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UNITED NATIONS CONCILIATION COMMISSION FOR PALESTINE

SUMMARY RECORD OF THE THREE HUNDRED AND FIFTY-THIRD MEETING (CLOSED)

Held at Headquarters, New York,
on Wednesday, 9 January 1963, at 4 p.m.

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PRESENT

<u>Chairman:</u>	Mr. ASIROGLU	Turkey
<u>Members:</u>	Mr. ARNAUD	France
	Mr. BLAKE	United States of America
<u>Secretariat:</u>	Mr. GAILLARD	Acting Principal Secretary
	Mr. JARVIS (part only)	Land Expert

Adoption of the agenda

The agenda was adopted.

Consideration of work of Technical Office in the light of paragraphs 2-6 of the Twentieth Progress Report (A/5337), the postponement of a decision at the 352nd meeting (A/AC.25/SR.352, pp. 3-4), and the General Assembly resolution of 20 December 1962. (See memorandum from the Principal Secretary dated 21 December 1962 together with attached memoranda from Mr. Jarvis, Land Expert in charge of the Technical Office, dated 19 December 1962 and 8 January 1963.)

- (a) Brief oral report by Mr. Jarvis
- (b) General discussion of future programme of Technical Office
- (c) Specific directives to Secretariat in light of memorandum of 21 December 1962 cited above

The CHAIRMAN requested comments on the problems posed by the memoranda listed under the agenda item.

Mr. ARNAUD (France) considered that it would be unreasonable to leave unfinished work of such magnitude as had been carried on by the Technical Office. In addition it was desirable to seek to fulfil the promise implied in paragraph 6 of the Twentieth Progress Report that the index of owners and the calculation of each owner's share in jointly owned properties would be completed by the eighteenth session of the General Assembly. The representative of France requested clarification of the apparent discrepancy between paragraphs 5 and 15 of Mr. Jarvis' memorandum dated 19 December 1962. Paragraph 5 recommended an additional ten clerks if the work was to be completed "by the eighteenth session", while the budget calculation in paragraph 15 allowed for their payment only through October 1963.

Subject to clarification on this point, he was ready to approve the proposed expansion of staff to complete the current work by the eighteenth session.

Mr. BLAKE (United States of America) presented apologies in behalf of Ambassador Plimpton whom urgent business had prevented from attending the meeting.

Regarding the work of the Technical Office his Government felt it to be very desirable to complete the current phase of the work. It would be a great mistake to place in the archives uncompleted work since it would be most

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difficult to restart with a new untrained staff. On the other hand, the chances of putting the work to any immediate use were not so clear as to justify expansion of the present staff. It would perhaps be preferable to retain the existing staff level even if that meant non-completion of the work by the eighteenth session.

The CHAIRMAN speaking as the representative of TURKEY believed, as the representative of France had emphasized, that the Commission had an obligation to fulfil by the eighteenth session. The Conciliation Commission had been criticized for lack of positive accomplishment. Completion of the Technical Office work would enable the Commission at least to state that it was technically prepared for a compensation operation. Therefore he was inclined to favour the expansion of staff requested by the Land Expert. He requested the opinion of the Principal Secretary.

Mr. GAILLARD (Acting Principal Secretary) explained some of the office space problems and unforeseen technical complexities which had upset the initial target date for completion of the current work by the spring of 1963. The job was now a little more than one-third complete. The memorandum of Mr. Jarvis did not propose expansion of staff. He recalled the Secretariat memorandum of 8 November 1962 in which Mr. Jarvis and he had said they "would not recommend that the additional expense of extending the staff contracts be incurred unless there is a prospect of implementation (of a compensation scheme) at an early date". The 19 and 21 December memoranda merely presented working data as the basis for a Commission decision. The expansion of the staff by ten clerks if the Commission wished to have the task finished by the eighteenth session was at best an estimate, not a certainty. In requesting any supplementary funds therefore the Commission would be well advised not to be too definitive in its statements.

As to the apparent discrepancies referred to by the representative of France, Mr. Gaillard stated that the budget calculation providing for additional staff through 31 October was a compromise figure in view of the deliberate ambiguity of the phrase "by the eighteenth session" which might mean early September or the end of December. Subsequent consultation with Field Service indicated that it would be preferable to ask for funds adequate until 31 December. It was always easier to return unused monies than to secure additional funds for an agreed programme.

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As to the Commission's "commitment" under paragraph 6 of the Twentieth Progress Report, the Principal Secretary recalled that the phrasing had been deliberately adopted to avoid committing the Commission until after the close of the seventeenth session. Therefore in his opinion there was no definite commitment.

The CHAIRMAN agreed that there was no absolute commitment but felt that there was a moral obligation. Therefore he favoured sending the Secretary-General a letter requesting the additional personnel together with an appropriate supplementary budget request as outlined in paragraph 4 of the Principal Secretary's memorandum of 21 December.

Mr. ARNAUD (France) pointed out that the French translation of paragraph 6 did not reflect accurately the original English text and did indicate a definite commitment.

Mr. GAILLARD (Acting Principal Secretary) suggested that a corrigendum be issued.

Mr. ARNAUD (France) argued that the ultimate cost of completing the work should be the same - whether done by ten persons in two years or twenty persons in one year. Since the Commission did not know whether it would be able to inform the eighteenth session of positive results on other aspects of its responsibilities, it would be advantageous if at least by completing the technical identification and valuation programme it could show that its activity had produced a tangible, concrete basis for launching a compensation operation. It could facilitate drafting the next progress report.

Regarding the question of seeking to retain for the Commission the services of Mr. Jarvis, Land Expert, the representative of France believed that without the experienced administrative hand of Mr. Jarvis the Commission could not be assured that the tedious work of the Technical Office would be carried on with the same guarantees of seriousness and success. He considered that Mr. Jarvis should be retained till the end of the year to manage the expanded Technical Office. Of course it would not be justifiable to keep such a highly qualified officer beyond the necessary period.

The CHAIRMAN, speaking as the representative of TURKEY, expressed complete agreement with what the representative of France had said. The latter's reasoning was sound and he was therefore more than ever inclined to support the increase in staff. The Commission would find itself without excuses if it could not report to the next Assembly completion of work for which no further co-operation from States concerned was required. He asked the representative of the United States of America whether he had strong objection to sending a letter to the Secretary-General requesting the added staff, the funds and, in particular, the necessary additional office space.

Mr. BLAKE (United States of America) considered the arguments of his colleagues rather persuasive. He would acquaint his Government with their strong feelings.

However, prior to taking a definite decision, he thought it would be advisable to obtain from the Secretariat information on the practicability of securing additional staff and the necessary space within the projected time limits, and the availability of the necessary supplementary budgetary funds within the 1963 calendar year. Was there assurance that the extra staff could be trained and the project executed without great loss of efficiency? Such information was relevant to any firm decision.

The CHAIRMAN, speaking as the representative of TURKEY, said that he had presumed that the Secretariat memoranda had been based on studies indicating that completion of the work by the eighteenth session was a practical proposition. He suggested that if the representative of the United States found his Government agreeable to the ideas of the French representative, the Principal Secretary could be asked to prepare the letter and necessary budget request for transmission to the Secretary-General without the necessity of another meeting.

Mr. BLAKE (United States of America) felt that saving of time was always useful but before any letter was written he would like to know that office space was available.

The CHAIRMAN suggested that a Secretariat inquiry should include the possibility of working an expanded staff on a two-shift basis which would obviate the need for extra space.

Mr. GAILLARD (Acting Principal Secretary) indicated that while an expansion had been considered in some detail, assurances on its practicability had not been obtained prior to a Commission decision. Such a decision would be helpful in view of competing demands for office space and necessary to processing a supplementary budget request. He believed that such a request should include funds for an expanded staff through 31 December 1963 in order to play safe regarding possible further complexities developing in the work. In view of the persuasive arguments of the representative of France he was now inclined to favour immediate steps to extend the secondment of Mr. Jarvis by the United Kingdom through the year 1963. The possibility that Mr. Issaevitch, the assistant of Mr. Jarvis, might not wish to remain with the Commission and the possible need of substantive studies in the field of compensation were additional reasons for retaining Mr. Jarvis. He thought that both the United Kingdom and Mr. Jarvis would agree to an extension. He had some reason to hope that the Controller's Office would consider approval by the Advisory Committee of a supplementary budget request so certain that immediate action could be taken to start the recruiting process.

Mr. BLAKE (United States of America) suggested that the problems surrounding an extension of Mr. Jarvis' services be included in the Secretariat inquiry. He was definitely willing to ask Mr. Jarvis to stay on at least until July when the Commission would know more about its substantive work programme for 1963. As far as further extension was concerned, he felt sure that his Government would accept an arrangement that was practical and mutually agreeable to all members.

The CHAIRMAN called attention to a letter from Dr. Johnson dated 8 January 1963 expressing high praise of Mr. Jarvis' qualifications and the feeling that his departure would seriously hamper the Commission in carrying out its responsibilities. He suggested that the Commission agree in principle to requesting a one-year extension of the secondment of Mr. Jarvis, subject to the proviso that he might be returned to his United Kingdom earlier should the work be completed and subject also, of course, to the agreement of the United Kingdom and Mr. Jarvis himself.

Mr. ARNAUD (France) presented further arguments on the wisdom and need for his retention as long as an expanded staff was maintained. He also suggested that if his services were needed subsequently, the Commission would probably receive favourable response from the United Kingdom to a request for the benefit of his services on an advisory basis or for a further period of secondment.

After some further discussion of details the CHAIRMAN requested the Principal Secretary to report as soon as possible on the practicability of the expanded staff idea and of retaining Mr. Jarvis, and also on the special problem of Mr. Issaevitch. Upon receiving this information the representative of the United States should be able to obtain instructions from his Government. The Commission could then take a formal decision, perhaps without the need of another formal meeting, on a letter to the Secretary-General in this matter of an expanded staff on which he felt members had already agreed in principle.

It was agreed that any supplementary budget request should provide, at an estimated cost of \$2,000, for two microfilm copies of the basic RP/1 forms of the Technical Office, as recommended by the Land Expert in his memorandum dated 8 January 1963.

Mr. GAILLARD (Acting Principal Secretary) said that he would supply the requested information as soon as possible.

Progress Report on the current "Blocked accounts" release operation

Mr. GAILLARD (Acting Principal Secretary) reported that although the Israel Custodian of Absentee Property had approved some applications from Arab refugees for release of their accounts under the operation launched in May 1962, technical difficulties on the Israel side had thus far held up any actual payments to refugees through Barclay's Bank. The Commission's Liaison Officer in Jerusalem was keeping him in close touch with the situation. He would arrange to consult with appropriate Israeli officials should the delay be unduly prolonged and would keep the Commission informed.

There were also two outstanding problems to be resolved with the United Arab Republic and one with the Syrian Arab Republic. These had been the subject of draft letters circulated to the Commission for consideration with the memorandum dated 19 September 1962. They had been referred to in paragraphs 8

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and 10 of the Twentieth Progress Report. As authorized by the Commission, he had sought information from the Permanent Mission of the United Arab Republic as a basis for a Commission decision on appropriate action to try to resolve the problems. Unfortunately he could not yet report results but would pursue his inquiries urgently.

The CHAIRMAN expressed thanks and said the Commission would await a report.

Consideration of draft reply to letters from Mr. Ka'war (draft attached dated 9 January 1963)

The draft reply to Mr. Ka'war was approved as well as the general formula of the letter for use by the Secretariat in similar cases in the future.

Other business

Mr. JARVIS (Land Expert), who had been detained on urgent business, made a brief oral report. He stated that he had covered most of the problems of the Technical Office with which he had wished to acquaint the Commission during the briefing of the Commission in the Technical Office which had preceded the meeting. He wished only to call attention to the supplement to his Office's interim report (A/AC.25/W.83/Add.1) which had been submitted with an attached joint memorandum from the Principal Secretary and himself dated 17 September 1962 but never formally noted by the Commission. He thought it important to record that the valuation work of the Technical Office had been completed.

The CHAIRMAN extended on behalf of the Commission warm thanks to Mr. Jarvis for a tremendous job well done. In the words of a Turkish saying Mr. Jarvis had succeeded in digging a very deep well with a needle.

Mr. JARVIS (Land Expert) expressed thanks for the appreciative remarks, said that the task had proved a fascinating one and voiced the hope that the work would be brought to fruition by a compensation operation.

The meeting rose at 5.40 p.m.