

RESTRICTED
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SUMMARY RECORD OF THE FORTIETH MEETING

held at the King David Hotel, Jerusalem,
on 8 April 1949 at 10 a.m.

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

Decision on site and date of forthcoming meetings

In response to a comment by the CHAIRMAN, who thought the Commission should now decide upon a location in Switzerland, Mr. ETHRIDGE said that although he would not insist upon Rhodes, which had always been his preference, he nevertheless thought the possibilities of Italy should be canvassed, since several of the Arab representatives had expressed an interest in that country as the site and Switzerland had been favoured only by the Jews. He had no objections to Switzerland, but the Commission must not give the impression of having been led into a decision by either side.

Mr. ETHRIDGE stressed the vital importance of communications if the meetings were to be held in a remote spot and if the Commission insisted that the delegates should not return often to their capitals for instructions. He recalled that the establishment in Rhodes had included three separate communications systems, which had been kept constantly in full use by the delegations and the Secretariat.

With regard to the cable which had been received stating that the United States preferred Rhodes as the site for the talks, Mr. Ethridge stated

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that he had not attempted to sway his delegation at Lake Success; he had said that Rhodes was his own preference but that he would go to any city agreed upon by both sides.

The CHAIRMAN pointed out that the Arabs had raised no objection to Switzerland. He agreed with Mr. Ethridge concerning the vital importance of communications; if that was to be the decisive element in the question, he thought Switzerland would be the only possible choice. In any case, the Arabs had virtually given the Commission carte blanche to decide on the location.

Mr. de BOISANGER remarked that several of the Arab representatives had expressed to him a preference for Berne, since they could communicate through their legations there. Since Berne was impractical owing to lack of accommodation, Lausanne seemed to him the best choice; it was conveniently located half-way between Berne and Geneva, and the delegations would be able to communicate through Berne and even to appoint their Berne representatives as delegates if desired. Mr. de Boisanger, however, expressed himself as more than willing to investigate the possibilities of a city in Italy.

Mr. BARNES drew the Commission's attention to certain points which concerned the Secretariat and which might have a bearing on the choice of location. First, while the choice of site was the function of the Commission, he pointed out that under the terms of a resolution passed at the third session of the General Assembly the budgetary implications of movements of Commissions in the field must be approved by the Secretary-General; the latter would have to authorize any expenditure involved if the Conciliation Commission withdrew from Palestine. In that connection he mentioned the fact that the General Assembly's appropriation to cover all activities in Palestine, including the truce observation establishment, was already being spent at a disproportionately rapid rate. Secondly, with regard to communications, Mr. Barnes stated that the setting up of United Nations facilities anywhere in Europe could not be contemplated, owing to the excessive expense involved, the personnel required

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etc. The Commission and the delegations would have to rely on diplomatic or commercial channels. Thirdly, on the question of transport, he said that the Secretariat could not set up a United Nations air service, since its existing agreement with the United States Air Force applied only to the Palestine area. The planes would of course be available to transport the Commission, but they could not be placed at the service of the delegations unless a new agreement were arranged.

After considerable discussion, during which the CHAIRMAN and Mr. de BOISANGER indicated a preference for Lausanne, Mr. ETHRIDGE asked that it should be recorded that in his opinion the Commission would be making a mistake in leaving the Palestine area, but that since his view was not supported either by the Arabs, by the Jews or by his colleagues of the Commission, he would not press it further.

The Commission agreed that the talks should open on 26 April in Lausanne, subject to the Secretary-General's approval.

Mr. de BOISANGER thought it should be made clear to all delegations attending that their travel would be entirely at their own expense. He also suggested that the Secretary-General should be asked to contact the Swiss Government, explaining that a peace conference was not contemplated, but merely the presence of foreign delegations.

Mr. ETHRIDGE requested that when a communique was given to the press, it should be made clear that the Commission had consulted both parties and that Switzerland had met with the least objection.

Palestinian Assets (document W/8)

The PRINCIPAL SECRETARY explained that in his opinion the interest of the document for the Commission lay in the possibility, however vague, that part of the funds might be used for resettlement of the refugees.

The CHAIRMAN agreed with Mr. ETHRIDGE's view that the Commission could not usefully discuss or act upon the document except in connection with the peace settlement and its attendant discussions of economic matters.

/Mr. ETHRIDGE

Mr. ETHRIDGE remarked that he had given a copy of the document to Mr. McGee, who had expressed considerable interest. Mr. McGee was returning to Washington via London, where he would discuss the matter with the appropriate officials.

Technical Committee on the Refugee Question

Mr. ETHRIDGE asked for clarification concerning the functions contemplated for the proposed committee.

He saw no final solution of the refugee problem except in connection with a Middle East development board which would organise some sort of economic development of the whole area, through the United Nations and with the collaboration of the World Health Organization, the Food and Agriculture Organization, the International Bank, and all the necessary private agencies operating in the field. It would be an operation involving large-scale financing and general commitments by the governments represented in the United Nations.

The Technical Committee envisaged obviously could not embark upon such an operation.

In his opinion the Technical Committee should be of a provisional nature and set up on a modest scale. There were a number of intermediate steps it could take toward the immediate relief of the situation, in consultation with the Governments involved. He mentioned the shortage of dock workers in Haifa, and the deterioration of the orange groves in some areas owing to lack of workers; both situations offered possibilities for employment of refugees. The Committee might also investigate the case of 6,000 non-refugee Bedouins near Gaza who were at present being cared for by the Quakers.

Mr. Ethridge added the comment that Mr. McGee, who was at present on his way to Washington, had outlined a course of action on which he hoped to obtain the agreement of British, French and Turkish economists in Washington, for the setting up of a permanent board. The proposal would eventually be made by the Commission and could be accepted by the Secretary-General without

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recourse to the General Assembly; the board could therefore start work some time in advance of the next regular session of the Assembly.

Mr. de BOISANGER supported Mr. Ethridge's views. He thought the Committee could also do valuable work assisting the relief organizations in taking a census of the refugees, perhaps by professional categories.

Mr. ETHRIDGE proposed that the Committee should be a subsidiary body of the Commission, appointed by the Commission from the Secretariat; the Principal Secretary might make suggestions regarding its composition.

Mr. BARNES suggested that the Secretariat should outline the terms of reference of the Committee as it envisaged them, with a list of positions; it could then be determined whether the personnel would be recruited from Lake Success, or - more probably, since they would be specialists - from outside the Secretariat.

It was agreed that the Secretariat would submit such a paper for the consideration of the Commission at a meeting in the near future.

Mr. ETHRIDGE remarked that after the meeting with Mr. Ben Gurion he had talked with Mr. Eytan and Mr. Shiloah, who had seemed favourable to the idea of certain conciliatory gestures being made by the Government of Israel before the opening of the talks. Mr. Comay and Mr. Shiloah were coming to Jerusalem on Sunday to discuss the matter. Mr. Ethridge suggested that the Secretariat should assemble in the form of a memorandum all the suggestions advanced by the Arab Governments; such a memorandum, after approval by the Commission, could form the basis for his conversation with the two Israeli officials.

Mr. Ethridge explained that in his opinion the Commission's work in Lausanne would be facilitated by continued unofficial individual contacts with Israeli officials during the Commission's stay in Jerusalem; he was willing to undertake such contacts on behalf of the other members of the Commission.

The Commission agreed to Mr. Ethridge's suggestion.

Part Two of the Second Progress Report to the Secretary-General

Mr. de BOISANGER thought that the second part of the report should be brief and should consist in a virtual transcription of Mr. Ben Gurion's remarks, without interpretation.

The CHAIRMAN requested the Principal Secretary to draft the second part of the report for approval by the Commission at a meeting that evening.

Future activities of the Jerusalem Committee

Mr. BENOIST (Chairman, Jerusalem Committee) explained that the Committee had the previous day paid courtesy visits to representatives of the various Christian sects. Their position in general was already known; but many of them had proved to be less preoccupied with the situation of the Holy Places of Jerusalem than with that of other Holy Places such as Nazareth and Tiberias. If confirmation was received from the Commission that the Committee's field of action included all the Holy Places of Palestine, the Committee planned to visit Galilee the following week in order to see for itself the present situation of the Christians there and their relations with the Israeli authorities.

Mr. de BOISANGER was in favour of the Committee's visiting Galilee.

With regard to the future work of the Committee, he agreed with the CHAIRMAN that in view of Mr. Ben Gurion's statement the Committee's work and its draft statute were now largely theoretical. The Jews refused categorically to recognize the resolution insofar as it pertained to internationalization and had expressed their intention to bring the matter before the General Assembly; the Committee, therefore, could do no more in the way of liaison with the Jews and there was little to keep it in Jerusalem. The Committee should draft its statute and follow the Commission to Lausanne when its contacts in the area were completed.

Mr. ETHRIDGE was convinced that the Committee's exploratory work was not yet finished. In spite of his expressed intention to fight the idea of internationalization in the General Assembly, Mr. Ben Gurion had stated clearly that he accepted without reservation the principle of protection of the Holy Places.

/The Committee

The Committee should continue its work and endeavour to obtain the maximum agreement of both sides on that point if nothing else. He anticipated that when the General Assembly was faced with the reality that it would not be able to enforce order in Jerusalem nor to subsidize or operate the City, it would envisage a plan of internationalization short of complete operation of the City. It was a part of the Commission's function to present the Assembly with such a plan. It must not, however, present any plan which could be attacked as impractical or academic; and the only way to guard against such an attack was by the maximum canvassing of both sides to obtain agreement on practical operating grounds. A theoretical plan would be the best way of achieving no internationalization at all.

Mr. de BOISANGER agreed that the plan submitted should be a practical one, but he did not see how such a plan was possible, nor what could be achieved by further contacts between the Committee and the Israeli Government. He did not feel that Mr. Ben Gurion would be disposed to accept any plan the Commission might offer. He was categorically opposed to the Commission's giving the impression that it in any way accepted the Israeli Government's flagrant repudiation of the resolution.

Mr. HALDERMAN pointed out that the Israeli campaign in the Assembly would necessarily have to be on the basis of the plan proposed rather than the resolution itself. It might be possible to present a plan containing a substantial compliance with the resolution which would at the same time be difficult for Israel to reject.

Mr. ETHRIDGE affirmed that there was no question of the Commission's giving the impression that it accepted in any way Mr. Ben Gurion's statement; the Commission's stand on that statement could be made perfectly clear in any subsequent conversations. He pointed out, however, that the protection of the Holy Places was the basic purpose of any plan of internationalization, and he thought it essential that Mr. Ben Gurion's remark on the subject should be followed up and his ideas ascertained. In any case, he would ask Mr. Halderman to see Mr. Comay, in order to avoid the Commission's being accused of lack of

interest in the Israeli invitation to further discussion.

Mr. de BOISANGER agreed that the Commission should know Mr. Ben Gurion's ideas on protection of the Holy Places. He would prefer that the Committee should not meet Mr. Comay as a Committee, and that the French representative should not confer with him, but he saw no harm in Mr. Haldeman's acting as the Committee's unofficial contact with Mr. Comay at this stage.

The Commission agreed that the Committee should visit Galilee and that it should take its own decision concerning the date of its departure for Lausanne.

Guard at Government House

The PRINCIPAL SECRETARY drew the attention of the Commission to the fact that the guard duty at Government House had now been taken over by an international guard, and that a letter should now be sent to the Israeli and Arab military commanders expressing thanks for the services of their guards.

In reply to a question from Mr. Ethridge, the Principal Secretary explained that after the Commission's departure for Lausanne a reduced staff would be maintained at Government House, in order to avoid giving the impression that the Commission had moved its headquarters away from Jerusalem. He also mentioned the fact that General Riley was expected to transfer the headquarters of the armistice supervision organization to Government House very shortly.