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UNITED NATIONS CONCILIATION COMMISSION FOR PALESTINE

SUMMARY RECORD OF THE TWO HUNDRED AND SIXTY-NINTH MEETING

Held at the Hotel Crillon, Paris,
on Monday, 19 November 1951, at 11 a.m.

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PRESENT:

<u>Chairman:</u>	Mr. PALMER	United States of America
<u>Members:</u>	Mr. MARCHAL	France
	Mr. ARAS	Turkey
<u>Alternates:</u>	Mr. BARCO	United States of America
	Mr. de NICOLAY	France
	Mr. TEFEDLEN	Turkey
<u>Secretariat:</u>	Mr. de AZCARATE	Principal Secretary

1. DRAFT REPORT TO THE SECRETARY-GENERAL

The PRINCIPAL SECRETARY said that, as instructed by the Commission he had requested Mr. Berncastle, a property expert in the Refugee Office, to transmit as soon as possible a supplementary report on Arab movable property abandoned in Israel. Mr. Berncastle, who had worked hard, had just forwarded a complete report on the matter which showed that an evaluation by three different methods of Arab movable property abandoned in Israel gave three very close figures, which was therefore a guarantee of approximate accuracy. On the basis of those data, the Commission might therefore include in its report to the Secretary-General a figure representing the approximate value of Arab movable property abandoned in Israel.

The CHAIRMAN said he had understood that, after receiving the report from the Refugee Office and after studying and taking note of it, the Commission would transmit it to the Secretary-General. Naturally, in dealing with certain matters, it could, for the purposes of its report, use information drawn from the surveys undertaken by the Office, for example, the figure, as evaluated, of movable and immovable property abandoned by the Arabs in Israel. The question now arose whether the figures evaluated by the Office for those two categories of goods by methods considered reasonable by the Commission, could be accepted by the latter.

Mr. MARCHAL (France) expressed the view that official use could hardly be made of Mr. Berncastle's figure for movable property abandoned by the Arabs in Palestine. The figure represented the estimated value of Arab movable property in Palestine, but not of Arab movable property abandoned in Israel, and there appeared to be practically no method of knowing precisely what movable property the refugees had left behind when departing from Palestine and what they had taken with them.

Mr. ARAS (Turkey) felt that the Commission should take note of the surveys prepared by the Refugee Office and annex the verbatim text to the Commission's report to the Secretary-General, with a note to the effect that the

/figures given

figures given had been obtained by methods of evaluation which the Commission considered reasonable though it could not express a final opinion on the matter. It was now for the General Assembly to take new decisions, and the report of the Refugee Office could be of use to a future agency that might be instructed to give effect to the new directives of the General Assembly concerning compensation.

The PRINCIPAL SECRETARY pointed out that to annex the surveys of the Office to the Commission's report implied their publication, whereas the Office had prepared those surveys in the belief that they were internal Commission documents not meant for publication. Before it was decided to annex those surveys verbatim to the Commission's report, the Director of the Office ought to be consulted and it should be carefully considered whether the publication of the document would be conducive to the settlement of the compensation question.

Mr. ARAS (Turkey) felt the moment had come to take action that would make the Parties aware of the realities of the situation and to dispel the illusions which they kept alive among the refugees. Of course, the Director of the Office, who might change some part of the surveys prior to their publication, should be consulted.

It was inconceivable to him (Mr. Aras proceeded) that the work of the Commission and of its Refugee Office should not be brought to the knowledge of States Members of the United Nations, for they ought to be enabled to understand the reasons underlying the Commission's recommendations and hence should have access to the relevant documents.

The CHAIRMAN shared the view of the Turkish representative regarding the publication of the surveys by the Refugee Office and agreed that, subject to the approval of the Director of the Office and possibly to some amendments, they should be annexed to the Commission's report.

/He did not

He did not think it was necessary for the Commission officially to approve the figure of the evaluation worked out by the Refugee Office. It could merely mention it in its report, pointing out that the figure might be used as a basis for possible negotiations on the matter of compensation.

Mr. MARCHAL (France) supported the Chairman's view and thought that, in its report, the Commission could quote the figures representing the estimated value of Arab property abandoned in Israel, with a note stating that it was at the moment impossible to quote any figure for movable property other than that for Arab movable property in Palestine before the departure of the refugees.

With regard to the publication of the surveys of the Refugee Office, he agreed with the Principal Secretary that those surveys were working documents of the Commission, that only their conclusions should be reproduced and referred to in the Commission's report to the Secretary-General. It seemed to him a delicate matter to request the Director of the Office to edit the text for possible publication.

The CHAIRMAN pointed out that, since the Refugee Office had been established in pursuance of an Assembly resolution which had given it a precise task, some evidence of the accomplishment of its task should be given, and the only possible form which the evidence could take was the report of the Office on its work. He therefore felt that it was necessary to annex it to the Commission's report.

Mr. FISHER (Political Adviser) drew the Commission's attention to the undesirable consequences which the publication of the surveys by the Office might produce. They were actually surveys of a technical and documentary nature, intended for the information of the Commission and not for publication. They must not be allowed to embarrass the General Assembly at a time when it was preparing directives regarding the future method of dealing with the refugee problem.

/The CHAIRMAN

The CHAIRMAN, summing up, observed that there were two questions: firstly, whether the surveys prepared by the Refugee Office, which had been established on the instructions of the General Assembly, should be regarded as documents for general distribution; in other words, whether the Commission was under a duty to publish them. The Commission's legal experts should be consulted on that point. The second question was whether the Director of the Office had prepared his report in the belief that it would be made public or in the belief that the surveys were meant only for the Commission's information. The Commission might postpone its decision until it had received a reply to both those questions.

Mr. ARAS (Turkey) urged that the surveys by the Office, which clearly described the situation with regard to compensation and repatriation, should be annexed to the Commission's report.

Mr. MARCHEAL (France) agreed with the Chairman that it would be preferable to defer a decision on the matter until the replies to the two questions mentioned by the Chairman had been received. He felt he should point out that it was not the General Assembly which had established the Refugee Office but the Commission on the instructions of the General Assembly. The Office was therefore only an organ of the Commission, and the Commission could include in its report whatever items it considered suitable for publication. The other question was whether publication was desirable, whether the publication of those surveys verbatim would contribute to or hinder work on the refugee question.

It was at all events obvious that, before taking a decision, the Commission should examine the surveys of the Office in detail and discuss the various points. Though the Office had done commendable work, the French delegation could not agree with all the conclusions in its report, particularly the definition of refugees.

After a further exchange of views it was agreed to postpone the decision on the publication of the surveys of the Office until the legal expert and the Director of the Office had given their opinions on the points raised.

2. CLOSURE OF THE CONFERENCE: DRAFT LETTER TO THE PARTIES

After taking note of the draft letter to the Parties prepared by the Secretariat, the members of the Commission declared that the text was satisfactory as a whole, subject to some amendments and a number of deletions which would make the text more concise.

After suggesting a number of drafting changes and deletions, the members of the Commission requested the Principal Secretary to prepare another draft letter in the light of the exchange of views.

The meeting rose at 12.50 p.m.