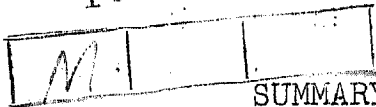


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SUMMARY RECORD OF THE FIFTIETH MEETING

held in Lausanne on Friday,  
6 May 1949, at 10 a.m.

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

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Negotiations with Arab and Israeli Delegations

The CHAIRMAN reported the results of his meeting the previous day with the Arab delegation. At that time the delegations had told him of their decision in principle to negotiate with the Israeli delegation only en bloc. The Arab delegations desired a working paper presenting the complete outline of a settlement. The Chairman had stated that the Commission could not take the responsibility of presenting such a paper at present; if it were to do so, the paper would have to be based solely on the position of the Israeli delegation, since the position of the Arab delegations was not known, except as regards the refugee question. The Chairman had been advised that the Arab delegation would consider presenting their views to the Commission; they had requested a meeting with the Commission the following Tuesday, and it seemed likely that a statement of position might be made at that time. The head of the Egyptian delegation had mentioned to the Chairman a conversation he had had with Mr. Sasson of the Israeli delegation; he had described it as a personal meeting to which he attached no official importance.

The Chairman had also had a meeting with representatives of the refugee committee from Ramallah, who had expressed great appreciation of the work the Commission was doing, particularly as regards the memorandum to the Israeli Government on the refugee situation. The Chairman had explained that the Commission was pressing Dr. Eytan for detailed replies to that memorandum, and that he was awaiting further instructions from Tel Aviv. The committee had expressed a desire to be received by the Commission when it intended to discuss the refugee problem, but did not press for an immediate meeting.

With regard to the letter received from the heads of the Arab delegations concerning their contacts with the Commission (document AR/5), Mr. de BOISANGER expressed the opinion that while the Commission could not oppose the desire of the Arabs to express their views to the Commission as a group, a dangerous precedent might be established if the Commission were to accept the principle of receiving the delegations collectively. The Commission should reply to the effect that it agreed to receive the delegations together but reserved the right also to meet them separately if it deemed necessary or desirable to do so. The terms of the letter were too categorical; the reply should not be delayed more than two or three days lest an impression of acquiescence be created.

The CHAIRMAN and Mr. YALCIN agreed to Mr. de Boisanger's proposal. The Chairman thought it would be wise to wait a few days, in the hope that the Arab delegations would relinquish their desire to have the Commission take the initiative in proposing a plan for a settlement, and would themselves take a positive position. The Commission should not present a working paper of its own unless the positions taken by the Arab and Israeli delegations proved irreconcilable.

#### Draft "Preamble" and "Declaration of Principles"

The PRINCIPAL SECRETARY recalled that the Secretariat had drafted its "Declaration of Principles" on the Commission's instructions as a possible alternative to the Israeli draft "Preamble". He pointed out that some action must be taken, since the Commission had promised Dr. Eytan a statement of views on his paper.

The CHAIRMAN did not see the value of the "Preamble" at the present, since the Arab delegations desired a more complete document. He thought, however, that the draft "Declaration" might be presented to both sides for their study and comment. The Commission could inform Dr. Eytan that it had taken the "Preamble" under consideration and would give him a reply the following week.

Mr. de BOISANGER thought there was no urgency as regards a reply to Dr. Eytan. He felt, however, that the "Declaration" had some value as a statement of principles and as a document of the Lausanne conference; he suggested that the Principal Secretary should hand it to all the delegations unofficially and request their comments.

The Commission adopted Mr. de Boisanger's suggestion.

Relations between the Commission and the Mediator's Organization.

Mr. de BOISANGER said he had received a telegram from his Government, concerning the situation in Palestine. Some concern was felt regarding the fact that the remaining functions of the Mediator had not yet been taken over by the Conciliation Commission, as provided for in the resolution and as planned by Dr. Bunche himself. He was aware that Dr. Bunche had not intended to ask for the termination of the office of Mediator until the Syrian armistice agreement had been concluded. He pointed out, however, that according to present indications the Israeli-Syrian negotiations had reached a deadlock which might prolong the talks for a considerable length of time and produce a situation fraught with danger. He suggested that the Principal Secretary should make inquiries at Lake Success and ascertain the present status of Dr. Bunche's plans.

The CHAIRMAN recalled that during the meeting with the Acting Mediator in Beirut, Dr. Bunche had expressed the view that it would be a mistake for the Commission to take over supervision of the armistice agreements, since the resulting continual pre-occupation with incidents and matters connected with such supervision would interfere with its work of conciliation and its other functions set forth in the resolution. He personally did not agree with his Government's view that the Commission should take over supervision of the Mixed Armistice Commission.

Mr. de BOISANGER agreed with the Chairman that the Commission could not attempt to carry any part in the Syrian negotiations. In view of the definite provisions in the resolution, however, he did not see how the Commission could avoid taking over the Mediator's functions to the extent of assuming responsibility for the Mixed Armistice Commissions.

The CHAIRMAN pointed out that in any case such responsibility would have to be allotted to the Commission by an affirmative action of the Security Council. He suggested that the Principal Secretary should send a formal telegram of inquiry to the Secretary-General to ascertain the present situation; the individual members of the Commission could then ask their delegations at Lake Success to meet with Dr. Bunche and come to a decision, and the matter could be placed on the agenda of a future meeting of the Commission.

Discussion of Statement by Dr. Eytan

Mr. de BOISANGER felt that the replies made by Dr. Eytan on the subject of compensation by the Israeli Government for refugee

property were wholly unsatisfactory and in complete contradiction with the terms of the resolution. The Commission should ask Dr. Eytan for a formal statement, preferably in writing, of his Government's stand on the matter; if no statement was forthcoming in answer to the request, the Commission should so inform the Secretary-General.

The CHAIRMAN agreed that another meeting with Dr. Eytan would be necessary to clear up several questions which had not been satisfactorily answered. On the matter of compensation, however, the Commission itself had a function: that of setting up a mixed claims board under United Nations supervision, which would take the question of compensation out of the hands of the Israeli Government. The important thing was the instructions the Commission would give to the new claims board; those instructions would be based on the provisions of the resolution. The Israeli position had been stated; it was now the Commission's duty to impose the principles upon which compensation would be paid. He could not see the advantage in writing to Dr. Eytan at the present stage.

Mr. de BOISANGER was in full agreement regarding the setting up of a claims board. It was necessary, however, to establish a basis on which such a board could work. Since the Commission was still waiting for Dr. Eytan to receive further instructions from his Government on certain points, he suggested that the Principal Secretary should address a note to Dr. Eytan listing the matters on which the Commission was still awaiting his final word. Those matters could include the points of the memorandum on refugees which were still unanswered, and a list of the various specific types of property on which compensation should be paid. The note could be in the form of a memorandum to the Israeli delegation, rather than a personal letter to Dr. Eytan. Mr. de Boisanger felt strongly that the Commission must take a firm stand and insist on a definite reply on the question of compensation.

The Commission agreed to Mr. de Boisanger's suggestion.

The CHAIRMAN drew attention to a statement made the preceding day at Lake Success by Mr. Eban, to the effect that the Commission's report had not accurately reflected the views of Mr. Ben Gurion on Jerusalem. The Chairman recalled that after the meeting with Mr. Ben Gurion, Mr. Comay had informed him that

Mr. Ben Gurion had stated his position inaccurately and wished to correct it by letter to the Commission; he had subsequently reversed that decision and the letter had never been sent. These circumstances should be made clear to the Secretary-General, after Mr. Eban's statement had been verified.