

RESTRICTED
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SUMMARY RECORD OF THE THIRTY-SEVENTH MEETING

held in Beirut on 4 April 1949 at 11 a.m.

Present: Mr. de Boisanger (France) - Chairman
Mr. Yalcin (Turkey)
Mr. Ethridge (U.S.A.)

Mr. Azcarate - Principal Secretary

Replies from Arab delegations

The PRINCIPAL SECRETARY reported that during his interview with the Lebanese Minister for Foreign Affairs he had learned that a reply from the Egyptian Government, the only reply now outstanding, would probably not be forthcoming in time for a six o'clock meeting of the Commission that evening.

The CHAIRMAN observed that although the Government of Iraq had given a negative reply, it did not object to acceptance by the other Arab States; he thought the plans for the meetings should continue, and that in all probability Iraq would eventually be represented. He suggested that the Commission should postpone its meeting until the following morning, and that the Principal Secretary in the meantime should inform the Lebanese Minister that the Commission would not wait longer but would take its own decision at that meeting if the Egyptian reply was not forthcoming.

News report regarding Israeli-Transjordan armistice

The CHAIRMAN expressed concern over a news report to the effect that under the terms of the Israeli-Transjordan armistice a committee had been set up, separate from the Mixed Armistice Commission, to deal with economic and political questions affecting Jerusalem. He had understood that the

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armistice agreement contained nothing concerning Jerusalem except the matter of truce lines; the Acting Mediator had agreed to contact the Commission on any points of interest to it. He asked the Principal Secretary to despatch a telegram to Dr. Bunche requesting clarification.

Consideration of the draft report to the Secretary-General

The CHAIRMAN then invited discussion of the first section of the Second Progress Report to the Secretary-General, paragraph by paragraph.

In Section I, "Refugees", Mr. YALCIN objected to the phrasing of the fourth paragraph, which was revised to read: "... the Commission admits that the Arab contention is well founded; but it considers it necessary to make certain observations concerning its application."

In the fifth paragraph, the CHAIRMAN suggested the deletion of the phrase "simultaneously with acceptance of the principle by the Government of Israel", maintaining that the situation was not the same for the Government of Israel as for the Arab Governments. The suggestion was agreed to.

In the sixth paragraph, Mr. YALCIN thought it unnecessary to explain the reasons for the measure recommended. The paragraph was amended to read: "The Commission also believes that for purely physical reasons ..."

Mr. ETHRIDGE asked for deletion of the reference to Israeli nationality, in the same paragraph, since it gave the impression that the United Nations would lend its approval to any Israeli nationality law applying to the refugees. After some discussion, the last sentence was amended to read: "The refugees must be fully informed of the conditions which will govern their return - in particular, the obligations which their return implies and the rights which will be guaranteed them."

With regard to paragraph (2) of the same section, Mr. ETHRIDGE thought some mention should be made of the fact that the refugees had denied any influence of Arab propaganda over their departure, and that large numbers of refugees had already left their homes before the end of the Mandate.

/Mr. Ethridge

Mr. Ethridge also asked for the deletion of paragraph (3) as being awkward and unnecessary, in view of the fact that both parts of the report would probably reach the General Assembly at the same time.

At the request of Mr. YALCIN, who considered the first part of paragraph (4) useless, the first two sentences were deleted, as far as the words "... neither repatriation ..."

At the suggestion of Mr. YALCIN and Mr. ETHRIDGE, the first sentence of paragraph (5) was amended, substituting the word "rehabilitation" for "absorption" and deleting the phrase "for the Arab States and Israel".

Mr. ETHRIDGE had the same objection to paragraph (2) of Section II, "Jerusalem", and to the last paragraph of the report, as he had raised previously. The two paragraphs were deleted as serving no useful purpose.

The Commission approved the draft report, as amended.

Draft Communique

The PRINCIPAL SECRETARY presented a revision of the draft communique concerning the continuation of exchanges of views. The revision had been discussed by the Arab delegations and accepted by them in its present form.

The Commission approved the draft communique, and agreed that it should be issued as soon as all official replies had been received.

Further activities of the Commission

The PRINCIPAL SECRETARY reported that the interview with Mr. Ben Gurion in Tel Aviv had been fixed for 11 a.m. on Thursday.

The CHAIRMAN expressed the view that while the conversation would probably last only about two hours, it might be desirable for the Commission to consider asking Mr. Ben Gurion to send a representative to Jerusalem during the week-end to continue the discussions. With regard to the interval between the Tel Aviv meeting and the opening of new conversations with Arab and Jewish representatives, he suggested that the Commission should spend that time in studying the

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questions it wished to discuss during the meetings. There would be a certain amount of preparatory work to be done by the Secretariat in assembling the agenda.

Mr. ETHRIDGE suggested that the time and place for the new meetings should be fixed at a meeting of the Commission in Jerusalem on Friday. He also wondered whether the Secretariat might arrange a trip by air over the Negev for those members of the Commission who had not yet seen the territory.

With regard to a suggestion by the CHAIRMAN that the meetings might open on 26 April, Mr. ETHRIDGE said he hoped an earlier date might be arranged if possible. Concerning the location to be chosen, he reiterated that he would agree to any city suggested by the Arab and Israeli Governments, but he thought it essential that the Commission should make every effort to obtain a free expression of preference from the Arab delegations. He felt that the Commission would be subject to criticism if it gave the impression of imposing its will on the Arabs or of exerting pressure in favour of any particular location. As regards Geneva, he had heard several of the delegations mention that there would be currency difficulties involved for them; he also remarked that Geneva would be less desirable from the point of view of public opinion in the United States. He would prefer Rhodes because it was closer to the Palestine area and he anticipated that it would be necessary for the delegates to return frequently to their capitals for further instructions. Moreover, accommodations and communications were good. The most important thing, however, was that suggestions should come from the Arab Governments. He suggested that the Principal Secretary should inform their spokesman that the Commission awaited not only their decision in principle regarding the meetings, but also their suggestions concerning the site.

/The CHAIRMAN

The CHAIRMAN supported Mr. Ethridge's proposal; he doubted, however, whether any clear expression of preference would be forthcoming from the Arab delegations. His information indicated that the Israeli Government favoured Geneva owing to their desire for separate conversations, which would be easier to arrange there than in Rhodes. In any case it would be necessary to obtain the official views of the Israeli Government before taking a decision.

He agreed that the meetings should be opened at the earliest possible date, but pointed out that the Arab Governments had asked for a certain amount of time to prepare. He did not think it would be possible to open them earlier than 26 April.
