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SUMMARY RECORD  
OF THE TWO HUNDRED AND FORTY-THIRD MEETING

Held at the Hôtel de Crillon, Paris,  
on Monday, 1 October 1951, at 3 p.m.

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PRESENT

<u>Chairman</u>	:	Mr. PALMER	United States of America
<u>Members</u>	:	Mr. de NICOLAY	France
		Mr. ARAS	Turkey
<u>Alternates</u>	:	Mr. BARCO	United States of America
		Mr. TEPEDELEN	Turkey
<u>Secretariat</u>	:	Mr. de AZCARATE	Principal Secretary
		Mr. FISHER	Political Officer
		Mr. LADAS	Political Officer

ACCEPTANCE OF THE PREAMBLE TO THE COMMISSION'S PROPOSALS

(a) Contacts with members of the Arab delegations

Mr. de AZCARATE (Principal Secretary) said he had a conversation with Mostafa Bey, Egyptian representative, who had expressed regret that the conference had reached an impasse concerning the preamble. He had suggested the possibility of seeking a formula for a general declaration as similar as possible to the text of the Armistice Agreements, and had given the impression that he, for his part, would have no difficulty in accepting a declaration of that kind.

Following that conversation, the Secretariat had proposed a text to Mostafa Bey, who had raised certain objections to it: he could not accept the reference to future differences, for his Government could not prejudge the future in such general terms; neither could he agree to the reference to the preamble and proposals, for, similarly, his Government was not willing to prejudge its attitude regarding them. In fact, what he wanted was a very general declaration which nevertheless respected the text of the Agreements as far as possible. As the Commission had in the meantime received a communication from Israel on the same subject (IS/70), the Principal Secretary, without, however, referring to Israel's communication, had indicated to Mostafa Bey that it would be preferable to postpone discussion of the matter until after the Commission's next meeting.

Mr. de Azcarate also reminded the Commission that Mr. Marchal had recently had an interview with the Lebanese representative, following which the Commission had received from that country's delegation a draft based on the text of the Armistice Agreements. It would be difficult for the Egyptian delegation to agree to the Lebanese text because of the reference to future differences. In addition, Mostafa Bey had said that he could not agree to the passage which referred to the parties undertaking to refrain from any use of force or acts of hostility; that provision did not appear in the Egypto-Israel Armistice Agreement, so that, in Egypt's case, it would be an innovation and might be interpreted as having a direct relationship to the question of the Suez Canal. Mr. de Azcarate added that the provision in question, but without

the reference to armed forces, in fact only appeared in the Armistice Agreements between Israel and Jordan, Lebanon and Syria.

The CHAIRMAN said he had met Mr. Shukairi, Syrian representative, and Mr. Atassi, of the Syrian delegation; the conversations were very cordial, but both delegates had confirmed the attitude of the Arab Governments as explained by the Egyptian representative. They could not agree to the preamble being mentioned as an integral part of the proposals. On the other hand, they made no allusion to the problem raised by Egypt, which was quite normal, as that particular point did not concern them directly. The Chairman also stated that he had been invited to meet the Jordan representative on the following day. He thought, therefore, that after conversations with each of the Arab delegations it would be possible, in spite of some slight differences of opinion, to obtain a fairly precise idea of the joint attitude of those delegations concerning the non-aggression declaration.

Mr. ARAS (Turkey) said he had talked with the Jordan representative and Mr. Atassi. His impression was that the Arab delegations were prepared to reaffirm all the declarations contained in the Armistice Agreements. In addition, except for Jordan, the Arab States had undertakings as States Members of the United Nations. There was a difficulty, however: the four Armistice Agreements concluded by the Arab Governments were not strictly identical, Mr. Aras feared that it would be difficult to get them to agree on a single formula; a formula acceptable by Egypt would go further than the undertakings already subscribed to by the other three Arab States, and a formula on the lines of those undertakings would be unacceptable to Egypt. For that reason, he thought that the best would be to invite the four Governments to draw up separate declarations, taking into account their own respective undertakings.

Mr. BARCO (United States) had the impression that the Israel delegation would be prepared to accept a formula not strictly on the same lines as the one it had suggested. It knew the position of the Arab Governments and, if the latter showed readiness to accept a non-aggression declaration more or less similar to that contained in the preamble, Israel might also accept it. Israel, however,

wanted the declaration to go further than the Armistice Agreements and in particular she insisted upon the need to include an undertaking to settle differences only by pacific procedures.

The Israel delegation had stated that its draft text was presented for the Commission's attention only and that the latter should not consider itself under any obligation to communicate it to the Arab delegations. In addition, it appeared that the Israel delegation would not easily agree to study the Commission's proposals. It gave as a pretext the impression that examination of them would have upon public opinion in Israel; the fact of agreeing to study the proposals might be interpreted as an approval of their content. The member of the Israel delegation with whom Mr. Barco had spoken had nevertheless clearly implied that there was another reason: the Israel Government was not prepared to consider the substance of the proposals. However, it was very conscious of the need to show its willingness to cooperate with the Commission, and its delegation considered that the first thing to be done was to agree upon an agenda for the conference - a problem which had already been raised and which the Commission had wished to avoid - in view of the fact that it did not consider the Commission's proposals as constituting an agenda.

Mr. FISHER (Political Officer) said that conversations he had had with the Head of the Israel delegation had led him to similar conclusions, particularly concerning the non-aggression declaration. Mr. Fischer had indicated that his delegation had unofficially suggested a draft non-aggression pact, because it feared that in the face of the impending impasse the Commission might accept a declaration of no practical value. He had added that the preamble to the Commission's proposals would be the minimum which Israel could accept.

Concerning the proposals themselves, the Israel representative had indicated that his Government would hesitate to undertake to study them because of the effect that such a decision might have on public opinion in his own country and elsewhere. He pointed out that if Israel made concessions, concerning the refugees for instance, and if the Arab Governments, on their side, refused to agree to any compromise on that subject, the Commission would report

the fact to the General Assembly, which might then consider Israel's concessions as a minimum and ask her to make further ones. Mr. Fischer added, nevertheless, that if he could obtain from the Commission the assurance that the proposals would be discussed on a strictly confidential basis, he might still be able to persuade his Government to accept them as a basis for discussion, on the clear understanding that acceptance in no way implied approval of their contents. Mr. Fischer had again affirmed his Government's desire to cooperate with the Commission as far as possible.

Mr. de NICOLAY (France) thought that, in the light of the indications the Commission had received concerning the attitude of the various parties, it would be wise to discuss the idea of a single declaration on the lines of the preamble. It appeared that Israel would be prepared to sign such a declaration, but the attitude of the Arab delegations to a text of that nature raised three difficulties: they would not agree to any reference to the preamble; they were not willing to subscribe to any undertaking concerning the settlement of future differences by pacific procedures; and lastly, the Egyptian delegation would not accept the undertaking - new for its Government - to refrain from any use of force or acts of hostility. Mr. de Nicolay thought the last of those difficulties was the most serious one. Consequently, the best procedure would be to invite each of the Arab Governments to draft its own declaration, taking into account the particular undertakings it had already given. That method would have the additional advantage of eliminating the need to mention the preamble.

The CHAIRMAN concluded that the Israel delegation seemed to show some measure of readiness to study the proposals, on condition that they were considered as an agenda. On the other hand, it was not certain that the Arab delegations were ready to examine them; Mr. Atassi had inferred that they were awaiting further details from the Commission before taking a decision. In reply to that, the Chairman had said that the Commission could only give further details if the Arab delegations agreed to discuss the proposals.

It seemed, moreover, that Israel was willing to consider the possibility of separate declarations as indicated in her proposal to the Commission. However, it would be most regrettable if one of the declarations were different from the others; that would provoke an unfavourable reaction and would be prejudicial to Israel because the declaration in question would be the Egyptian one and would enable that country to do as she pleased. The Chairman remained convinced that the Commission should try to reach a formula both acceptable to all the parties and satisfactory to itself. It was essential to solve the difficulty arising from Egypt's objection. The method of asking the parties to make separate declarations was not without its advantages and might be acceptable if the Commission were certain that it would be a means of reaching a formula acceptable to all. However, the danger was that in its sincere desire to reach agreement, the Commission might produce a compromise text weaker than its preamble, which consequently would be rejected by Israel. That must be avoided at all costs.

Mr. ARAS (Turkey) still felt that a joint formula must be found. The Commission must spare no efforts to attain that objective, in order to avoid giving the impression that the conference had reached an impasse. It would perhaps be possible to obtain unanimous acceptance by merely asking the parties to reaffirm their obligations under the Armistice Agreements and as United Nations States Members. Such a text would not represent any progress, but it would at least have this advantage: the parties could not, in good faith, reject it. The political situation would thus be unchanged, but the immediate obstacle would be temporarily avoided, and it would be possible to proceed to examine the proposals and see what could be achieved in the present political situation.

If the parties did not agree to that procedure, the Commission could ask them to make declarations of their own choice, reserving the right to retract them later with a view to reaching a compromise. If the Commission did not succeed with that method, its only course would be to state that agreements could not be reached and to report in that sense to the General Assembly.

Mr. BARCO (United States) also thought that the Commission ought to persevere. He was not at all certain that the Arab delegations would reject the preamble; so far they had only explained their attitude to it and expressed certain preferences. They would probably become increasingly aware of the fact that they would be placing themselves in a difficult position by obstinately refusing to subscribe to such a declaration. All hope was therefore not lost.

Mr. FISHER (Political Officer) shared Mr. Barco's view. He pointed out that Israel was very hesitant to consider the proposals but would find it very difficult to refuse categorically to do so if the Arab Governments finally accepted the preamble, which represented a minimum for Israel, but an acceptable minimum. On the other hand, it was clear that the omission of anything at present contained in the preamble would immediately give Israel a definite argument for refusing to examine the proposals, which would mean the breaking off of the conference.

Mr. ARAS (Turkey) agreed with Mr. Fisher. Under its terms of reference, the Commission's duty was to examine the differences, one by one, with a view to their pacific settlement. The procedure he had suggested was perfectly in accordance with the terms of reference and after having made such an examination, there was nothing to prevent the Commission from making a final comprehensive effort to reach agreement and get the parties to accept a joint declaration. If the parties refused, there would be nothing left for the Commission to do but ask them to explain their reasons for refusing, and make its report to the General Assembly.

The CHAIRMAN concluded that the Commission had before it a choice between two procedures: (a) to ask the parties each to draft separate declarations to which they would be prepared to subscribe, and; (b) to propose a declaration to them and, if they rejected it, ask them to state their reasons.

The Chairman preferred the second procedure.

Mr. ARAS (Turkey) and Mr. de NICOLAY (France) agreed with the Chairman and thought the preamble was still the best formula to propose.

Mr. de AZCARATE (Principal Secretary) proposed, in conclusion, to give the preamble the form of a declaration and to present it in that form to the parties, asking them, if they were unable to accept it, to state their reasons.

It was so decided.

(b) Communication from the Israel delegation (IS/70)

Mr. ARAS (Turkey) pointed out that without the explanations given by Mr. Barco and Mr. Fisher, it would have been difficult to understand the purpose of the communication from Israel. It was merely a proposal which should be placed in the Commission's records.

It was so decided.

DRAFT MEMORANDUM TO THE ARAB DELEGATIONS

The CHAIRMAN, supported by Mr. BARCO (United States) drew attention to paragraph 9 of the draft memorandum and pointed out that the quotation from the General Assembly resolution, though relevant in itself, did not seem appropriate in that part of the text, which should therefore be redrafted. He also proposed that the words "or to execute" at the end of paragraph 11 be deleted and the order of the last two sentences of paragraph 2 reversed.

Mr. LADAS (Political Officer) and Mr. FISHER (Political Officer) pointed out, with regard to paragraph 9, that the point under discussion had raised objections from the Arab delegations and that there had always been a misunderstanding concerning paragraph 11 of the Assembly resolution.

The CHAIRMAN proposed to leave to the Secretariat the task of amending the draft memorandum in the light of the suggestions just made.

It was so decided.



LIAISON WITH UNRWA

(a) Communication from Mr. Fabre

Mr. de AZCARATE (Principal Secretary) explained that Mr. Fabre had handed to him personally the communication in question and had said that he would be very pleased to meet the Commission if the latter had any questions to ask him concerning the points mentioned. With regard to cooperation between the Commission and UNRWA, the Principal Secretary recalled that the Advisory Commission of UNRWA was coming to Paris at the end of the month, which would obviously facilitate contact between the two organs.

Mr. ARAS (Turkey) said it must be emphasized that the Commission's proposals were still mere proposals. The extent to which the Commission would call upon UNRWA would depend upon the progress of the conference. In any case, several of the questions mentioned would be examined during the preparation of the report to the General Assembly, which would be drafted in cooperation with UNRWA. UNRWA would thus have the opportunity of expressing its views in due course.

The CHAIRMAN shared Mr. Aras's views and added that it should be clearly indicated that the Commission would not discuss the points mentioned without first consulting UNRWA. The latter might have very useful ideas to put forward and that assurance should be given it, for there seemed to be some doubts on the subject.

It was so decided.

(b) Communication from the Chairman of the Advisory Commission of UNRWA

The CHAIRMAN indicated that Mr. Fabre himself had been surprised by the communication. In the Chairman's opinion, it would suffice to reply that the Commission considered that it was doing everything in its power and proposed to continue to do so.

Mr. BARCO (United States) thought it was merely a question of confirming to the Chairman of the Advisory Commission that there was nothing new to report beyond what he already knew.

It was so decided.

PROGRAMME OF MEETINGS OF THE COMMISSION

In the circumstances, the CHAIRMAN proposed that the Commission should hold a meeting with the Arab delegations on Wednesday at 11 a.m. and with Israel at the same time on Friday. That schedule would have the advantage of leaving the Commission time to meet between each meeting with the parties.

The Chairman's proposal was adopted.

The meeting rose at 6.15 p.m.

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