

UNITED NATIONS CONCILIATION COMMISSION FOR PALESTINE

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SUMMARY RECORD OF THE NINETY-FIFTH MEETING

held in Lausanne, on Thursday, the
1st September 1949, at 10:30 a.m.

Present: Mr. de Boisanger (France) - Chairman

Mr. Yalcin (Turkey)

*Mr. Rockwell (U.S.A.)

Dr. Azcarate

- Principal Secretary

* Alternate

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Presentation of the Draft Declaration concerning Holy Places, religious buildings and sites in Palestine to the political authorities of the areas concerned.

The Commission agreed to request the Committee on Jerusalem to draft a covering letter to the Draft Declaration concerning Holy Places, religious buildings and sites in Palestine, emphasizing the fact that such undertakings in no way prejudged the final territorial settlement of the Palestine problem. The Declaration with the accompanying letter would then be transmitted to the Israeli delegation and to all the Arab delegations with a request for a reply at the earliest possible opportunity. The documents would also be transmitted simultaneously to the Secretary-General of the United Nations for information purposes. As soon as replies were received from the various delegations, the Commission would of course communicate them to the Secretary-General for transmission to the General Assembly.

Consideration of the draft report transmitting to the General Assembly the Instrument establishing a permanent international regime for the Jerusalem area.

The CHAIRMAN considered that since the Instrument was being transmitted without any commentary other than the covering report, some fuller explanations would be necessary, and, in particular, reference as to the reasons for which the idea of a corpus separatum had been abandoned, as well as a statement to the effect that the cooperation of both parties was essential for the plan to be a workable one.

Mr. ROCKWELL, supported by Mr. YALCIN, believed that no mention need be made, even indirectly, of the principle of a corpus separatum since that idea had not been included in the General Assembly's resolution of 11 December 1948, in accordance with which the Commission was presenting its proposals on Jerusalem. Moreover, it was highly desirable for the covering remarks to be as brief as possible in order not to raise possible subjects of disagreement.

Mr. Rockwell pointed out further that it was his delegation's view that some oral explanation of the proposals would necessarily have to be made by a representative of the Commission before the General Assembly. In view of that fact, it would be preferable to give that representative full latitude to adapt his comment to the circumstances which would exist at that time and not be bound to considerations based on the situation at present. At that stage also, the Commission would doubtless be acquainted with the reactions of the parties concerned to the proposals and would be able to put forward relevant arguments.

Following an observation from Mr. YALCIN who remarked that it would therefore be essential for the representative who would make that oral explanation to reflect accurately the views of all the members of the Commission, the Commission agreed to request the Committee on Jerusalem at some later date to prepare the material for such a statement.

Mr. ROCKWELL drew the Commission's attention to the second sentence of the second paragraph of the draft report which, in his opinion, gave the impression that the Committee's proposals had received the approval of the authorities listed. He therefore proposed the deletion of that sentence, to be replaced by the following: "This Committee has devoted careful study to the Jerusalem question in all its aspects".

It was so agreed.

The CHAIRMAN proposed that the following words be added to sub-paragraph 1): "and that it can be adopted by the General Assembly at its forthcoming session if it thinks fit".

It was so agreed.

Following a point raised by the PRINCIPAL SECRETARY that the first sentence of sub-paragraph 1) would seem to indicate that the proposals had been drawn up in haste, the CHAIRMAN suggested that the first sentence be deleted and replaced by the following: "The Commission has drawn up a plan which in its opinion can be applied in the present circumstances".

It was so agreed.

The PRINCIPAL SECRETARY wished to call the Commission's attention to the fact that, in sub-paragraph (2) of the draft report, it was not altogether desirable to state that "the Commission hopes that this matter will be settled by agreement" without indicating any active measures which the Commission itself envisaged in order to collaborate towards such an agreement.

After discussion, the Commission agreed to delete that sentence, as well as the words "pending such a settlement" in the following sentence.

The Commission thereupon approved the draft report as amended. It was furthermore decided that it should be sent in the form of a letter to the Secretary-General of the United Nations, signed by the three members of the Commission.