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SUMMARY RECORD OF THE THIRTY-NINTH MEETING

held in Beirut on 5 April 1949 at 4.30 p.m.

Present: Mr. de Boisanger (France) - Chairman  
Mr. Yalcin (Turkey)  
Mr. Ethridge (U.S.A.)  
Mr. Azcarate - Principal Secretary  
Dr. Ralph Bunche - Acting United Nations Mediator  
on Palestine.

The CHAIRMAN thanked Dr. Bunche for coming to Beirut, and regretted that the Commission had not been able to go to Rhodes to confer with him. He congratulated the Acting Mediator on the work he had accomplished in Rhodes, which was the essential first step toward the accomplishment of the Commission's own task.

Dr. BUNCHE expressed his regret for the unavoidable delay in arranging a meeting with the Commission. The recent visit of Mr. Wilkins to Rhodes had been of great value to him in giving him the background of the Commission's work up to that time. He attributed the success of his negotiations largely to the sincere desire of all the delegations to achieve agreement, his own role having been chiefly to find compromise solutions and keep the negotiations proceeding. The agreements concluded represented the culmination of two years of intensive United Nations work on the Palestine problem, and constituted a further step in the long process of conciliation which it would be the Commission's task to bring to a conclusion.

The CHAIRMAN explained that the Commission had just obtained the consent of most of the Arab States to a continuation of the Beirut talks, to be held in a neutral city where a delegation of the Government of Israel would also be present.

present. It was not a question of joint round-table discussions as yet, but of exchanges of view between the Commission and the separate delegations. The matters to be discussed would include not only the refugee problem but also the question of frontiers and all other questions which would eventually enter into the peace settlement. The Commission would like Dr. Bunche's impressions and advice on the project; it would also like his comments on certain outstanding points in the various armistice agreements, on the state of mind of the delegations, and on the probable action to be taken by the Security Council with regard to armistice supervision.

Dr. BUNCHE pointed out that the three agreements concluded so far were entirely on a military level. The delegations, however, had doubtless recognized that political considerations were very close to the surface and had tended at times to manoeuvre with that in mind. One delegation or another had occasionally endeavoured to enlist the Mediator's support for one of its proposals, requests which had of course been refused.

The three agreements concluded were actually four, since the Trans-jordan agreement also covered that part of the front held by Iraqi forces, which would eventually hand over the territory to the Arab Legion. The interests of Saudi Arabia were covered by the Egyptian agreement, and there were no Yemen forces in Palestine; therefore the only essential agreement now lacking was that with Syria. It was still too early to judge the prospects of the Syrian negotiations, but they would probably be difficult, although there was only one major issue, that of the frontiers. The Jews would insist that Syria withdraw to the international frontier, whereas Syria would insist, at the very least, on the existing fighting line. The negotiations would probably be lengthy and slow, requiring much patience and considerable waiting for developments; he had tried to expedite them, but with little success. Occasionally, during the other negotiations, the delegations had deliberately delayed the discussions in order to gain a point; often, even though a delegate knew his position to be untenable, he felt it necessary to maintain that position in order to avoid

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losing face. Although Dr. Bunche feared this would be the case in the Syrian negotiations, he nevertheless thought the prospects of ultimate success were reasonably good, for two reasons - first, Syria could not afford to be alone in a state of hostility with Israel; and secondly, the Jews, having seen so much progress made, would hardly jeopardize the final peace by risking new hostilities on one front, with the probable result of re-opening the fighting generally.

In explanation of the slow progress of the negotiations, Dr. Bunche pointed out that it had usually been necessary for both sides to re-orient their thinking at the beginning of the talks. The Arabs had not come to Rhodes in a frame of mind for surrender, nor had the Jews come in a spirit to be generous; it had been necessary for each side to learn how the other was looking at the problem, and after the first few days the talks had progressed more smoothly.

Commenting upon the effectiveness of the agreements, Dr. Bunche said that the Egyptian and Lebanese agreements seemed to be most effective; tension had been completely removed and the situation stabilized. The Transjordan agreement was more complex, chiefly owing to the provisions regarding the Iraqi front, where minor incidents were being reported almost daily. It was not known how soon the Iraqi forces would withdraw, and until they did the area would be a danger point. The Jews were sensitive regarding their interests in this area, since the line paralleled their coastal front a relatively short distance away.

Mr. ETHRIDGE asked for clarification of the news report regarding the provision in the Transjordan agreement, for a special committee to deal with affairs concerning Jerusalem.

Dr. BUNCHE explained that the Transjordan agreement included, in addition to the provision for a mixed armistice commission, a further provision for a special committee consisting of two representatives of each country. This committee had been set up as a result of a deadlock in the negotiations, reached when Transjordan insisted upon free use of the Bethlehem-Hebron road (which would have left Talpiot and Katamon within Arab territory), while the Jews insisted upon free access to Mt. Scopus. The Mediator's compromise solution,

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involving the placing of certain areas temporarily under a mixed Arab-Jewish police with United Nations supervision, had been flatly rejected by the Jews on the ground that it would be a step towards internationalisation of Jerusalem. As a result, the existing situation had been prolonged without change in the lines. The special committee had been the only point accepted out of a fifteen-point programme offered by the Mediator in an effort to set up machinery to deal with such problems as might arise under the armistice. The news report had given too broad an interpretation of the committee's functions; it had been established simply as a means of continuing to deal with the problem, since both sides recognized that the roads should be free but agreement had not been reached at Rhodes.

In reply to a question by the Chairman, who asked whether paragraph 3 of the Transjordan agreement meant that all arrangements made by the special committee must be approved by the mixed armistice commission, Dr. Bunche explained that the type of question referred to would be dealt with by the committee rather than the commission; if the committee reached agreement on any arrangements, it would then turn over implementation and supervision of those arrangements to the commission.

Concerning the spirit evidenced by the delegations during the talks, Dr. Bunche said that the Arab delegations had often arrived in Rhodes in a bitter frame of mind and for some days had been reluctant to sit at the same table or even in the same room with the Jewish delegation. A certain amount of time and patience had been necessary to bring them together, following which their contacts as individuals had been most friendly. The Jews, however, had often shown themselves unduly severe and ungenerous during the negotiations. At present the atmosphere seemed favourable, and Dr. Bunche felt that the Jews had a great opportunity before them if they had the statesmanship to take advantage of it. A more liberal policy would be necessary, however, on some points, notably the refugee question.

With regard to the question of armistice supervision, Dr. Bunche pointed out that ever since his arrival in Palestine with Count Bernadotte, the Mediator had been forced to carry the dual responsibility of mediation and truce supervision. This unfortunate combination of functions had produced many difficulties, since questions of truce supervision had often arisen during the course of the armistice negotiations, delaying the negotiations and affecting his relations with both sides.

As the situation stood at present, the armistice agreements did not supersede the Security Council truce resolution of 15 July 1949; the truce was therefore still in effect. He and General Riley, acting on their own discretion, had gradually lessened the truce supervision, reduced the personnel and closed observer posts in some areas where armistice agreements were now in effect. The Security Council, however, would have to take some action in view of the changed circumstances.

Dr. Bunche then presented a draft he had prepared setting forth his ideas on the situation. A Security Council injunction was still needed, but not the elaborate and extensive organisation set up for supervision of the truce. Although there was no provision for United Nations supervision of the armistice, the parties had requested assistance from the United Nations. The Chief of Staff therefore suggested a team of approximately thirty Belgian, French and United States observers, assigned under the same terms as heretofore, to be available to the mixed armistice commissions for supervision of the armistice terms; they should operate under a new Security Council resolution appropriate to the situation. Such a procedure would lighten the task of the Conciliation Commission, which would not be charged with supervision either of the armistice or of the truce; if there were violations of the armistice terms, the parties would appeal to the Security Council.

In reply to a question from the Chairman concerning the Security Council's injunction of 29 May 1948 against importation of arms and fighting personnel into the Middle East, Dr. Bunche pointed out that the supervision and control of arms

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importation had never been a part of the resolution, but had been worked out on the spot between the Mediator and the parties. It was now unnecessary and obviously impossible to continue some of those restrictions, which could only be maintained with a very extensive organisation; even at its full strength of over 700 personnel, the truce observation staff had never been able to guarantee absolute supervision of all roads, harbours and airfields in the seven Arab States and Palestine.

Concerning his own plans, Dr. Bunche stated that he would leave Rhodes before the end of the week, at which time his work there would be terminated and his office closed. Upon his return to Lake Success he would report upon his negotiations and would then call the attention of the Security Council to his letter requesting that the office of Mediator be terminated and any remaining functions transferred to the Conciliation Commission. He would ask the Security Council to relieve him promptly of any further responsibility in the area, since he felt that the United Nations should not maintain two offices with duplicate functions in the Middle East. The way was now open for the Conciliation Commission to undertake the final stage of negotiations and bring the parties to a final settlement of their political and economic problems.

Dr. Bunche added a comment concerning the reasons for the original establishment of his office in Rhodes. The location had been chosen because it was the nearest neutral spot, and experience had shown that delegations were continually forced to return to their capitals for instructions, since in practice the delegates were never given full powers by their Governments nor permitted to take a position on any important issue.

In answer to a question from Mr. Yalcin regarding the real feelings of the Arabs toward peace, Dr. Bunche stated that they sincerely desired peace but that many cross-currents were involved, such as internal political conditions in their countries, which made the delegates uncertain of the reactions to the steps they took. The tone of their demands, however, had changed substantially

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since the talks he had had with them the preceding November; he felt that their attitude was much more conciliatory than at that time.

Mr. YALCIN asked whether it would be possible for the armistice boundary lines to become the final peace lines.

Dr. BUNCHE thought it was possible, but doubted whether most of the Arab States, particularly Syria, would be satisfied with the present lines. Much would depend on the status of Transjordan in the final settlement; if Transjordan were accepted as the Arab authority in Palestine, there would be more possibility of the armistice lines becoming permanent.

In reply to a question from Mr. Yalcin concerning the demand of Transjordan for a port on the Mediterranean, Dr. Bunche said that although it had been expected that Transjordan would press that point, it had not been mentioned at any time during the negotiations. This might mean only that Transjordan was awaiting the final peace settlement to make its demand; but it should be noted that it had taken no specific steps to protect its position in that regard.

The CHAIRMAN expressed the Commission's thanks to the Acting Mediator for his clear and full explanations.

Dr. BUNCHE extended his best wishes to the Commission for the success of its work. He saw no reason why the next stage should not be the final one in the Palestine question for the United Nations.

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