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UNITED NATIONS CONCILIATION COMMISSION FOR PALESTINE

Summary Record of the 302nd Meeting (Closed)

Held at Headquarters, New York,  
on Tuesday, 21 July 1953, at 11 a.m.

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PRESENT:

<u>Chairman:</u>	Mr. ORDONNEAU	France
<u>Members:</u>	Mr. BARAN	Turkey
	Mr. BARCO	United States of America
<u>Secretariat:</u>	Mr. CHAI	Acting Principal Secretary
	Mr. LADAS	

1. ADOPTION OF THE AGENDA

The agenda was adopted.

2. LETTER DATED 7 JULY 1953 FROM THE PERMANENT REPRESENTATIVE OF ISRAEL TO THE UNITED NATIONS ADDRESSED TO THE CHAIRMAN OF THE CONCILIATION COMMISSION FOR PALESTINE
3. LETTER DATED 1 JULY 1953 FROM THE REPRESENTATIVES OF EGYPT, IRAQ, LEBANON, SAUDI ARABIA, SYRIA AND YEMEN TO THE UNITED NATIONS ADDRESSED TO THE CHAIRMAN OF THE CONCILIATION COMMISSION FOR PALESTINE

Mr. BARCO (United States of America) said that his delegation had the following comments to make on the draft reply to Israel as well as on that to the Arab delegations: the Commission might send to Israel a copy of the latest communication from the Arab delegations; including it at the appropriate place in the letter. As for the draft reply itself, his delegation had no specific objections but its view would be somewhat conditioned by the nature of the reply to the Arab delegations. In that connexion, there might be some advantage in sending the Israeli letter to the Arabs, saying that the Commission was studying the matter and was seeking further elucidation. The Commission might also say to the Arabs that it had considered the problem for some time and regarded it as involving a basic difference between the views of the parties which could only be settled by negotiations between them. Mr. Barco observed that the best answer to possible criticisms was that the responsibility for dealing with the situation lay with the parties and that the best way to resolve it would be by negotiations between them. Such a response would not preclude seeking further information from Israel. He suggested that both communications be considered together by the Commission.

Mr. BARAN (Turkey) felt that two questions were at issue: (1) the sale of Arab refugee property, and (2) the disposal of such property. He was in agreement with Mr. Barco insofar as the disposal aspect was concerned. The question remained, however, as to whether sale of the property was legal. It might be desirable to obtain an opinion on that matter from the Legal Department.

It was clear that the parties must agree when it came to the final disposal of the property. But the Arab delegations had posed a simple question which was also that which the Commission had asked of Israel: was the property being sold? For three months Israel had answered that reports to that effect were false and had promised a written answer. The Commission now had that answer, and he felt that it would be eminently reasonable to write to the Israel delegation posing questions along the lines set forth in the draft letter. The Commission must be very prudent, however, in drafting the letter to the Arab delegations, and he was not sure that the proper course would be merely to send them a copy of the Israeli letter.

Mr. BARCO (United States of America) did not think that his delegation attached great importance to sending the Israeli letter to the Arabs. It was quite true that the basic question was whether the Israeli Government had the right to dispose of the property in such a way as to make it unlikely that the original owners would ever be able to regain possession. The Israeli reply was not responsive to that question. Further information would be required from Israel before a legal opinion could be sought. He suggested that the possibility of requesting an opinion should be considered carefully by the members of the Commission in the light of that information.

Mr. BARAN (Turkey) agreed with that suggestion. In his view, the Israelis had certain rights as caretakers for the properties, but sale of the properties would be irregular.

Mr. LADAS (Secretariat) explained that the intention of the draft letter was not to question the authority of the Israeli Government to take whatever measures had been taken, but was to ascertain the real situation, in pursuance of the Commission's responsibilities under the two General Assembly resolutions so that the Commission could consider the legal aspects of the matter. The Israeli letter had joined two questions by indirectly indicating

the readiness of the Government of Israel to discuss compensation. On the compensation issue, the Commission had in the past taken a very distinct view, namely that the matter was one between Israel and the Commission. The Commission's position had been that Israel had a responsibility and should commit itself to payment.

Mr. BARCO (United States of America) thought that another question might also be considered. The Commission might ask Israel, if the property was being disposed of, what provision there was for the original owners to recover it. He agreed that that question was implicit in the third question in the draft letter, but felt that it would be better to put it clearly.

Mr. BARAN (Turkey) wondered if the Commission could not ask Israel exactly what it was doing. "Disposal" was somewhat vague.

The CHAIRMAN agreed and suggested inclusion of the words "and to what extent".

It was agreed that the draft letter would be revised in the light of the discussion and would be taken up at the next meeting along with the draft reply to the Arab Governments.

#### 4. REPORT ON THE QUESTION OF BLOCKED ARAB ACCOUNTS

Mr. CHAI (Acting Principal Secretary) explained that Mr. Messinesi, the Administrative Officer of UNTSO, had informed him of the appearance of an adverse movement among Arabs with regard to submission of applications for the release of blocked accounts. Copies of the memorandum in question had been circulated to the Commission. From subsequent communications, it appeared that the adverse movement had been started by certain account holders and that so far there had been no indication that the Arab Governments were in any way obstructing the progress of the operation. While the affair did not seem to have affected substantially the number of applications submitted, it seemed advisable, in order to prevent the situation from deteriorating, to provide

reassurances that the question of the release of the remainder of the blocked funds was being pursued by the Commission. Mr. Reedman had suggested that it might be desirable to write to Mr. Messinesi, asking him, whenever the occasion arose, to explain unofficially that the Commission was taking Israel's assurance seriously and was considering steps to work out a procedure as to future release which would affect the accounts of over 500 pounds. He noted that the action seemed advisable pending the Commission's decision on whether to send a representative to the area.

The CHAIRMAN asked Mr. Chai whether the Secretariat would be able to make such a representative available.

Mr. CHAI (Acting Principal Secretary) said that he would like to find out the possibility and inform the Commission at the next meeting.

Mr. BARCO (United States of America) said that he wished to make that request.

The CHAIRMAN and Mr. BARAN (Turkey) concurred with the request made by Mr. Barco.

It was agreed that the Acting Principal Secretary would report to the Commission about the matter at its next meeting.

Mr. BARAN (Turkey) recalled that at the end of Mr. Reedman's report had come the suggestion that if Israel were to guarantee full repayment, the banks could advance the total amount of the blocked accounts to the refugees. He felt that the Commission should get in touch with Israel to investigate that possibility.

Mr. BARCO (United States of America) agreed that the Commission should discuss the matter with Israel. The timing of that step, however, should be carefully considered. He recalled that the agreement with Israel had also

provided for release of the contents of safe deposit boxes on the same basis as the accounts. So far as he knew nothing had been done up to that point in that respect. Since Israel had at one time indicated that it would be pleased to hear any suggestions as to procedure on that point from the Commission, which had regarded it as a technical matter, that question might be among the matters which the Commission representative in the area could deal with.

The CHAIRMAN suggested that an approach might be made to the Israel delegation about the beginning of August regarding the question raised by Mr. Baran. The situation would be clearer at that time as a result of the expiration of the 31 July deadline for the submission of applications. He asked whether there had been any requests in connexion with the release of the content of safe deposit boxes.

Mr. CHAI (Acting Principal Secretary) replied that he knew of no such requests.

Mr. BARCO (United States of America) observed that it might be helpful in reassuring the owners for Israel to take the initiative in the matter of the safe deposit boxes.

Referring to the four or five applications rejected by the Custodian of Absentee Property on technical grounds, he said that the Commission's position had been that all the accounts should be unblocked. It would be desirable to have Israel waive the technicalities involved.

Mr. BARAN (Turkey) suggested that the Commission might invite the representative of Israel to meet with it. It would then be possible to raise the various questions which had been mentioned.

It was so agreed.

5. DRAFT PROGRESS REPORT OF THE COMMISSION

After some discussion the Commission agreed that the periodic report should consist of the first fifteen paragraphs of the draft text, along with one sentence on the question of Arab property in Israel.

The meeting rose at 12.15 p.m.