

RESTRICTED
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SUMMARY RECORD OF THE THIRTY-EIGHTH MEETING

held in Beirut on 5 April 1949 at 11.30 a.m.

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

The CHAIRMAN invited the comments of the Commission on the final draft of Part One of the Second Progress Report to the Secretary-General (A/AC.25/PR.2, Part One).

The PRINCIPAL SECRETARY pointed out that Section III, "Conciliation", had been omitted in the present draft because it had been anticipated that changes might be necessary as a consequence of the final plenary meeting.

The CHAIRMAN suggested that the first paragraph of Section III should be retained as it stood in the previous draft, except that one sentence should be revised to read: "Consequently the Arab States, with the exception of Iraq, have declared themselves ready ..."

With regard to the second paragraph of Section III, the deletion of which had previously been requested, the PRINCIPAL SECRETARY suggested that it might be useful to retain the third sentence only of that paragraph.

The Commission approved the report as amended, for immediate despatch.

With regard to the afternoon meeting with Dr. Bunche, the CHAIRMAN suggested certain matters on which the Commission should seek information from the Acting Mediator; these included the question of armistice observation, the functions to be assumed by the Commission in taking over the Mediator's work,

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and full details on the Jerusalem situation and the Transjordan armistice talks.

The Chairman then raised the question of the letter which had been received from Dr. Eytan, Director-General of the Ministry for Foreign Affairs, writing on behalf of Mr. Ben Gurion, which he considered unsatisfactory. He recalled that in its previous letter to the Israeli Government the Commission had stated that if the news of the transfer of five ministries to Jerusalem were confirmed, the Commission would have to report the matter to the Secretary-General as being contrary to the terms of the resolution. He thought such a report should now be submitted, either as part of the report or in a separate communication.

Mr. YALCIN thought that since the incident was outside the normal preoccupations of the Commission, it should be reported immediately and separately from the Commission's report.

Mr. ETHRIDGE was of the opinion that the letter must be answered; a letter of reply should be despatched immediately stating that the Commission considered the move a violation of the terms of the resolution and intended to report it to the Secretary-General. A telegram could then be sent to the Secretary-General immediately after the meeting with Mr. Ben Gurion; if it were sent before the meeting, he feared it might prejudice the discussion.

The Commission agreed to Mr. Ethridge's proposal.

The CHAIRMAN asked the Principal Secretary to draft a further telegram to Mr. Ben Gurion, for the Commission's approval, stating that the Arab States had agreed to resume talks in an as yet undetermined neutral city, with an Israeli delegation present, and that the Commission would discuss the matter on its arrival in Tel Aviv.

/The Chairman

The Chairman expressed the view that the Commission, in its talk with Mr. Ben Gurion, should emphasize the fact that the Arab delegations had not placed any conditions upon their acceptance of the invitation to further conversations, and that in general they had made substantial concessions.

Mr. ETHRIDGE supported the Chairman's view. His delegation had prepared a list of certain questions which he thought should be brought out during the Tel Aviv talks; he would turn the list over to the Chairman, who was free to make whatever use he wished of it.
