing or replacing of the Armistice Agreements by more lasting arrangements, as it had already indicated in its Supplementary Report of 23 October 1950, should be contemplated. On the other hand, it could not ignore the resolution adopted by the Security Council on 18 May 1951. That resolution instructed the Chief of Staff to ensure the application of the Armistice Agreement

between Israel and Syria, and the Commission sincerely wished him success in his task. Those factors should be taken into account in drafting the note.

Mr. de BOISANGER (France) stated that he himself had thought that the note which the members of the Commission intended to send to their respective governments should be drafted exactly as Mr. Palmer had suggested. He proposed that the Secretariat should prepare a new draft of the joint note on the basis of working paper W/67, paragraph 5 of which might be deleted, in the light of the statements made during the present exchange of views. It would also be necessary to amend paragraph 4 to indicate that, in view of the considerations set forth in paragraphs 2 and 3, the Commission felt that the incidents which had occurred in connection with the application of the Armistice Agreements emphasized the advantage which would be gained by supplementing or replacing the Armistice Agreements by arrangements which would take into account not only military, but also political and economic considerations.

The CHAIRMAN and Mr. PALMER (United States) agreed to the above suggestions, and Mr. Palmer remarked that, since the General Committee could not meet due to the absence of a Turkish alternate, the Secretariat might be requested to submit a new draft note to the alternate representatives of France and the United States, who would make a preliminary study before submitting it to the Commission.

This was agreed.

The Commission then considered the suggestions made by Mr. Aras during its last meeting.

Mr. de BOISANGER (France) said that after due consideration he felt that the Commission should not state, in the note which its members would send to their respective governments, that it would have specific proposals to put forward. It would be sufficient to say that the members of the Commission, having noted that the Armistice Agreements, which in any case could not remain in force indefinitely, appeared to be "wearing out", and having observed certain facts which they found disquieting, felt it their duty to inform their respective governments of their views.

As regards the suggestion put forward by Mr. Aras that a special committee, to be charged, under the direction of a neutral chairman, with dealing with all questions put before it by the parties, should be set up in connection with each Armistice Agreement, Mr. de Boisanger found the idea very interesting. He remarked, however, that such a proposal might perhaps be opposed by Israel, and would certainly be opposed by the Arab States, who would be bound to consider the establishment of such special committees as an attempt to set up, in another form, the mixed committees which they had rejected the previous year. Moreover, such an initiative might appear surprising in the case of those Armistice Agreements which were functioning without difficulty.

Mr. de Boisanger, analyzing the present situation from the point of view of the attitude of the Conciliation Commission, noted that the Security Council, when seized of the dispute between Israel and Syria concerning the demilitarized zone between the two countries, had recommended in its resolution that the terms of the Armistice Agreement should be strictly enforced. In that connection, Mr. de Boisanger regretted that the resolution had not stressed the temporary nature of the Agreements by pointing out that the parties concerned had the obligation to replace them by a final peace. There were two alternatives which might be envisaged. In the first place, General Riley might succeed in his task, in which case the fact that the members of the Commission had sent a note to their respective governments, setting forth their views but containing no suggestion which was not in conformity with the efforts at present being made by General Riley could not give rise to any objection.

The second possibility was that General Riley's efforts might not achieve the expected result, in which case it was probable that the matter would again be brought before the Security Council, which might either maintain its original attitude and reiterate its recommendations, or else study the substance of the question. In that event it would be desirable for the Security Council to indicate that if the Armistice Agreements were to remain in force, it would nevertheless be necessary to attempt to adapt them to the present situation. At

that time it would be desirable for the Security Council to call upon the Commission, which would then be in a much more favourable position to take action than if it were to take the initiative in offering to intervene. Although it could hardly be expected that such a resolution would be adopted unanimously, in view of the permanent opposition to the Conciliation Commission of certain United Nations delegations, it was nevertheless permissible to assume that it would receive sufficient votes. Mr. de Boisanger felt that the governments of the countries represented on the Commission should have those considerations before them for their information.

Mr. PALMER (United States) was not aware of all the reasons which had led the Security Council to restrict the scope of its resolution. He believed, however, that the main object of the resolution was to strengthen the authority of General Riley to enforce the Armistice Agreement, and in consequence it would have been difficult to weaken its terms by indicating that the Armistice Agreements should be revised. It seemed, moreover, that the Security Council was expecting a positive result. The Commission should, therefore, remain in close touch with General Riley and, while expressing to the latter its hopes for the success of his efforts, should inform him that in the event of his negotiations not achieving the desired result, the Commission was quite prepared to consider the matter with him and, if necessary, to express its opinion. As regards the Chairman's suggestion that the special committees should be reactivated, Mr. Palmer felt that a favourable occasion should be awaited before raising the question.

The CHAIRMAN wished to emphasize that if the suggestion for mixed committees had been opposed by the Arab States, it was because the proposal was of a general nature. It would therefore be preferable to try to revive them in connection with a specific problem.

Mr. de BOISANGER (France) recognized that the Chairman's remarks were well founded, but stated that in general the parties were hesitant to call upon the Commission to settle a problem for fear of committing themselves. Before the Commission could intervene effectively, it was necessary for the Security Council

either to call upon the Commission, or at least to mention it in a resolution.

Mr. FISHER (Political Adviser) had understood from the exchange of views which had taken place that all the members of the Commission felt it difficult to take a decision of principle on the question of setting up new special committees. In that case it might perhaps be possible to use an experimental method and create an opportunity for reviving the existing special committee. It might be suggested to Israel and Jordan, either through normal diplomatic channels or in the course of unofficial talks, that they request the Commission to convene the existing special committee in order to discuss a specific question, for instance that of Mount Scopus. If some positive results were achieved, a precedent would have been established and the example might be followed in the future.

Mr. PALMER (United States) felt that it was not the character of the special committee itself which constituted the obstacle to the success of its work, but the intransigence of the parties concerned, which would certainly manifest itself even more markedly if a problem as delicate as that of Mount Scopus were involved. It should not be forgotten that if the Mixed Armistice Commissions had been able to achieve some positive results it was because they had had problems of secondary importance to solve.

Mr. de BOISANGER (France) shared Mr. Palmer's fears and felt that the problem of Mount Scopus could only be solved within the framework of a general settlement of the questions outstanding between Israel and Jordan.

The CHAIRMAN thought that Mr. Fisher's suggestion to revive the Israel-Jordan Special Committee could be borne in mind, but not for dealing with the case of Mount Scopus. The Commission should take advantage of the first question which could be solved relatively easily to revive that Special Committee, under the chairmanship of a representative of the Conciliation Commission.

Mr. FISHER (Political Adviser), expanding his previous suggestion, explained that he had chosen the question of Mount Scopus as the starting point for a practical experiment for the very reason that that question could not be solved separately from other problems and because it would be necessary, in discussing it,

to consider all the questions outstanding between Israel and Jordan. In doing so the general situation might be clarified. The possibility of making Mount Scopus an international zone - which would constitute a positive contribution towards the solution of the general problem of Jerusalem - might be considered. It was naturally for the Commission to judge whether it was advisable to try such an experiment.

The PRINCIPAL SECRETARY observed that the idea of solving problems by the experimental method was worthy of consideration. If the Israel-Jordan Special Committee had been thought of first, it was because it seemed simpler to revive an inactive committee than to set up a new one. However, the obstacles which might be encountered in dealing with the question of Mount Scopus, which had been given as an example, should not prevent the experimental method suggested by Mr. Fisher of reviving the Israel-Jordan Special Committee from being put into operation.

After a further exchange of views, the CHAIRMAN, summarizing the discussion, stated that the Commission might keep Mr. Fisher's suggestion in mind and take advantage of the first opportunity to revive the Special Committee by entrusting it with a problem which it might solve successfully.

The meeting rose at 12.35 p.m.