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UNITED NATIONS CONCILIATION COMMISSION FOR PALESTINE

PROVISIONAL SUMMARY RECORD OF THE TWO HUNDRED AND SEVENTY-FOURTH MEETING

Held at the Hotel Crillon, Paris,
on Tuesday, 27 November 1951, at 11 a.m.

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1. Statement by the Principal Secretary
2. Publication of studies made by the Commission's Refugee Office.

Present:

Chairman: Mr. PALMER United States of America

Members: Mr. MARCHAL France

Mr. ARAS Turkey

Alternate members: Mr. BARCO United States of America

Mr. de NICOLAY France

Mr. TEPEDELEN Turkey

Secretariat: Mr. de AZCARATE Principal Secretary.

1. STATEMENT BY THE PRINCIPAL SECRETARY

The PRINCIPAL SECRETARY said that the final text of the report would be ready very soon and asked whether the Commission would be willing to consider and approve it at the following day's meeting, leaving it to the Secretariat and the alternates to make any necessary drafting amendments. He emphasized that it was very desirable to submit the report to the Secretary-General within two or three days in case the Ad Hoc Political Committee should take up the question of Palestine sooner than was at present foreseen.

The CHAIRMAN, after having consulted the members of the Commission, stated that the Commission was ready to examine and approve the final text of the report to the Secretary-General at the following day's meeting.

The PRINCIPAL SECRETARY recalled that at previous meetings the Commission had decided to postpone taking any decision on the publication of the report of the Refugee Office until it had received the opinion of the legal expert and that of the Director of the Office. He had now received the information requested and it was at the Commission's disposal.

He also wished to draw the Commission's attention to administrative problems which would arise as soon as the Commission had approved its report and delivered it to the Secretary-General. He feared that it would be difficult to keep the Commission officially in session during that period. The suggestion might perhaps be adopted that the Commission's session should be adjourned, it being understood that the members of the Commission and the Secretariat would be at the Chairman's disposal in case the latter felt a meeting should be held in the interval before or during the discussion of the Palestine question in the General Assembly.

Mr. ARAS (Turkey) saw no objection to adjourning the session immediately after the report to the Secretary-General had been approved in its final version. He thought that the members of the Commission and the Secretariat

should be at the Chairman's disposal both before and during the discussion of the Palestine question by the General Assembly. It was understood that the Chairman could convene the Commission on his own initiative or at the request of one of its members.

With regard to the publication of the report of the Office, he still thought it desirable to annex to the Commission's report those parts of the studies made by the Office which had a direct or indirect bearing on questions dealt with by the Commission.

Mr. MARCHAL (France) supported the suggestions of the Principal Secretary and the Turkish representative. He pointed out that before adjourning the Commission it might be courteous to have another interview with the Director of the Relief and Works Agency and with the members of the Advisory Commission.

Mr. BARCO (United States of America) suggested that the two bodies should first transmit their reports to each other so that the suggested exchange of views might be really profitable.

The CHAIRMAN and the Turkish representative approved that suggestion, and after a brief discussion it was decided that the Principal Secretary should get in touch with the Director of the Relief and Works Agency and with the Chairman of the Advisory Commission in order to confer with them on the desirability of an exchange of views between the two bodies before they submitted their respective reports to the Secretary-General of the United Nations.

2. STUDIES MADE BY THE COMMISSION'S REFUGEE OFFICE

The PRINCIPAL SECRETARY communicated to the Commission the legal expert's opinion on the problem whether the Commission was bound to publish the report of its Refugee Office. After a thorough study of the relevant resolutions the legal expert had concluded that the Commission was not obliged to publish those studies, but was entirely free to take such decision as it thought most appropriate in the circumstances.

The Principal Secretary observed that the Director of the Office had stated that in his opinion the Commission was free to publish the studies prepared by the Office and he saw no objection thereto.

He would point out that so far the Commission had not examined the Office's studies with the possibility of their publication in mind and that it would obviously be difficult to issue them to the public or to communicate them to the General Assembly in their present form. The studies contained some purely technical passages which were of no interest to the General Assembly. With these considerations in mind the Secretariat had prepared a summary of Mr. Berncastle's study which the latter had approved. The Commission might perhaps like to annex that summary to its report as it contained the substance of the studies on compensation and the evaluation of Arab assets abandoned in Israel. It would be difficult to publish the studies on the definition of the refugee and on repatriation without provoking reactions and creating some confusion.

Lastly, there was the study on the financial aspect of the compensation problem. It was true that that study was of real interest, but it should not be forgotten that it dealt with the financial position of Israel so that the question of publication gave rise to a delicate problem.

A brief discussion took place on what attitude the Commission should adopt if during the debate on the Palestine question in the General Assembly further information was requested on the work carried out by the Refugee Office as regards repatriation.

The PRINCIPAL SECRETARY having pointed out that the Commission's terms of reference required it to work out "arrangements" to repatriate refugees, it was decided that should the question be raised in the General Assembly it would be stated that in view of the way in which the situation in Palestine had developed the Office had not succeeded in working out such arrangements.

The CHAIRMAN, summing up the discussion, noted that both the legal expert and the Director of the Office considered that the Commission was free to take any decision it thought suitable on the publication of the studies made by its Refugee Office. He therefore suggested, in the light of the discussion, that a summary of the studies carried out by the real estate expert on the assessment of abandoned Arab immovable and movable property in Israel should be annexed to the report to the Secretary-General.

It was so decided.

The meeting rose at 12.20 p.m.